
Changes to legislation: Energy Act 2013, Paragraph 11 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 10

PROVISIONS RELATING TO OFFENCES

Modifications etc. (not altering text)

- C1** Sch. 10 excluded (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 1 para. 4** (with Sch. 4)

Onus of proving limits of what is practicable etc

- 11 (1) This paragraph applies if regulations under this Part create an offence consisting of—
- (a) a failure to comply with a duty or requirement to do something so far as practicable (or reasonably practicable), or
 - (b) a failure to use the best means do something.
- (2) The regulations may provide that it is for the defendant to prove that—
- (a) it was not practicable (or reasonably practicable) to do more than was in fact done to satisfy the duty or requirement, or
 - (b) there was no better practicable means than was in fact used to satisfy the duty or requirement.

Commencement Information

- II** Sch. 10 para. 11 in force at 1.4.2014 by [S.I. 2014/251](#), art. 4

Changes to legislation:

Energy Act 2013, Paragraph 11 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)