



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 5

SUPPLEMENTARY

Offences

105 Offences relating to false information and deception

- (1) It is an offence for a person—
 - (a) to make a statement which the person knows to be false, or
 - (b) recklessly to make a statement which is false,in the circumstances mentioned in subsection (2).
- (2) Those circumstances are where the statement is made—
 - (a) in purported compliance with any requirement to provide information imposed by or under any of the relevant statutory provisions, or
 - (b) for the purposes of obtaining the issue of a document under any of the relevant statutory provisions (whether for the person making the statement or anyone else).
- (3) It is an offence for a person—
 - (a) intentionally to make a false entry in a relevant document, or
 - (b) with intent to deceive, to make use of any such entry which the person knows to be false.

Changes to legislation: Energy Act 2013, Section 105 is up to date with all changes known to be in force on or before 14 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

- (4) In subsection (3) “relevant document” means any register, record, notice or other document which is required to be kept or given by or under any of the relevant statutory provisions.
- (5) It is an offence for a person, with intent to deceive—
- (a) to use a relevant document,
 - (b) to make or have possession of a document so closely resembling a relevant document as to be calculated to deceive.
- (6) In subsection (5) “relevant document” means a document—
- (a) issued or authorised to be issued under any of the relevant statutory provisions, or
 - (b) required for the purpose of any of those provisions.
- (7) A person who commits an offence under this section is liable—
- (a) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months (in England and Wales or Scotland) or 6 months (in Northern Ireland),
 - (ii) to a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland), or
 - (iii) to both;
 - (b) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 2 years,
 - (ii) to a fine, or
 - (iii) to both.
- [^{F1}(8) In the application of this section in England and Wales, the reference in subsection (7) (a)(i) to 12 months is to be read as a reference to the general limit in a magistrates’ court (or to 6 months in relation to an offence committed before 2 May 2022).]

Textual Amendments

- F1** S. 105(8) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), **26(4)**

Modifications etc. (not altering text)

- C1** S. 105(1) modified (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. 5(4)**Sch. 1 para. 5(5)(b)** (with Sch. 1 paras. 6, 4)
- C2** S. 105(3) modified (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. 5(4)**Sch. 1 para. 5(5)(b)** (with Sch. 1 paras. 6, 4)
- C3** S. 105(5) modified (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. 5(4)**Sch. 1 para. 5(5)(b)** (with Sch. 1 paras. 6, 4)

Commencement Information

- I1** S. 105 in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

Changes to legislation:

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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\(4\)](#)