

Status: Point in time view as at 01/12/2020.

Changes to legislation: Energy Act 2013, Cross Heading: Power of court to order cause of offence to be remedied is up to date with all changes known to be in force on or before 02 June 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)

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)

Power of court to order cause of offence to be remedied

- 13 (1) This paragraph applies where—
- (a) a person (“P”) is convicted of an offence, and
 - (b) it appears to the court that the matters in respect of which P is convicted are matters that are within P’s power to remedy.
- (2) The court may (in addition to, or instead of, imposing any punishment) order P to take such steps as the order may specify for the purpose of remedying those matters.
- (3) The steps are to be taken within such time as may be fixed by the order (“the remedial period”).
- (4) The court may extend or further extend the remedial period on an application.
- (5) An application under sub-paragraph (4) must be made—
- (a) before the end of the remedial period, or
 - (b) before the end of that period as extended on a previous application.
- (6) Where P is ordered to remedy any matters by an order under this paragraph—
- (a) it is an offence for P to fail to comply with the order, but
 - (b) P is not liable under any relevant provision in respect of those matters to the extent that they continue during—
 - (i) the remedial period, or
 - (ii) any extension of that period granted under sub-paragraph (4).
- (7) A person who commits an offence under this paragraph 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,

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- (ii) to a fine, or
- (iii) to both.

(8) In the application of sub-paragraph (7) to England and Wales in relation to an offence committed before the commencement of [^{F1}paragraph 24(2) of Schedule 22 to the Sentencing Act 2020] (general limit on magistrates' court's powers to imprison), the reference in sub-paragraph (7)(a)(i) to 12 months is to be read as a reference to 6 months.

Textual Amendments

F1 Words in Sch. 10 para. 13(8) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 para. 443(1) (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

C2 Sch. 10 para. 13(6) 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)(e) (with Sch. 1 paras. 6, 4)

Commencement Information

I1 Sch. 10 para. 13 in force at 1.4.2014 by S.I. 2014/251, art. 4

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