
Changes to legislation: Energy Act 2013, Paragraph 3 is up to date with all changes known to be in force on or before 15 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 5

EMISSIONS LIMIT DUTY: MONITORING AND ENFORCEMENT

Financial penalties

- 3 (1) Enforcement regulations may authorise an enforcing authority to serve a notice on an operator who has breached the emissions limit duty requiring the operator to pay such a financial penalty in respect of the breach as is specified in, or calculated in accordance with, the notice or the regulations.
- (2) Enforcement regulations which provide for the imposition of financial penalties—
- (a) may not permit an enforcing authority to impose a financial penalty in respect of a breach of the emissions limit duty in any year which began more than 5 years before the year in which the notice imposing the penalty is served;
 - (b) may require enforcing authorities, in imposing such penalties, to have regard to any guidance issued by the appropriate national authority;
 - (c) may provide for such penalties to be instead of, or in addition to, requirements imposed under enforcement notices.

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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\(4\)](#)