



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 4

FUNCTIONS OF THE ONR

Information etc

99 HMRC power to seize articles etc to facilitate ONR and inspectors

- (1) An officer of Revenue and Customs may seize any imported article or substance and detain it for the purpose of facilitating the ONR or an inspector to carry out any function under the relevant statutory provisions.
- (2) It is an offence for a person intentionally to obstruct an officer of Revenue and Customs in the exercise of powers under subsection (1).
- (3) A person who commits an offence under subsection (2) is liable on summary conviction—
 - (a) to imprisonment for a term not exceeding 51 weeks (in England and Wales), 12 months (in Scotland) or 6 months (in Northern Ireland),
 - (b) to—
 - (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland, a fine not exceeding level 5 on the standard scale, or
 - (c) to both.
- (4) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for summary offences), the reference

Changes to legislation: Energy Act 2013, Section 99 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

in subsection (3)(a), as it has effect in England and Wales, to 51 weeks is to be read as a reference to 6 months.

- (5) Anything seized and detained under subsection (1)—
- (a) must not be detained for more than 2 working days, and
 - (b) must be dealt with during the period of detention in such manner as the Commissioners for Her Majesty's Revenue and Customs may direct.
- (6) In subsection (5), the reference to 2 working days is a reference to the period of 48 hours beginning when the article or substance in question is seized but disregarding any time falling on a Saturday or Sunday, or on Good Friday or Christmas Day or on a day which is a bank holiday in the part of the United Kingdom where it is seized.

Commencement Information

II S. 99 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

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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\(4\)](#)