



Energy Act 2004

2004 CHAPTER 20

PART 2

SUSTAINABILITY AND RENEWABLE ENERGY SOURCES

CHAPTER 5

RENEWABLE TRANSPORT FUEL OBLIGATIONS

[^{F1}131C Wrongful disclosure

- (1) A person commits an offence if—
 - (a) he discloses information about a person in contravention of section 131B(2), and
 - (b) the person's identity is specified in the disclosure or can be deduced from it.
- (2) In subsection (1) “information about a person” means revenue and customs information relating to a person within the meaning of section 19(2) of the Commissioners for Revenue and Customs Act 2005 (wrongful disclosure).
- (3) It is a defence for a person charged with an offence under this section to prove that he reasonably believed—
 - (a) that the disclosure was lawful, or
 - (b) that the information had already and lawfully been made available to the public.
- (4) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding twelve months or a fine not exceeding the statutory maximum or both.
- (5) A prosecution for an offence under this section—

Changes to legislation: Energy Act 2004, Section 131C is up to date with all changes known to be in force on or before 25 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) View outstanding changes

- (a) may be brought in England and Wales only with the consent of the Director of Public Prosecutions;
- (b) may be brought in Northern Ireland only with the consent of the Director of Public Prosecutions for Northern Ireland.

[In the application of this section in England and Wales the reference in subsection (4)^{F2}(5A) (b) to twelve months is to be read as a reference to the general limit in a magistrates' court (or in relation to an offence committed before 2 May 2022, to six months).]

(6) In the application of this section—

- ^{F3}(a)
- (b) in Northern Ireland,

the reference in subsection (4)(b) to twelve months is to be read as a reference to six months.]

Textual Amendments

- F1** Ss. 131A-131C inserted (26.1.2009) by [Climate Change Act 2008 \(c. 27\)](#), s. 100(5), [Sch. 7 para. 6](#)
- F2** [S. 131C\(5A\)](#) inserted (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), [11\(2\)](#)
- F3** [S. 131C\(6\)\(a\)](#) omitted (7.2.2023 at 12.00 p.m.) by virtue of [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), [11\(3\)](#)

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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. 88(1)(a) words substituted by [S.I. 2024/706 reg. 7\(a\)](#)
- s. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)