



# Energy Act 2016

## 2016 CHAPTER 20

### PART 2

#### FURTHER FUNCTIONS OF THE OGA RELATING TO OFFSHORE PETROLEUM

### CHAPTER 5

#### SANCTIONS

##### *Sanction notices*

#### **45 Amount of financial penalty**

- (1) The financial penalty payable under a financial penalty notice in respect of a failure to comply with a petroleum-related requirement (whether payable by one person, or jointly by two or more persons) must not exceed £1 million.
- (2) The OGA must—
  - (a) issue guidance as to the matters to which it will have regard when determining the amount of the financial penalty to be imposed by a financial penalty notice, and
  - (b) have regard to the guidance when determining the amount of the penalty in any particular case.
- (3) The OGA may from time to time review the guidance and, if it considers appropriate, revise it.
- (4) Before issuing or revising guidance under this section, the OGA must consult such persons as it considers appropriate.
- (5) The OGA must lay any guidance issued under this section, and any revision of it, before each House of Parliament.

*Status: This is the original version (as it was originally enacted).*

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- (6) The OGA must publish any guidance issued under this section, and any revision of it, in such manner as the OGA considers appropriate.
- (7) The Secretary of State may by regulations amend subsection (1) to change the amount specified to an amount not exceeding £5 million.