



Energy Act 2023

2023 CHAPTER 52

PART 12

CORE FUEL SECTOR RESILIENCE

CHAPTER 3

ENFORCEMENT

Offences

281 Offences under regulations

- (1) This section applies to regulations under—
 - (a) [section 272](#) (corresponding powers to make regulations);
 - (b) [section 276](#) (provision of information at specified intervals).
- (2) Regulations to which this section applies may provide for an offence under the regulations to be triable—
 - (a) only summarily, or
 - (b) either summarily or on indictment.
- (3) Regulations to which this section applies may provide for an offence under the regulations that is triable either way to be punishable—
 - (a) on summary conviction in England and Wales with imprisonment for a term not exceeding the period specified or a fine (or both);
 - (b) on summary conviction in Scotland or Northern Ireland with imprisonment for a term not exceeding the period specified or a fine not exceeding the statutory maximum (or both);
 - (c) on conviction on indictment, with imprisonment for a term not exceeding the period specified, which may not exceed two years, or a fine (or both).

Status: This is the original version (as it was originally enacted).

- (4) A period specified under [subsection \(3\)\(a\)](#) may not exceed the general limit in a magistrates' court.
- (5) A period specified under [subsection \(3\)\(b\)](#) may not exceed—
- (a) in relation to Scotland, 12 months;
 - (b) in relation to Northern Ireland, 6 months.
- (6) Regulations to which this section applies may provide for a summary offence under the regulations to be punishable—
- (a) with imprisonment for a term not exceeding the period specified,
 - (b) with—
 - (i) in England and Wales, a fine (or a fine not exceeding an amount specified, which must not exceed level 4 on the standard scale), or
 - (ii) in Scotland or Northern Ireland, a fine not exceeding the amount specified, which must not exceed level 5 on the standard scale, or
 - (c) with both.
- (7) A period specified under [subsection \(6\)\(a\)](#) may not exceed—
- (a) in relation to England and Wales—
 - (i) 6 months, in relation to offences committed before the date on which section 281(5) of the Criminal Justice Act 2003 comes into force, or
 - (ii) 51 weeks, in relation to offences committed on or after that date,
 - (b) in relation to Scotland, 12 months,
 - (c) in relation to Northern Ireland, 6 months.
- (8) In this section “specified” means specified in the regulations.