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STATUTORY INSTRUMENTS

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**2014 No. 469**

**The Energy Act 2013 (Office for Nuclear  
Regulation) (Consequential Amendments,  
Transitional Provisions and Savings) Order 2014**

**Transitional provisions: fines on conviction by magistrates' court**

7.—(1) This article makes transitional modifications to the 1965 Act, the 2001 Act and the 2013 Act as they apply to England and Wales.

(2) In relation to an offence which is committed before the relevant commencement date, each of the references to a fine specified in paragraph (3) is to be treated as a reference to a fine not exceeding £20,000.

(3) The specified references are—

- (a) in the 1965 Act, the first references in each of sections 1(8)(b), 4(11)(b), 5(10)(b) and 22(4)(b)(1);
- (b) the first reference in section 77(3)(a)(ii) of the 2001 Act(2);
- (c) in the 2013 Act—
  - (i) the first reference in section 103(2)(a)(ii);
  - (ii) the reference in section 104(2)(a)(i);
  - (iii) the first reference in section 105(7)(a)(ii);
  - (iv) the first references in each of paragraphs 7(2)(a)(ii) and 17(3)(a)(ii) of Schedule 8;
  - (v) the first reference in paragraph 13(7)(a)(ii) of Schedule 10.

(4) In relation to an offence which is committed before the relevant commencement date, section 75(2)(b)(ii) of the 2013 Act has effect as if for “a fine or” there were substituted “a fine not exceeding the amount specified (which must not exceed £20,000) or”.

(5) In relation to an offence which is committed before the relevant commencement date, each of the references in the 2013 Act to a fine specified in paragraph (6) is to be treated as a reference to a fine not exceeding the statutory maximum.

(6) The specified references are—

- (a) the reference in section 97(6)(a)(i);
- (b) the first reference in section 102(3)(a)(ii);
- (c) the first reference in paragraph 6(1)(a)(ii) of Schedule 9.

(7) In relation to an offence which is committed before the relevant commencement date each of the references in the 2013 Act to a fine specified in paragraph (8) is to be treated as a reference to a fine not exceeding level 5 on the standard scale.

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(1) Section 1 was substituted by the Energy Act 2013 (c.32) (“the 2013 Act”), Schedule 12, paragraph 17. Section 4 was substituted by the 2013 Act, Schedule 12, paragraph 19. Section 5 was substituted by the 2013 Act, Schedule 12, paragraph 20. Section 22 was substituted by the 2013 Act, Schedule 12, paragraph 23.

(2) Section 77(3)(a)(ii) was amended by the Energy Act 2013, Schedule 12, paragraph 32(3).

(8) The specified references are—

(a) the reference in section 99(3)(b)(i);

(b) the references in paragraphs 18(2)(b)(i) and 19(2)(a) of Schedule 8.

(9) In relation to an offence which is committed before the relevant commencement date, each of the provisions of the 2013 Act specified in paragraph (10) has effect as if for the words following the first reference to “a fine” there were substituted “not exceeding level 5 on the standard scale”.

(10) The specified provisions are—

(a) section 75(4)(b)(i); and

(b) section 85(6)(a).

(11) In this article “the relevant commencement date” means the date on which section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(3) (removal of limit on certain fines on conviction by magistrates’ court) comes into force.