



Energy Act 1976

1976 CHAPTER 76

Miscellaneous and general

18 Administration, enforcement and offences.

- (1) Schedule 2 to this Act has effect with respect to the administration and enforcement of this Act and provision made under it, including powers of obtaining information, powers of entry, consents for taking proceedings and other matters.
- (2) A person commits an offence if—
 - (a) without reasonable excuse he contravenes or fails to comply with any provision made by this Act, or made under it by order, direction or otherwise (but subject to subsection (3) below in the case of sections . . . ^{F1}[^{F29}, 12 and 12A]); or
 - (b) he wilfully obstructs any person exercising a power conferred, or performing a duty imposed, by or under this Act; or
 - ^{F3}(c)
 - (d) in furnishing any information—
 - ^{F4}(i)
 - (ii) for the purposes of this Act, or of an order made or direction given under it,
or in a notice given for any of those purposes, he makes or causes to be made on his behalf a statement which he knows to be false or does not believe to be true; or
 - (e) he has in his possession without lawful excuse a document purporting to be one issued for the purposes of this Act, or of an order made or direction given under it, which is not such a document but so closely resembles it as to be calculated to deceive.
- (3) In respect of contraventions of, or failure to comply with—
 - (a) any provision made by section . . . ^{F1}[^{F59}, 12 or 12A] of this Act; or
 - (b) any condition of a consent given by the Secretary of State [^{F6}or the OGA][^{F7}or the British Gas Corporation] thereunder,

Changes to legislation: There are currently no known outstanding effects for the Energy Act 1976, Section 18. (See end of Document for details)

criminal proceedings do not lie; but this is without prejudice to other methods of obtaining compliance with statutory obligations.

- (4) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of a body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate is guilty of that offence and liable to be proceeded against and punished accordingly.
- (5) Where the affairs of a body corporate are managed by its members, subsection (4) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Textual Amendments

- F1** Word repealed by [Oil and Gas \(Enterprise\) Act 1982 \(c. 23, SIF 86\)](#), s. 37(2), **Sch. 4**
- F2** Words in s. 18(2)(a) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 4(2)**; [S.I. 2016/920](#), reg. 2(a)
- F3** S. 18(2)(c) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **4(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 18(2)(d)(i) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **4(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 18(3)(a) substituted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 4(3)(a)**; [S.I. 2016/920](#), reg. 2(a)
- F6** Words in s. 18(3)(b) inserted (1.10.2016) by [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 4(3)(b)**; [S.I. 2016/920](#), reg. 2(a)
- F7** Words repealed (E.W.S.) by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(3)(4), Sch. 8 para. 17, **Sch. 9 Pt. I**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 1976, Section 18.