



Energy Act 2004

2004 CHAPTER 20

PART 2

SUSTAINABILITY AND RENEWABLE ENERGY SOURCES

CHAPTER 2

OFFSHORE PRODUCTION OF ENERGY

Safety zones for installations

97 Offences relating to safety zones

- (1) Where a vessel enters or remains in a safety zone in contravention of section 96(1), the vessel's owner and her master are each guilty of an offence.
- (2) Where—
 - (a) a vessel enters or remains in a safety zone with a permission granted for the purposes of section 96, and
 - (b) there is a contravention of a condition of that permission in relation to the vessel or individuals on the vessel,the vessel's owner and her master are each guilty of an offence.
- (3) A person who carries on an activity wholly or partly in a safety zone in contravention of section 96(2) is guilty of an offence.
- (4) Where—
 - (a) a person carries on an activity wholly or partly in a safety zone with a permission granted for the purposes of section 96, and
 - (b) there is a contravention of a condition of that permission in relation to the carrying on of that activity,that person is guilty of an offence.

Changes to legislation: Energy Act 2004, Section 97 is up to date with all changes known to be in force on or before 24 April 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

- (5) A person guilty of an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.
- (6) In proceedings against a person as the owner of a vessel for an offence under subsection (1) or (2), it is a defence for him to show that the existence of the safety zone—
- (a) was not known to the master of the vessel in question at the time of the offence; and
 - (b) would not have become known to the master had he made reasonable inquiries before that time.
- (7) In any other proceedings against a person for an offence under this section, it is a defence for that person to show that the existence of the safety zone—
- (a) was not known to him at the time of the offence; and
 - (b) would not have become known to him had he made reasonable inquiries before that time.
- (8) It is also a defence in proceedings against a person for an offence under this section for that person to show that he took all reasonable steps to prevent the contravention in question.

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Modifications etc. (not altering text)

C1 Ss. 95-98 applied (E.W.) (22.12.2021) by [The Morlais Demonstration Zone Order 2021 \(S.I. 2021/1478\)](#), arts. 1, **43(3)(4)** (with arts. 15, 50, Sch. 11 para. 29)

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Commencement Information

I1 S. 97 in force at 1.10.2005 by [S.I. 2005/877](#), art. 2(2), **Sch. 2**

Changes to legislation:

Energy Act 2004, Section 97 is up to date with all changes known to be in force on or before 24 April 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.

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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. 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\(2\)\(b\)](#)