



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 5

SUPPLEMENTARY

General duties of employers, employees and others

102 General duty of employees at work in relation to requirements imposed on others

- (1) Every employee, while at work, must co-operate with any person (whether or not the employer) on whom a requirement is imposed by or under any relevant provision so far as necessary to enable the requirement to be complied with.
- (2) Failure to comply with the duty in subsection (1) is an offence.
- (3) A person who commits an offence under subsection (2) is liable—
 - (a) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months (in England and Wales or Scotland) or 6 months (in Northern Ireland),
 - (ii) to a fine (in England and Wales) or a fine not exceeding the statutory maximum (in Scotland or Northern Ireland), or
 - (iii) to both;
 - (b) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 2 years,
 - (ii) to a fine, or
 - (iii) to both.

Status: This is the original version (as it was originally enacted).

- (4) In the application of subsection (3) to England and Wales in relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to imprison), the reference in subsection (3)(a)(i) to 12 months is to be read as a reference to 6 months.
- (5) In this section—
- (a) “employee” and “employer” have the same meanings as in Part 1 of the 1974 Act (see section 53(1) of that Act), and
 - (b) “relevant provision” means any of the relevant statutory provisions other than—
 - (i) any provision of the Nuclear Safeguards Act 2000,
 - (ii) any provision of nuclear regulations which is identified under section 74(9) as having been made solely for the nuclear safeguards purposes.

103 Duty not to interfere with or misuse certain things provided under statutory requirements

- (1) It is an offence intentionally or recklessly to interfere with or misuse anything provided in the interests of health, safety or welfare in pursuance of any of the relevant statutory provisions.
- (2) A person who commits an offence under this section is liable—
- (a) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months (in England and Wales or Scotland) or 6 months (in Northern Ireland),
 - (ii) to a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland), or
 - (iii) to both;
 - (b) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 2 years,
 - (ii) to a fine, or
 - (iii) to both.
- (3) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's powers to imprison), the reference in subsection (2)(a)(i), as it has effect in England and Wales, to 12 months is to be read as a reference to 6 months.

104 Duty not to charge employees for certain things

- (1) It is an offence for an employer to impose a charge, or allow a charge to be imposed, on an employee in respect of anything done or provided in pursuance of a specific requirement imposed by or under any relevant provision.
- (2) A person who commits an offence under this section is liable—
- (a) on summary conviction to—
 - (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland, a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.

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

(3) In this section—

- (a) “employer” and “employee” have the same meanings as in Part 1 of the 1974 Act (see section 53(1) of that Act), and
- (b) “relevant provision” has the same meaning as in section 102.