

5. Civil Penalties and Criminal Sanctions for Offences under the CRC Energy Efficiency Scheme Order 2010

Civil penalties: Under the CRC civil penalties are potentially unlimited and so could run to hundreds of thousands of pounds or more. Clicking this link will open a pdf document describing the situations in which penalties may be applied and details of the way they are calculated.

Civil Penalties if you:	£5,000 fine	Plus £500 per working day (up to 80 days)	Plus £500 per working day (up to 40 days)	If over 40 days later or not provided, then £40,000 fine	£500 per meter not reported	Publication of non-compliance	Where report over 40 days late, £40 per tCO2	£40 per tCO2 inaccurately reported/ shortfall	£40 per tCO2 reported in the previous year
Fail to apply for registration, or apply late	✓	✓				✓			
Fail to provide details of each settled half-hourly meter at registration					✓	✓			
Fail to provide a footprint report, or provide it late	✓		✓	✓		✓			
Fail to provide an annual report, or provide it late	✓		✓	✓*		✓	✓		
Fail to provide accurate information at registration	✓					✓			
Fail to provide notification to the administrator that a CCA exemption no longer applies, or of a designation change	✓					✓			
Provide an inaccurate footprint or annual report						✓		✓	
Fail to surrender allowances**						✓		✓	
Fail to comply with a notice requesting information about general records required to be maintained						✓	✓		✓
Fail to keep records of your residual measurement list and public disclosure information	✓					✓			
Fail to provide information on half hourly meters					✓				

* In addition, where an annual report is more than 40 days late or not provided at all, the following penalties also apply:

- a. Emissions will be calculated as double the previous report, or quantified by the administrator if previous report does not exist
- b. Where emissions are doubled, the participant must immediately acquire allowances and surrender them, any unpaid allowances will be carried over to the next reporting year
- c. Where the participant fails to surrender those allowances by 31st March and continues in the scheme, the shortfall are added to allowances to be surrendered the following year
- d. Blocking of all allowances out of the Participant's registry account until the failure is remedied and fines paid
- e. Bottom ranking in Performance League Table.

** You also risk blocking of all allowances out of the Participant's registry account until failure is remedied and fines paid. Where a participant fails to surrender shortfall allowances and continues in the scheme, the allowances are added to be surrendered next year. In addition, where a participant discovers a shortfall (within 5 years), the allowances are added to the next annual report to be surrendered. Where they are no longer a participant, a fine representing the shortfall is levied against them.