



Energy Act 1983

1983 CHAPTER 25

PART II

NUCLEAR INSTALLATIONS

27 Limitation of operators' liability.

- (1) In section 16 of the ^{M1}Nuclear Installations Act 1965 (below called "the 1965 Act"), in subsection (1) (limitation of operator's liability in respect of any occurrence to £5 million) for the words "five million pounds" there shall be substituted the words "£20 million or, in the case of the licensees of such sites as may be prescribed, £5 million".
- (2) After subsection (1) of that section there shall be inserted—

“(1A) The Secretary of State may with the approval of the Treasury by order increase or further increase either or both of the amounts specified in subsection (1) of this section; but an order under this subsection shall not affect liability in respect of any occurrence before (or beginning before) the order comes into force.”.
- (3) In subsection (5) of section 13 of that Act (claim by a person who has himself paid compensation) for the words from "not exceeding the" to "pounds" there shall be substituted the words "(subject to subsection (5A) of this section)"; and after subsection (5) there shall be inserted—

“(5A) The amount that a person may claim by virtue of subsection (5) of this section shall not exceed the amount of the payment made by him and, in the case of a claim made by virtue of paragraph (b) of that subsection, shall not exceed the amount applicable under section 16(1) or (2) of this Act to the person subject to the duty in question.”.
- (4) In subsection (1) of section 19 of that Act (special cover for licensee's liability), for the words "an aggregate amount of five million pounds" there shall be substituted the words "the required amount"; and after that subsection there shall be inserted—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 1983, Section 27. (See end of Document for details)

- “(1A) In this section “the required amount”, in relation to the provision to be made by a licensee in respect of a cover period, means an aggregate amount equal to the amount applicable under section 16(1) of this Act to the licensee, as licensee of the site in question, in respect of an occurrence within that period.”.
- (5) In subsection (2) of section 19 of that Act, after the word “means” there shall be inserted the words “subject to subsection (2A) of this section”; and after subsection (2) there shall be inserted—
- “(2A) When the amount applicable under section 16(1) of this Act to a licensee of a site changes as a result of—
- (a) the coming into force of an order under section 16(1A) or of regulations made for the purposes of section 16(1), or
 - (b) an alteration relating to the site which brings it within, or takes it outside, the description prescribed by such regulations,
- the current cover period relating to him as licensee of that site shall end and a new cover period shall begin.”.
- (6) In section 20(1) of that Act (duty to notify Secretary of State when claims reach £3 million), for the words “three million pounds” there shall be substituted the words “three-fifths of the required amount within the meaning of section 19”.
- (7) In section 26(1) of that Act, in the definition of “occurrence”, after “16(1)” there shall be inserted “and (1A)”.
- (8) Subsection (1) above shall not affect liability in respect of any occurrence before (or beginning before) the commencement of this section; and where the amount applicable under section 16(1) of the 1965 Act to the licensee of a site is increased by virtue of subsection (1) above, then for the purposes of section 19 of that Act the cover period relating to him as licensee of that site and current at the commencement of this section shall end and a new cover period shall begin.

Marginal Citations

M1 [1965 c. 57.](#)

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