



Atomic Energy Act 1989

1989 CHAPTER 7

Mutual Assistance Convention

5 Mutual Assistance Convention

- (1) The Secretary of State—
 - (a) may pay out of money provided by Parliament any expenses which he incurs in connection with assistance provided under the Convention; and
 - (b) shall pay into the Consolidated Fund any sums which he receives under the Convention by way of reimbursement of any expenses which he so incurs.
- (2) Subject to subsection (3) below, the provisions of the Convention set out in the Schedule to this Act shall have the force of law in the United Kingdom and shall for that purpose be construed as granting any privilege or immunity which they require to be afforded.
- (3) At any time when a declaration under paragraph 9 of Article 8 of the Convention is in force, the provisions mentioned in subsection (2) above shall only have the force of law in the United Kingdom to the extent that the United Kingdom considers itself bound by them in accordance with the terms of the declaration.
- (4) Her Majesty may by Order in Council certify whether Her Majesty's Government in the United Kingdom has made or withdrawn a declaration under paragraph 9 of Article 8 of the Convention.
- (5) Nothing in this section shall be construed as granting any privilege or immunity to a person who is a United Kingdom national or permanently resident in the United Kingdom or prejudice any privilege or immunity afforded pursuant to any other international agreement or rule of customary international law.
- (6) If in any proceedings any question arises whether a person is or is not entitled to any privilege or immunity by virtue of this section, a certificate issued by or under the authority of the Secretary of State stating any fact relevant to that question shall be conclusive evidence of that fact.

Status: This is the original version (as it was originally enacted).

(7) If at any time Her Majesty's Government in the United Kingdom calls for assistance under paragraph 1 of Article 2 of the Convention, the Secretary of State shall take such steps as are necessary to make public the fact that a call for assistance has been made, the nature of the assistance called for and the reasons for making the call.

(8) In this section—

“the Convention” means the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986;

“United Kingdom national” means an individual who is a British citizen, a British Dependent Territories citizen, a British National (Overseas) or a British Overseas citizen.