



Nuclear Explosions (Prohibition and Inspections) Act 1998

1998 CHAPTER 7

PROSPECTIVE

Inspections under the Treaty

6 Provisions supplementary to section 5.

- (1) The occupier of any premises—
 - (a) in relation to which it is proposed to exercise a right of entry in reliance on an authorisation under section 5, or
 - (b) on which an on-site inspection is being carried out in reliance on such an authorisation,or a person acting on behalf of the occupier of any such premises, shall be entitled to require a copy of the authorisation to be shown to him by any UK representative.
- (2) The validity of any authorisation purporting to be issued under section 5 in respect of an on-site inspection shall not be called in question in any court of law at any time before the conclusion of that inspection.
- (3) Accordingly, where an authorisation purports to be issued under that section in respect of an on-site inspection, no proceedings (of whatever nature) shall be brought at any time before the conclusion of the inspection if they would, if successful, have the effect of preventing, delaying or otherwise affecting the carrying out of the inspection.
- (4) If in any proceedings any question arises whether a person at any time was or was not a member of the inspection team, an observer or a UK representative a certificate signed by or on behalf of the Secretary of State stating any fact relating to that question shall be conclusive evidence of that fact; and a certificate purporting to be so signed shall be deemed to be so signed without further proof, unless the contrary is shown.
- (5) If an authorisation is issued under section 5, the Secretary of State may issue an amendment varying the specified area, and—

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Nuclear Explosions (Prohibition and Inspections) Act 1998, Section 6. (See end of Document for details)

- (a) from the time when an amendment is expressed to take effect, that section shall apply as if the specified area were the area as varied;
- (b) subsection (2) above shall apply to the amendment as it applies to the authorisation;
- (c) the Secretary of State may issue further amendments varying the specified area and in such a case paragraphs (a) and (b) shall apply.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Nuclear Explosions (Prohibition and Inspections) Act 1998, Section 6.