



Energy Act 2004

2004 CHAPTER 20

PART 1

THE CIVIL NUCLEAR INDUSTRY

CHAPTER 1

NUCLEAR DECOMMISSIONING

General duties and powers of NDA

10 Powers for carrying out functions

- (1) The NDA shall have power, for the purpose of carrying out its functions, to do all such things as appear to it to be likely to facilitate the carrying out of its functions, or to be incidental to carrying them out.
- (2) The powers of the NDA include, in particular—
 - (a) power to operate electricity generating stations;
 - (b) power to apply for and hold nuclear site licences^[F1], registrations under section 7 of the 1993 Act and authorisations under sections 13 and 14 of that Act;]^[F1] and environmental permits (within the meaning of [^{F2}the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154)]) that relate to radioactive material or radioactive waste (within the meaning of those Regulations);]
 - (c) power to make grants or loans to persons undertaking activities that benefit the social or economic life of communities living near designated installations, designated sites or designated facilities or that produce other environmental benefits for such communities;
 - (d) power to make grants or loans to persons carrying out research into matters relating to the decommissioning of nuclear installations, the cleaning-up of nuclear sites or other activities in relation to which the NDA has functions;

Status: Point in time view as at 01/01/2017. This version of this provision has been superseded.

Changes to legislation: Energy Act 2004, Section 10 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) power to use its facilities, and facilities on designated sites, for the carrying out of research on behalf of others into any matter whatever;
 - (f) power to use those facilities for the carrying on of any activities, in addition to such research, that it considers appropriate for generating funds for application towards the carrying out of its functions;
 - (g) power to delegate to the UKAEA the maintenance of any such scheme as is referred to in section 8(1)(a) and (b);
 - (h) power itself to do anything that the NDA has a function of securing others to do;
 - (i) power to enter into contracts for others to secure the things that it has a function of securing;
 - (j) power to enter into contracts for others to do anything else that it may do for the purpose of, or in connection with, the carrying out of its functions;
 - (k) power to acquire or establish subsidiaries and to carry out its functions through subsidiaries.
- (3) The NDA may impose charges in respect of the things that it does or secures in the discharge of its responsibilities—
- (a) on persons with control of installations, sites and facilities in the case of which it does not have a financial responsibility under section 21; and
 - (b) on other persons for whom it does or secures the doing of anything for which it does not have a financial responsibility under that section.
- (4) Charges imposed under subsection (3) must not be imposed except—
- (a) in accordance with a direction under section 3; or
 - (b) with the approval of the Secretary of State.

Textual Amendments

- F1** Words in s. 10(2)(b) substituted (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), **Sch. 26 para. 17(2)** (with reg. 1(2), Sch. 4)
- F2** Words in s. 10(2)(b) substituted (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 29 para. 16(2)** (with regs. 1(3), 77-79, Sch. 4)

Commencement Information

- I1** S. 10 in force at 27.7.2004 by [S.I. 2004/1973](#), art. 2, **Sch.**

Status:

Point in time view as at 01/01/2017. This version of this provision has been superseded.

Changes to legislation:

Energy Act 2004, Section 10 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.