
Changes to legislation: Energy Act 2013, Paragraph 6 is up to date with all changes known to be in force on or before 20 March 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) View outstanding changes

SCHEDULES

SCHEDULE 12

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 3

PART 1

AMENDMENTS OF THE HEALTH AND SAFETY AT WORK ETC. ACT 1974

Health and Safety at Work etc. Act 1974 (c. 37)

- 6 (1) Section 18 (authorities responsible for enforcement of the relevant statutory provisions) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) The Office for Nuclear Regulation is responsible for the enforcement of the relevant statutory provisions as they apply in relation to GB nuclear sites (within the meaning given in section 68 of the Energy Act 2013 (nuclear safety purposes)).
- (1B) Subsection (1A) is subject to any provision of health and safety regulations making the Office of Rail Regulation responsible for the enforcement of any of the relevant statutory provisions to any extent in relation to such sites.”
- (3) In subsection (2)—
- (a) before paragraph (a) insert—
- “(za) make the Office for Nuclear Regulation responsible for the enforcement of the relevant statutory provisions to such extent as may be prescribed (and may in particular provide for any site or matter in relation to which the Office for Nuclear Regulation is made so responsible to be determined by the Secretary of State or the Office for Nuclear Regulation under the regulations);”;
- (b) in paragraph (b), before sub-paragraph (i) insert—
- “(zi) transferred from the Executive or local authorities to the Office for Nuclear Regulation, or from the Office for Nuclear Regulation to the Executive or local authorities;”;
- (c) in paragraph (b)(ii)—
- (i) after “Executive” insert “, to the Office for Nuclear Regulation ”;
- (ii) after “by virtue of” insert “ subsection (1A) or ”;
- (d) in paragraph (b), after sub-paragraph (ii) insert—
- “(iii) assigned to the Office of Rail Regulation or the Office for Nuclear Regulation for the purpose of removing any uncertainty as to what are by virtue

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of any of the relevant statutory provisions their respective responsibilities for the enforcement of any of those provisions;”.

(4) After subsection (3) insert—

“(3A) Regulations under subsection (2)(a) may not make local authorities enforcing authorities in relation to any site in relation to which the Office for Nuclear Regulation is an enforcing authority.

(3B) Where the Office for Nuclear Regulation is, by or under subsection (1A) or (2), made responsible for the enforcement of any of the relevant statutory provisions to any extent, it must make adequate arrangements for the enforcement of those provisions to that extent.”

(5) In subsection (5) in the opening words, after “the Executive” insert “, the Office for Nuclear Regulation ”.

(6) In subsection (7), in the words following paragraph (b)—

- (a) after “section 13” insert “ of this Act or section 95 of the Energy Act 2013 (power for Office for Nuclear Regulation to arrange for exercise of functions by others) ”;
- (b) after “the Executive” (in the first and third places) insert “ or the Office for Nuclear Regulation ”;
- (c) after “the Executive” (in the second place) insert “ or the Office for Nuclear Regulation (as the case may be) ”;
- (d) for “under that subsection” substitute “ or arrangements under the provision in question ”.

Commencement Information

II Sch. 12 para. 6 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)