



# Atomic Energy Authority Act 1954

## 1954 CHAPTER 32 2 and 3 Eliz 2

An Act to provide for the setting up of an Atomic Energy Authority for the United Kingdom, to make provision as to their powers, duties, rights and liabilities, to amend, consequentially on the establishment of and otherwise in connection with that Authority, the Atomic Energy Act, 1946, the Radioactive Substances Act, 1948, and certain other enactments, and for purposes connected with the matters aforesaid. [4th June 1954]

### Extent Information

**E1** For the application of this Act to Northern Ireland see [s. 9](#)

### Modifications etc. (not altering text)

**C1** Functions of Lord President of the Council under this Act now exercisable by Secretary of State: [S.I. 1957/561](#) (1957 I, p. 1435), 1959/1826 (1959 I, p. 1791), 1964/490, 1964/2048 and 1970/1537

### Commencement Information

**II** Act wholly in force at Royal Assent.

## 1 The United Kingdom Atomic Energy Authority.

- (1) There shall be an Authority, to be called the United Kingdom Atomic Energy Authority (hereafter in this Act referred to as “the Authority”), who shall, as from the appointed day, exercise and perform the functions assigned to them by this Act.
- (2) The Authority shall consist of a chairman and not less than [<sup>F1</sup>four] nor more than [<sup>F2</sup>fifteen] other members.
- (3) All the members of the Authority shall be appointed by the Lord President of the Council <sup>F3</sup> . . .
- (4) Every member of the Authority shall hold and vacate his office in accordance with the terms of his appointment, and shall, on ceasing to be a member, be eligible for re-appointment; but any member may at any time by notice in writing to the Lord President of the Council resign his office.

*Status: Point in time view as at 01/05/2004.*

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- (5) ..... F4
- (6) The Authority—
- (a) shall pay to each of their members, in respect of his office as such, such remuneration (whether by way of salary or fees) and such allowances as the Lord President of the Council may, with the approval of the Treasury, determine in the case of those members respectively; and
  - (b) in the case of such members as the Lord President of the Council may, with the approval of the Treasury, determine, shall pay such pensions or make such payments towards the provision of pensions to or in respect of those members as he may, with the approval of the Treasury, determine in the case of those members respectively.
- (7) If any member of the Authority, other than the chairman thereof, is employed about the affairs of the Authority otherwise than as a member thereof, the Authority shall pay to that member such remuneration, if any, (in addition to any remuneration to which he may be entitled in respect of his office as a member) as the Lord President of the Council may, with the approval of the Treasury, determine.
- (8) ..... F5
- [<sup>F6</sup>(8A) The terms of appointment of a member of the Authority may, with the approval of the Treasury, entitle him to compensation to be paid by the Authority on his ceasing to be a member.
- (8B) Where a person ceases to be a member of the Authority otherwise than on the expiry of his term of office and is not entitled to compensation under the terms of his appointment, but it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation, the Secretary of State may, with the approval of the Treasury, require the Authority to make to that person a payment of such amount as may be determined by the Secretary of State with the approval of the Treasury.]
- (9) The provisions of the First Schedule to this Act (which relate to the procedure of and other similar matters concerning the Authority) shall have effect with respect to the Authority.

#### Textual Amendments

- F1** Word in s. 1(2) substituted (8.11.1995) by 1995 c. 37, s. 11(2)
- F2** Word substituted by Atomic Energy Authority Act 1959 c. 5 (8 & 9 Eliz. 2), s. 1
- F3** Words in s. 1(3) repealed (8.11.1995) by 1995 c. 37, s. 11(3)
- F4** S. 1(5) repealed by House of Commons Disqualification Act 1957 (c. 20), Sch. 4 Pt. I
- F5** S. 1(8) repealed by Atomic Energy Authority Act 1986 (c. 3, SIF 8), s. 7(2)
- F6** S. 1(8A)(8B) inserted by Atomic Energy Authority Act 1986 (c. 3, SIF 8), s. 7(3)

#### Modifications etc. (not altering text)

- C2** Functions of Treasury under s. 1(6)(7) now again exercisable by Treasury: S.I. 1968/1656, and 1981/1670, art. 2(1)(c)(2)

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## 2 Functions of the Authority.

- (1) On the appointed day, the Authority shall take over from the Lord President of the Council the carrying on of the activities then being carried on by him under subsection (1) of section two of the <sup>M1</sup>Atomic Energy Act 1946 and subsection (1) of section one of the <sup>M2</sup>Radioactive Substances Act 1948 and the provisions of the Second Schedule to this Act shall have effect in relation to the property, rights and liabilities held or enjoyed by, or incumbent on, the Lord President of the Council for the purposes of or in connection with those activities.
- (2) Subject to the provisions of this Act, the Authority shall, as from the appointed day, have power (whether within the United Kingdom or elsewhere)—
  - (a) to produce, use and dispose of atomic energy and carry out research into any matters connected therewith;
  - (b) to manufacture or otherwise produce, buy or otherwise acquire, store and transport any articles which in the opinion of the Authority are, or are likely to be, required for or in connection with the production or use of atomic energy or such research as aforesaid, and to dispose of any articles manufactured, produced, bought or acquired by them;
  - (c) to manufacture or otherwise produce, buy or otherwise acquire, treat, store, transport and dispose of any radioactive substances;
  - (d) to do all such things (including the erection of buildings, and the execution of works and the searching for and working of minerals) as appear to the Authority necessary or expedient for the exercise of the foregoing powers;
  - (e) to make arrangements with universities and other institutions or persons for the conduct of research into matters connected with atomic energy or radioactive substances and, with the approval of the Lord President of the Council and the Treasury, to make grants or loans to universities and other institutions or persons engaged in the production or use of atomic energy or radioactive substances or in research into matters connected with atomic energy or radioactive substances;
  - (f) to distribute information relating to, and educate and train persons in matters connected with, atomic energy or radioactive substances:

Provided that—

- (i) the Authority shall not, save in accordance with arrangements made with the Minister of Supply, develop or produce any weapon or part of a weapon, . . . <sup>F7</sup>
  - (ii) the Authority shall not search for minerals in the United Kingdom otherwise than under the authority of the Lord President of the Council and shall not work minerals in the United Kingdom otherwise than in the exercise of rights vested in them under section seven of the <sup>M3</sup>Atomic Energy Act 1946, as amended by this Act.
- (3) As from the appointed day, subsection (1) of section two of the <sup>M4</sup>Atomic Energy Act 1946, section three of that Act and section one of the <sup>M5</sup>Radioactive Substances Act 1948 are hereby repealed:

Provided that, notwithstanding the repeal by this section of subsection (1) of section two of the <sup>M6</sup>Atomic Energy Act 1946, the Lord President of the Council shall have power—

- (a) to exercise any rights vested in him under section seven of that Act; and

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- (b) to store, transport and dispose of any articles acquired by him in the exercise of those rights or in or by reason of any exercise of the powers conferred on him by sections six, eight and nine of that Act; and
- (c) to do all such things (including the erection of buildings and the execution of works) as appear to him to be necessary or expedient for the exercise of the powers reserved to him by the preceding provisions of this proviso.

#### Textual Amendments

**F7** Words repealed by [Atomic Energy Authority \(Weapons Group\) Act 1973 \(c. 4\), s. 6\(2\)](#)

#### Modifications etc. (not altering text)

**C3** S. 2(2) extended by [Science and Technology Act 1965 \(c. 4\), s. 4\(1\)](#), [Radiological Protection Act 1970 \(c. 46\), s. 3\(2\)](#) and [Control of Pollution Act 1974 \(c. 40\), s. 101](#); restricted by [Atomic Energy Authority \(Weapons Group\) Act 1973 \(c. 4\), s. 6\(1\)](#)

**C4** Functions of Minister of Supply under this Act now exercisable by Secretary of State: 1959/1768 (1959 I, p. 1793), 1967/155, 1970/1537 and 1971/719

#### Marginal Citations

**M1** 1946 c. 80.

**M2** 1948 c. 87.

**M3** 1946 c. 80.

**M4** 1946 c. 80.

**M5** 1948 c. 37.

**M6** 1946 c. 80

### 3 Power and duties of the Lord President of the Council in relation to the Authority.

- (1) The general duty of the Lord President of the Council under section one of the <sup>M7</sup>Atomic Energy Act 1946 to promote and control the development of atomic energy shall include, in particular, the duty of securing that, in the conduct of the affairs of the Authority, the proper degrees of importance are attached to the various applications of atomic energy.
- (2) The Lord President of the Council shall have power to give the Authority such directions as he may think fit and the Authority shall comply with any directions so given.
- (3) The said directions may be general or particular in character, but no such direction shall be given except after consultation with the Authority, and the Lord President of the Council shall not regard it as his duty to intervene in detail in the conduct by the Authority of their affairs unless in his opinion overriding national interests so require.
- (4) The Authority shall furnish the Lord President of the Council with such returns, accounts and other information with respect to their property and activities as he may from time to time require and shall prepare programmes and estimates of expenditure in such form and at such times as he may require.
- (5) The Authority shall as soon as possible after the end of each financial year make to the Lord President of the Council a report on the exercise and performance by the Authority of their functions during that year, indicating what parts thereof ought in their opinion to be withheld from publication in the interests of national security, and

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the Lord President of the Council shall lay a copy of the report, with the omission of such parts thereof as ought in his opinion to be withheld from publication in the interests of national security, before each House of Parliament, together with such comments as he may think fit to make.

**Modifications etc. (not altering text)**

- C5 S. 3 extended by [Atomic Energy \(Miscellaneous Provisions\) Act 1981 \(c. 48, SIF 8\)](#), s. 1(2)  
C6 S. 3(2) extended (8.11.1995) by [1995 c. 37, s. 2\(8\)\(b\)](#)

**Marginal Citations**

- M7 [1946 c. 80](#).

**4 Financial provisions as to the Authority.**

- (1) The Lord President of the Council may, out of moneys provided by Parliament, pay to the Authority such sums in respect of the expenses of the Authority as he may, with the consent of the Treasury, determine.
- (2) [<sup>F8</sup>Any sums received by the Authority], shall be applied by the Authority in such manner as the Lord President of the Council may, with the approval of the Treasury, direct, and any such direction may require the whole or any part of [<sup>F8</sup>those sums] to be paid into the Exchequer.
- (3) The Authority shall keep proper accounts and other records and shall prepare in respect of each financial year statements of account in such form as the Treasury may direct, and those statements shall, on or before the thirtieth day of November next following the expiration of the financial year in question, be transmitted to the Comptroller and Auditor General, who shall examine and certify the statements and lay copies thereof, together with his report thereon, before each House of Parliament.

**Textual Amendments**

- F8 Words substituted (*retrospectively*) by [Atomic Energy \(Miscellaneous Provisions\) Act 1981 \(c. 48, SIF 8\)](#), s. 2

**Modifications etc. (not altering text)**

- C7 S. 4(1) extended by [Science and Technology Act 1965 \(c 4\)](#), s. 4(2) and (E.W.)(S.) by [Atomic Energy Authority Act 1971 \(c. 11\)](#), s. 23(a)

**5 Powers as to purchase of land, carrying out works, etc. E+W**

- (1) The Lord President of the Council may authorise the Authority to purchase compulsorily any land required for the exercise and performance of their functions, and the [<sup>F9</sup>Acquisition of Land Act 1981] and the <sup>M8</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply <sup>F10</sup> . . . :

Provided that the Authority may be authorised under this subsection to purchase compulsorily a right to place any pipe across land, whether above or below ground, and to use, repair and maintain that pipe, without purchasing any other interest in the land, and, in relation to the compulsory purchase of any such right, the said Acts and the enactments incorporated therewith shall have effect as if references (whatever the

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terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the land across which the pipe is to be placed, and references to the obtaining or taking possession of the first-mentioned land were construed as references to the exercise of the right.

(2) The Authority may, if it appears to them necessary or expedient for the due exercise and performance of their functions, place any pipe in any highway and repair and maintain any pipe so placed, and for those purposes open and break up the highway .

(3) ..... F11

(4) ..... F12

(5) [F13Section 4 of the Building Act 1984] (which exempts from building byelaws buildings of statutory undertakers other than houses, offices and showrooms) shall apply in relation to the Authority as it applies in relation to statutory undertakers.

(6) No requirements or restrictions imposed by or under the provisions of F14 . . . section one hundred and eighty-one of the M9Public Health (Scotland) Act 1897, or by or under the corresponding provisions of any local Act, as to the erection, placing or making of buildings, erections or excavations, or the reconstruction of or alterations to buildings, and no requirement imposed by or under any enactment or by virtue of the common law as to the submission of plans and specifications and the giving of notices to a local authority or the presentation of a petition to a dean of guild court or any body exercising the functions of a dean of guild court, shall apply in relation to any building in Scotland belonging to or in the occupation of the Authority:

Provided that the exemption conferred by this subsection shall not extend to dwelling-houses.

#### Extent Information

**E2** This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only.

#### Textual Amendments

- F9** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, [Sch. 4 para. 1](#) Table (subject to transitional savings in [Sch. 5](#))
- F10** Words in [s. 5\(1\)](#) repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, [Sch. 6 Pt. I](#) (subject to transitional savings in [Sch. 5](#))
- F11** [S. 5\(3\)](#) repealed by virtue of [Energy Act 1983 \(c. 25, SIF 44:1\)](#), s. 34, [Sch. 4 Pt. II](#)
- F12** [S. 5\(4\)](#) repealed with saving by [Radioactive Substances Act 1960 \(c. 34\)](#), [s. 17\(1\)\(2\)](#)
- F13** Words in [s. 4](#) substituted (E.W.) (1.12.1984) by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(1), [Sch. 6 para. 4](#)
- F14** Words in [s. 5\(6\)](#) repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. X](#) Gp. 2

#### Marginal Citations

- M8** 1947 c. 42.
- M9** 1897 c. 38.

## 5 Powers as to purchase of land, carrying out works, etc. **S+N.I.**

(1) The Lord President of the Council may authorise the Authority to purchase compulsorily any land required for the exercise and performance of their functions,

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and the <sup>F24</sup>Acquisition of Land Act 1981] and the <sup>M37</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply as if the Authority were a local authority within the meaning of those Acts and as if this Act had been in force immediately before the commencement thereof:

Provided that the Authority may be authorised under this subsection to purchase compulsorily a right to place any pipe across land, whether above or below ground, and to use, repair and maintain that pipe, without purchasing any other interest in the land, and, in relation to the compulsory purchase of any such right, the said Acts and the enactments incorporated therewith shall have effect as if references (whatever the terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the land across which the pipe is to be placed, and references to the obtaining or taking possession of the first-mentioned land were construed as references to the exercise of the right.

- (2) The Authority may, if it appears to them necessary or expedient for the due exercise and performance of their functions, place any pipe in any highway <sup>F25</sup>or road] and repair and maintain any pipe so placed, and for those purposes open and break up the highway <sup>F25</sup>or road].
- (3) ..... <sup>F26</sup>
- (4) ..... <sup>F27</sup>
- (5) Section seventy-one of the <sup>M38</sup>Public Health Act 1936 (which exempts from building byelaws buildings of statutory undertakers other than houses, offices and showrooms) shall apply in relation to the Authority as it applies in relation to statutory undertakers.
- (6) No requirements or restrictions imposed by or under the provisions of <sup>F28</sup> . . . section one hundred and eighty-one of the <sup>M39</sup>Public Health (Scotland) Act 1897, or by or under the corresponding provisions of any local Act, as to the erection, placing or making of buildings, erections or excavations, or the reconstruction of or alterations to buildings, and no requirement imposed by or under any enactment or by virtue of the common law as to the submission of plans and specifications and the giving of notices to a local authority or the presentation of a petition to a dean of guild court or any body exercising the functions of a dean of guild court, shall apply in relation to any building in Scotland belonging to or in the occupation of the Authority:

Provided that the exemption conferred by this subsection shall not extend to dwelling-houses.

#### Extent Information

**E3** This version of this provision extends to Scotland and Northern Ireland only; a separate version has been created for England and Wales only.

#### Textual Amendments

- F24** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, [Sch. 4 para. 1](#) Table (subject to transitional savings in Sch. 5)
- F25** Words inserted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 43](#)
- F26** [S. 5\(3\)](#) repealed by virtue of [Energy Act 1983 \(c. 25, SIF 44:1\)](#), s. 34, [Sch. 4 Pt. II](#)
- F27** [S. 5\(4\)](#) repealed with saving by [Radioactive Substances Act 1960 \(c. 34\)](#), s. [17\(1\)\(2\)](#)
- F28** Words in [s. 5\(6\)](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. X](#) Gp. 2.



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**Modifications etc. (not altering text)**

**C14** Dean of guild courts abolished by [Local Government \(Scotland\) Act 1973 \(c. 65\), s. 227](#) and, unless otherwise provided, functions thereof now exercisable by authority responsible for building control in the area concerned

**Marginal Citations**

**M37** 1947 c. 42.

**M38** 1936 c. 49.

**M39** 1897 c. 38.

**6 Miscellaneous provisions as to the Authority.**

(1) Any land occupied by the Authority shall be deemed, for the purposes of any rate on property, to be property occupied by or on behalf of the Crown for public purposes.

(2) ..... <sup>F15</sup>

(3) Any place belonging to or used for the purposes of the Authority shall, for the purposes of paragraph (c) of section three of the <sup>M10</sup>Official Secrets Act 1911 (which provides that places belonging to or used for the purposes of Her Majesty may be declared by order of the Secretary of State to be prohibited places for the purposes of that Act), be deemed to be a place belonging to or used for the purposes of Her Majesty, and no person other than—

- (a) a constable acting in the execution of his duty as such; or
- (b) an officer of customs and excise or inland revenue, acting in the execution of his duty as such; [<sup>F16</sup>or
- (bb) a person designated as an inspector of the International Atomic Energy Agency under article 85 of the Agreement made on 6th September 1976 for the application of Safeguards in the United Kingdom in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (Cmnd. 6730) [<sup>F17</sup>or under Article 11 of the Additional Protocol (within the meaning of the Nuclear Safeguards Act 2000)]
- (c) an officer of any government department specially authorised in that behalf by or on behalf of a Minister of the Crown [<sup>F18</sup>or a member of staff of the Scottish Administration specially authorised in that behalf by or on behalf of the Scottish Ministers,]

shall be entitled to exercise any right of entry (whether arising by virtue of any statutory provision or otherwise) upon any place belonging to or used for the purposes of the Authority which is such a prohibited place as aforesaid except with the consent of the Authority and in accordance with any conditions imposed by them:

Provided that any person aggrieved by a refusal by the Authority to consent to, or by conditions imposed on, the exercise of any such right of entry may apply to the Lord President of the Council who may, if he thinks fit, himself authorise the exercise of the right subject to such conditions, if any, as he may think fit to impose.

(4) The enactments specified in the Third Schedule to this Act shall have effect subject to the provisions set out in that Schedule for modifying or adapting those enactments consequentially on the establishment of the Authority.

(5) It is hereby declared that, save as otherwise expressly provided in this Act, the Authority are not to be treated for the purposes of the enactments and rules of law



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relating to the privileges of the Crown as a body exercising functions on behalf of the Crown, and the <sup>M11</sup>Public Authorities Protection Act 1893, and section twenty-one of the <sup>M12</sup>Limitation Act 1939, shall not apply to any action, prosecution or proceeding against the Authority or for or in respect of any act, neglect or default done or committed by a servant or agent of the Authority in his capacity as a servant or agent of theirs.

#### Textual Amendments

- F15** S. 6(2) repealed with savings by [Income and Corporation Taxes Act 1970 \(c. 10\)](#), ss. 538, 539, **Sch. 16**
- F16** S. 6(3)(bb) and the word “or” immediately preceding it added by [Nuclear Safeguards and Electricity \(Finance\) Act 1978 \(c. 25, SIF 8\)](#), s. **2(3)(a)**
- F17** Words in s. 6(3)(bb) inserted (1.5.2004) by [Nuclear Safeguards Act 2000 \(c. 5\)](#), ss. **11(1)**, 12(2) (with s. 12(3)); S.I. 2004/1242, arts. 2, 3
- F18** Words in s. 6(3)(c) added (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 28** (with S.I. 1998/3178, **art. 3**).

#### Marginal Citations

- M10** 1911 c. 28.
- M11** 1893 c. 61.
- M12** 1939 c. 21.

## 7 Machinery for settling terms and conditions of employment of staff etc.

- (1) Except so far as the Authority are satisfied that adequate machinery exists for achieving the purposes of this section, it shall be the duty of the Authority to seek consultation with any organisation appearing to them to be appropriate with a view to the conclusion between the Authority and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for—
- the settlement by negotiation of terms and conditions of employment of persons employed by the Authority with provision for reference to arbitration in default of such settlement of such cases as may be determined by or under the agreements; and
  - the promotion and encouragement of measures affecting the safety, health and welfare of persons employed by the Authority and (so far as in the opinion of the Authority considerations of national security permit) the discussion of other matters of mutual interest to the Authority and such persons, including efficiency in the Authority’s work.
- (2) The Authority shall send to the Lord President of the Council and the Minister of Labour and National Service copies of any such agreement as aforesaid and of any instrument varying the terms of any such agreement.

#### Modifications etc. (not altering text)

- C8** Functions of Minister of Labour and National Service now exercisable by Secretary of State: [S.I. 1959/1769](#) (1959 I, p. 1735), 1968/729 and 1970/1537

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## 8 Interpretation.

- (1) Section eighteen of the <sup>M13</sup>Atomic Energy Act 1946 and section twelve of the <sup>M14</sup>Radioactive Substances Act 1948 shall apply for the interpretation of this Act as they apply for the interpretation of those Acts respectively.
- (2) In this Act, except so far as the context otherwise requires,—
- “the appointed day” means such day as Her Majesty may by Order in Council appoint;
- “financial year” means the twelve months ending with the thirty-first day of March;
- “instrument” (without prejudice to the generality of that expression) includes in particular Orders in Council, Letters Patent, judgements, decrees, orders, rules, regulations, byelaws, awards, contracts, certificates and other documents;
- “pension”, in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions, with or without interest thereon or any other addition thereto;
- “statutory provision” means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature.

### Modifications etc. (not altering text)

**C9** 1.8.1954 appointed under s. 8(2) by [S.I. 1954/832](#)

### Marginal Citations

**M13** 1946 c. 80.

**M14** 1948 c. 37.

## 9 Application to Northern Ireland.

- (1) This Act shall apply to Northern Ireland subject to the modifications specified in the following provisions of this section.
- (2) So much of this Act as amends section seven of the <sup>M15</sup>Atomic Energy Act 1946 shall not extend to Northern Ireland, but—
- the reference in subsection (1) of section twenty of that Act to section seven of that Act shall be construed as a reference to the said section seven as amended by this Act; and
  - any reference in this Act to rights vested in the Authority under the said section seven shall be construed as including a reference to rights vested in the Authority under so much of any law made by the Parliament of Northern Ireland in pursuance of the said subsection (1) as corresponds to the said section seven.
- (3) For the purpose of the compulsory purchase by the Authority, on the authorisation of the Lord President of the Council under subsection (1) of section five, of land in Northern Ireland, Her Majesty may by Order in Council provide for extending the <sup>F19</sup>Acquisition of Land Act 1981 to Northern Ireland subject to any adaptations, modifications and exceptions which may be provided for by the Order.

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- (4) Subsection (2) of section five shall not apply.
- (5) In subsection (4) of section five—
- (a) references to the Minister of Housing and Local Government shall be construed as references to the Minister of Health and Local Government for Northern Ireland;
  - (b) references to the Minister of Agriculture and Fisheries shall be construed as references to the Ministers of Commerce and Agriculture for Northern Ireland;
  - (c) for paragraph (d) the following paragraph shall be substituted—
    - “(d) for the purposes of the Fisheries Acts (Northern Ireland) 1842 to 1949, the Rivers Pollution Prevention Acts 1876 and 1893, and the Public Health Acts (Northern Ireland) 1878 to 1949, all waste discharged on or from any premises occupied by the Authority shall be conclusively presumed not to be radioactive to any significant extent.”
- (6) For subsections (5) and (6) of section five, there shall be substituted the following subsection—
- “(5) Section thirty-two of the Public Health (Ireland) Act 1896 (which exempts Crown property from the provisions of the enactments in force in Northern Ireland relating to public health) shall apply in relation to the Authority, in like manner as it applies in relation to the Crown.”
- (7) The reference in subsection (2) of section seven of this Act to the Minister of Labour and National Service shall, in relation to any agreement affecting employment in Northern Ireland, be construed as including a reference to the Minister of Labour and National Insurance for Northern Ireland.
- (8) For the references in the Third Schedule to this Act to section three of the <sup>M16</sup>Special Constables Act 1923, as extended by paragraph 1 of the Second Schedule to the <sup>M17</sup>Emergency Laws (Miscellaneous Provisions) Act 1947, there shall be substituted references to sub-paragraph (2) of paragraph 1 of the Second Schedule to the Emergency Laws (Miscellaneous Provisions) Act 1947.
- (9) For the reference in the Third Schedule to the <sup>M18</sup>Factories Acts 1937 <sup>M19</sup> and 1948, there shall be substituted a reference to the <sup>M20</sup>Factories Acts (Northern Ireland) 1938 <sup>M21</sup> and 1949.

#### Textual Amendments

- F19** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, [Sch. 4 para. 1](#) Table (subject to transitional savings in Sch. 5)

#### Modifications etc. (not altering text)

- C10** Functions of Ministry of Health and Local Government for Northern Ireland now exercisable by Department of Health and Social Services for Northern Ireland, S.R. & O. (N.I.) 1964 No. 205, 1965 No. 13 and [Northern Ireland Constitution Act 1973 \(c. 36\)](#), [Sch. 5 para. 8](#)

#### Marginal Citations

- M15** 1946 c. 80.  
**M16** 1923 c. 11.

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- M17** 1947 c. 10 (11 & 12 Geo. 6).
- M18** 1937 c. 67.
- M19** 1948 c. 55.
- M20** 1938 c. 23 (N.I.).
- M21** 1949 c. 6 (N.I.).

## 10 Short title and citation.

This Act may be cited as the Atomic Energy Authority Act 1954 and this Act, the <sup>M22</sup>Atomic Energy Act 1946 and the <sup>M23</sup>Radioactive Substances Act 1948, may be cited together as the Atomic Energy and Radioactive Substances Acts 1946 to 1954.

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### Marginal Citations

- M22** 1946 c. 80.
- M23** 1948 c. 37.

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## SCHEDULES

### FIRST SCHEDULE

#### PROVISIONS AS TO THE UNITED KINGDOM ATOMIC ENERGY AUTHORITY

- 1 The Authority shall be a body corporate with perpetual succession and a common seal and power to hold land without licence in mortmain.
- 2 The Authority may act notwithstanding a vacancy among their members.
- 3 The quorum of the Authority shall be three or such number, not being less than three, as the Authority may from time to time determine.
- 4 It shall be within the capacity of the Authority as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the exercise and performance of their functions under this Act.
- 5 (1) A member of the Authority who is in any way directly or indirectly interested in a contract made or proposed to be made by the Authority shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of the Authority.  
(2) Any disclosure made under sub-paragraph (1) of this paragraph shall be recorded in the minutes of the Authority and the member—
  - (a) shall not take part after the disclosure in any deliberation or decision of the Authority with respect to that contract; and
  - (b) shall be disregarded for the purpose of constituting a quorum of the Authority for any such deliberation or decision.
- 6 Subject to the preceding provisions of this Schedule the Authority may regulate their own procedure.
- 7 (1) The Authority shall appoint a secretary and may appoint such other officers and take into their employment such other persons as they may determine.  
(2) The Authority shall—
  - (a) pay to their officers and other persons employed by them such remuneration as the Authority may determine; and
  - (b) as regards any officers or persons employed in whose case it may be determined by the Authority with the approval of the Lord President of the Council so to do, pay to or in respect of them such pensions, or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (3) Where any officer or person employed by the Authority, being a participant in any pension scheme applicable to his office or employment, becomes a member of the Authority, he may be treated for the purposes of the pension scheme as if his service as a member of the Authority were service as a officer or person employed by the Authority, and his rights under the scheme shall not be affected by any provision of this Act which requires that the pensions or payments towards the provision of pensions to be paid or made in the case of members of the Authority

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shall be determined by the Lord President of the Council with the approval of the Treasury.

- (4) Except with the consent of the Lord President of the Council, the Authority shall not terminate on security grounds the employment of any officer of, or person employed by, the Authority.

In this sub-paragraph the expression “security grounds” means grounds which are grounds for dismissal from the civil service of Her Majesty, in accordance with any arrangements for the time being in force relating to dismissals from that service for reasons of national security.

**Modifications etc. (not altering text)**

**C11** Para. 7(2) extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(3), [Sch. 1 para. 13\(3\)](#); Functions of Treasury under para. 7(3) now again exercisable by Treasury: [S.I. 1968/1656](#) and [1981/1670](#), art. 2(1)(c)

- 8 The application of the seal of the Authority shall be authenticated by the signatures of the chairman or some other member of the Authority authorised by the Authority to authenticate the application of the seal thereof, and of the secretary of the Authority or some person authorised by the Authority to act in his stead in that behalf.
- 9 Every document purporting to be an instrument issued by the Authority and to be sealed as aforesaid or to be signed on behalf of the Authority shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

SECOND SCHEDULE

Section 2.

TRANSFER OF PROPERTY RIGHTS AND LIABILITIES FROM  
THE LORD PRESIDENT OF THE COUNCIL TO THE AUTHORITY

- 1 The property held immediately before the appointed day by the Lord President of the Council for the purposes of his activities under subsection (1) of section two of the <sup>M24</sup>Atomic Energy Act 1946 and subsection (1) of section one of the <sup>M25</sup>Radioactive Substances Act 1948 and the rights and liabilities enjoyed by him or incumbent on him immediately before the appointed day in connection with those activities are hereby transferred as from the appointed day to the Authority:

Provided that this paragraph shall not apply to any property, rights or liabilities acquired or incurred under any pension scheme.

**Marginal Citations**

**M24** 1946 c. 80.

**M25** 1948 c. 37.

- 2 Any instrument shall, so far as may be necessary for or in consequence of the transfer effected by paragraph 1 of this Schedule, have effect as if references to, or which are to be construed as references to, the Lord President of the Council or any department or organisation maintained by him for the purposes of his functions

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under the <sup>M26</sup> Atomic Energy Act 1946 and the <sup>M27</sup> Radioactive Substances Act 1948 were or, as the case may require, included references to the Authority and their organisation.

**Marginal Citations**

**M26** 1946 c. 80.

**M27** 1948 c. 37.

- 3 Anything in process of being done by or in relation to the Lord President of the Council immediately before the appointed day (and, in particular, legal proceedings then pending to which he is a party) may, if it relates wholly or partly to any property, rights or liabilities transferred by paragraph 1 of this Schedule, be continued by or in relation to the Authority or by or in relation to the Authority and the Lord President of the Council, as the case may be.
- 4 A certificate issued by the Lord President of the Council that any property vested in the Lord President of the Council immediately before the appointed day was or was not transferred to the Authority by paragraph 1 of this Schedule shall be conclusive evidence that that property was or was not so transferred.

THIRD SCHEDULE

Sections 6, 9.

ADAPTATIONS AND MODIFICATIONS OF ENACTMENTS

**Modifications etc. (not altering text)**

**C12** The text of Sch. 3 is in the form in which it was originally enacted: it was not wholly reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Atomic Energy Act 1946*

In subsection (1) of section seven after the words “vesting in him” there shall be inserted—

- (a) in the first place where those words occur, the words “or in the United Kingdom Atomic Energy Authority”;
- (b) in the second place where those words occur, the words “or the said Authority”.

Sections ten and eleven shall not apply to anything done by or to the Authority.

In section twelve, in subsection (2), after the word “inspect” there shall be inserted the words “or authorise the United Kingdom Atomic Energy Authority to inspect”, and in subsection (7), after the words “the Minister” there shall be inserted the words “or the United Kingdom Atomic Energy Authority”.

In section thirteen, after the words “the Minister” there shall be inserted the words “or the United Kingdom Atomic Energy Authority”.

At the end of section sixteen there shall be added the following proviso— “ Provided that any compensation required to be paid by an order made under section seven of this



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Act vesting any roght in the United Kingdom Atomic Energy Authority shall be paid by that Authority ”

In paragraph (c) of section nineteen after the words “vesting in the Minister” there shall be inserted the words “or in the United Kingdom Atomic Energy Authority”.

*Enactments relating to Official Secrets and Protection of Property*

F20

**Textual Amendments**

**F20** Words repealed by [Official Secrets Act 1989 \(c. 6, SIF 39:2\)](#), s. 16(4), [Sch. 2](#)

Section three of the <sup>M28</sup>Special Constables Act 1923, as extended by paragraph 1 of the Second Schedule to the <sup>M29</sup>Emergency Laws (Miscellaneous Provisions) Act 1947, shall apply as if any premises in the possession or under the control of the Authority were premises in the possession or under the control of the Minister of Supply, [<sup>F21</sup>and, in relation to those premises, the Authority may make nominations under that section.]

**Textual Amendments**

**F21** Words substituted by [Ministry of Defence Police Act 1987 \(c. 4, SIF 95\)](#), s. 7(3)

**Modifications etc. (not altering text)**

**C13** Functions of Minister of Supply under this Act now exercisable by Secretary of State: 1959/1768 (1959 I, p 1793), 1967/155, 1970/1537 and 1971/719

**Marginal Citations**

**M28** 1923 c. 11.

**M29** 1947 c. 10 (11 & 12 Geo. 6).

For the purposes of section two of the <sup>M30</sup>Metropolitan Police Act 1860, any property of the Authority shall be deemed to be property of the Crown [<sup>F22</sup>; and in this paragraph property of the Authority includes property which (though not owned by them) is in their possession or under their control and property which has been unlawfully removed from their possession or control.]

**Textual Amendments**

**F22** Words added by [Atomic Energy Authority \(Special Constables\) Act 1976 \(c. 23\)](#), s. 2(3)

**Marginal Citations**

**M30** 1860 c. 135.

For the purposes of section six of the <sup>M31</sup>Public Stores Act 1875, any person appointed under the <sup>M32</sup>Special Constables Act 1923, as extended as aforesaid, to be a special constable within any premises which are in the possession or under the control of the Authority shall be deemed to be a constable deputed by a public department and any goods and chattels belonging to or in the possession of the Authority shall be deemed to be Her Majesty’s stores.

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#### Marginal Citations

**M31** 1875 c. 25.

**M32** 1923 c. 11.

#### Other Enactments

In section ninety-seven of the <sup>M33</sup>Explosives Act 1875 references to a department of the Government, except the second such reference in paragraph (5) of that section, shall be construed as including references to the Authority.

#### Marginal Citations

**M33** 1875 c. 17.

For the purposes of Part II of the <sup>M34</sup>Military Lands Act 1892 (as applied by the Ministry of Supply (Transfer of Powers) (No. 1) Order 1939 subsection (2) of section two of the <sup>M35</sup>Atomic Energy Act 1946 and Article 3 of the Transfer of Functions (Atomic Energy and Radioactive Substances) Order 1953)—

- (a) any land vested in or under the management of the Authority shall be deemed to be land vested in or under the management of the Lord President of the Council;
- (b) any right of the Authority to use land vested in another person shall be deemed to be a right of the Lord President of the Council; and
- (c) the purposes of the Authority shall be deemed to be purposes of a department or organisation maintained by the Lord President of the Council for the purposes of the functions transferred to him under the Transfer of Functions (Atomic Energy and Radioactive Substances) Order 1953.

For the purposes of the Factories Acts 1937 and 1948 any premises belonging to or in the occupation of the Authority and any building operations or works of engineering construction undertaken by or on behalf of the Authority shall be deemed to be premises belonging to or in the occupation of the Crown or, as the case may be, to be operations or works undertaken by or on behalf of the Crown.

#### Marginal Citations

**M34** 1892 c. 43.

**M35** 1946 c. 80.

F23

#### Textual Amendments

**F23** Words repealed by [Industrial Expansion Act 1968 \(c. 32\)](#), [Sch. 4](#)

In subsection (2) of section forty-six of the <sup>M36</sup>Patents Act 1949 after the words “Government department” there shall be inserted the words “or the United Kingdom Atomic Energy Authority”.

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**Marginal Citations**

**M36** 1949 c. 87.

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**Textual Amendments**

**F23** Words repealed by [Industrial Expansion Act 1968 \(c. 32\)](#), **Sch. 4**

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**Marginal Citations**

**M33** 1875 c. 17.

**M34** 1892 c. 43.

**M35** 1946 c. 80.

**M36** 1949 c. 87.

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