



Radioactive Substances Act 1960 (repealed 27.8.1993)

1960 CHAPTER 34 8 and 9 Eliz 2

[^{F1}14] Application of Act to Crown.

- (1) Subject to the provisions of this section, the provisions of this Act shall bind the Crown.
- (2) The last preceding subsection does not apply in relation to premises—
 - (a) occupied on behalf of the Crown for naval, military or air force purposes or for the purposes of the department of the Secretary of State having responsibility for defence; or
 - (b) occupied by or for the purposes of a visiting force.
- (3) No contravention by the Crown of any provision of this Act shall make the Crown criminally liable; but the High Court or, in Scotland, the Court of Session may, on the application of any authority charged with enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (4) Notwithstanding anything in subsection (3) of this section, the provisions of this Act shall apply to persons in the public service of the Crown as they apply to other persons.
- (5) If the Secretary of State certifies that it appears to him requisite or expedient in the interests of national security that the powers of entry conferred by section twelve of this Act should not be exercisable in relation to any Crown premises specified in the certificate those powers shall not be exercisable in relation to those premises, and in this subsection “Crown premises” means premises held or used by or on behalf of the Crown.
- (6) Where, in the case of any such premises as are mentioned in subsection (2) of this section—
 - (a) arrangements are made whereby radioactive waste is not to be disposed of from those premises with the approval of the chief inspector, and
 - (b) in pursuance of those arrangements the chief inspector proposes to approve, or approves, the removal of radioactive waste from those premises to a place provided by a local authority as a place for the deposit of refuse,

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Radioactive Substances Act 1960 (repealed 27.8.1993), Section 14. (See end of Document for details)

the provisions of subsections (3) to (5) of section nine of this Act shall apply as if the proposal to approve the removal of the waste were an application for an authorisation under section six of this Act to remove it, or (as the case may be) the approval were such an authorisation.

- (7) Nothing in this section shall be taken as in any way affecting Her Majesty in her private capacity; and this subsection shall be construed as if section 38(3) of the Crown Proceedings Act 1947 (interpretation of references in that Act to Her Majesty in her private capacity) were contained in this Act.
- (8) In subsection (2) of this section “visiting force” means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act 1952.]

Textual Amendments

F1 S. 14 substituted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), **s. 104**

Modifications etc. (not altering text)

C1 S. 14 amended by [S.I. 1990/2598](#), **art. 2**

C2 S. 14(2) extended by [S.I. 1965/1536](#)

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