

SCHEDULE 4

Transitional Provisions and Savings

PART 3

Specific matters

CHAPTER 6

Other transitionals in connection with subordinate legislation amended by this Order

Nuclear Industries Security Regulations 2003

35. Paragraphs 36 to 38 make transitional provisions in connection with the 2003 Regulations in consequence of the provisions made by this Order.

36.—(1) A relevant approval which is in force immediately before 1st April 2014 has effect on and after that date as an approval given by the ONR.

(2) In this paragraph an approval is a relevant approval if it was given by, or on behalf of, the Secretary of State for the purposes of any of the following provisions of the 2003 Regulations—

- (a) regulation 5;
- (b) regulation 6;
- (c) regulation 8;
- (d) regulation 9;
- (e) regulation 14;
- (f) regulation 16;
- (g) regulation 19;
- (h) regulation 20.

37. A notification given by, or on behalf of, the Secretary of State under regulation 7(2) of the 2003 Regulations immediately before 1st April 2014 has effect, so far as is required for its continuing effect, on and after that date as a notification given by the ONR.

38.—(1) Any direction—

- (a) issued by, or on behalf of, the Secretary of State under regulation 11(1), 21(1) or 22(7)(b) of the 2003 Regulations before 1st April 2014; and
- (b) continuing in force on and after that date as a direction issued by the ONR,

has effect subject to any 2001 Act direction issued on or after that date.

(2) In this paragraph “2001 Act direction” means a direction given by the Secretary of State on or after 1st April 2014 under regulations made under section 77(1) of the 2001 Act.

Uranium Enrichment Technology (Prohibition on Disclosure) Regulations 2004

39.—(1) This paragraph applies in relation to the Uranium Enrichment Technology (Prohibition on Disclosure) Regulations 2004 (“the 2004 Regulations”).

(2) Any—

- (a) authorisation under regulation 4 of the 2004 Regulations, or

Status: This is the original version (as it was originally made).

(b) variation of such an authorisation,
in force immediately before 1st April 2014 has effect, on and after that date, as if granted by the relevant appropriate national authority under the 2004 Regulations as amended by this Order.

Carriage of Dangerous Goods and Transportable Pressure Equipment Regulations 2009

40. Paragraphs 41 to 43 makes transitional provisions and savings in connection with the 2009 Regulations in consequence of the provisions made by Schedule 3 to this Order.

41. An authorisation granted, or deemed to be granted, pursuant to regulation 12 of the 2009 Regulations by the Secretary of State for Energy and Climate Change which is in force immediately before 1st April 2014—

- (a) has effect, so far as is required for its continuing effect on and after that date, as an authorisation granted, or deemed to be granted (as the case may be) pursuant to that regulation by the ONR;
- (b) is subject to the same conditions as were in force immediately before that date.

42.—(1) A class 7 approval which is in force immediately before 1st April 2014—

- (a) has effect, so far as is required for its continuing effect on and after that date, as a certificate of approval issued by the ONR;
- (b) is subject to the same conditions as were in force immediately before that date.

(2) For the purposes of this paragraph—

- (a) “approval”—
 - (i) in relation to carriage by road, has the same meaning as in ADR,
 - (ii) in relation to carriage by rail, has the same meaning as in RID,
 - (iii) in relation to carriage by inland waterway, has the same meaning as in ADN;
- (b) “class 7 approval” means an approval issued by, or on behalf of, the Secretary of State for Energy and Climate Change before 1st April 2014 pursuant to regulation 26 of the 2009 Regulations.

43.—(1) Where—

- (a) the Secretary of State for Energy and Climate Change (“the Secretary of State”) is deemed to have performed a function by regulation 30 of the 2009 Regulations, and
- (b) action taken by the Secretary of State, as a consequence of the performance of that function, had effect immediately before 1st April 2014,

the ONR is deemed to have performed the function under the same provision of ADR or RID as it was performed by the Secretary of State or (as the case may be) the equivalent provision of ADN.

(2) In this paragraph “ADR”, “RID” and “ADN” have the meanings given in section 73(3) of the 2013 Act.