
STATUTORY INSTRUMENTS

2016 No. 562

The Nuclear Installations (Liability for Damage) Order 2016

Furnishing of information relating to licensee's or operator's cover

33.—(1) Section 20 of the 1965 Act (furnishing of information relating to licensee's cover) is amended as follows.

(2) In subsection (1)(1) (notice to be given by licensee when the value of claims made reach three-fifths of maximum liability)—

(a) for “the Minister” (in the first place) substitute “the appropriate authority”;

(b) for the words from “upon its appearing” to “and where” substitute—

“upon its appearing to the licensee that claims such as are mentioned in section 19(1) made in respect of any cover period falling within the period of the licensee's responsibility have reached a notice level.

(1A) For the purposes of subsection (1), claims made in respect of a cover period reach a notice level if the aggregate amount of claims of a particular category so made reaches three-fifths of the required amount appropriate to that category of claim.

(1B) In subsection (1A) references to a category of claim and the required amount are to be construed in accordance with section 19.

(1C) Where”;

(c) for “the Minister” (in the second and third places) substitute “the appropriate authority”.

(3) In subsection (2) (requirement to send the Minister statement of claims in a cover period), for “the Minister” substitute “the appropriate authority”.

(4) In subsection (3) (copy of statement to be laid before Parliament)—

(a) for “The Minister” substitute “The appropriate authority”;

(b) for “him” (in both places) substitute “the appropriate authority”;

(c) for “he” substitute “the appropriate authority”.

(5) In subsection (4) (notice to the Minister before ceasing to keep funds available), for “the Minister” substitute “the appropriate authority”.

(6) After subsection (4) insert—

“(5) Subsections (1) to (4) apply in relation to the operator of a relevant disposal site with the following modifications—

(a) as if a reference to the licensee of a site with a nuclear site licence were a reference to the operator of a relevant disposal site;

(b) as if a reference to a licensed site were a reference to a relevant disposal site;

(c) as if a reference to the period of a licensee's responsibility were a reference to the period indicated by section 7B(1)(f).”

(7) After subsection (5) (inserted by paragraph (6)) insert—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(6) In this section “appropriate authority” means—

- (a) in relation to England and Wales and Northern Ireland, the Secretary of State;
- (b) in relation to Scotland, the Scottish Ministers.”

(8) In the heading of the section, after “licensee’s” insert “or operator’s”.