
STATUTORY INSTRUMENTS

2016 No. 562

The Nuclear Installations (Liability for Damage) Order 2016

Duties of certain foreign operators

7.—(1) Section 10 of the 1965 Act (duty of certain foreign operators) is amended as follows.

(2) For subsection (1) substitute—

“(1) It is the duty of a relevant foreign operator to secure that no occurrence involving nuclear matter which is not excepted matter and satisfying the conditions in subsections (2) and (4) causes—

- (a) injury to any person,
- (b) damage to any property of any person other than that operator, or
- (c) significant impairment of the environment,

being injury, damage or impairment that arises out of or results from the radioactive properties, or a combination of those and any toxic, explosive or other hazardous properties, of that nuclear matter.

(1A) It is the duty of a relevant foreign operator to secure that no event happens that creates a grave and imminent threat of a breach of the duty under subsection (1).”

(3) For subsection (2) substitute—

“(2) The condition in this subsection is that the occurrence is—

- (a) an occurrence taking place wholly or partly within United Kingdom limits; or
- (b) an occurrence taking place outside those limits which also involves nuclear matter in respect of which a duty is imposed on any person by section 7, 7B, 8 or 9.

(3) For the purposes of subsection (2), an occurrence takes place within United Kingdom limits if it takes place—

- (a) within the territorial limits of the United Kingdom, or
- (b) within the limits of the United Kingdom’s relevant maritime zone,

and the limits of that zone are to be treated as applying to sea, sea bed, subsoil and airspace.

(4) The condition in this subsection is that the nuclear matter involved in the occurrence would, if the relevant foreign operator were the licensee of a licensed site and that operator’s relevant site were a licensed site, satisfy the requirement in section 7A(1) in relation to the relevant foreign operator at the time of the occurrence.”