

Changes to legislation: Energy Act 2013, Cross Heading: Terms of appointment is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 7 **U.K.**

THE OFFICE FOR NUCLEAR REGULATION

Terms of appointment

- 7 Subject to the following provisions of this Schedule, members of the ONR hold and vacate office in accordance with the terms of their respective appointments.

Commencement Information

II Sch. 7 para. 7 in force at 10.3.2014 by S.I. 2014/251, art. 3(b)

- 8 (1) The terms of a person's appointment as an executive member are to be determined by the ONR.
- (2) The terms of a person's appointment as a non-executive member, other than an HSE member, are to be determined by the Secretary of State.
- (3) The terms of a person's appointment as an HSE member are to be determined by the Health and Safety Executive.

Commencement Information

I2 Sch. 7 para. 8 in force at 10.3.2014 by S.I. 2014/251, art. 3(b)

- 9 (1) An executive member—
- (a) ceases to be a member of the ONR upon ceasing to be an employee of the ONR, and
- (b) may at any time resign from office by notice to the ONR.
- (2) A person who is—
- (a) the Chief Nuclear Inspector, or
- (b) the Chief Executive Officer,
- ceases to be a member of the ONR on ceasing to hold that appointment (unless the person was appointed as both Chief Nuclear Inspector and Chief Executive Officer and continues to hold one of those appointments).
- (3) A non-executive member other than an HSE member—
- (a) ceases to be a member of the ONR upon becoming a member of the ONR's staff, and
- (b) may at any time resign from office by notice to the Secretary of State.
- (4) An HSE member—

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- (a) ceases to be a member of the ONR upon ceasing to be a member of the Health and Safety Executive, and
- (b) may at any time resign from office by notice to the Health and Safety Executive.

Commencement Information

I3 Sch. 7 para. 9 in force at 10.3.2014 by S.I. 2014/251, art. 3(b)

- 10 (1) The Secretary of State may by notice remove any non-executive member, other than an HSE member, from office.
- (2) A notice may not be given under sub-paragraph (1) unless at least one of the conditions in sub-paragraph (3) or (4) is met.
- (3) The conditions in this sub-paragraph are that the member—
- (a) has been absent from meetings of the ONR for a period longer than 6 months without the permission of the ONR;
 - (b) is an undischarged bankrupt or has had his or her estate sequestrated without being discharged;
 - (c) is a person in relation to whom a moratorium period under a debt relief order applies;
 - (d) is subject to a bankruptcy restrictions order or an interim bankruptcy restrictions order;
 - (e) is subject to a debt relief restrictions order or an interim debt relief restrictions order;
 - (f) has made an arrangement with his or her creditors, or has entered into a trust deed for creditors, or has made a composition contract with his or her creditors;
 - (g) is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or equivalent legislation in Northern Ireland;
 - (h) has been convicted of a criminal offence (but this does not apply in relation to any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974 or the Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))).
- (4) The conditions in this sub-paragraph are that the Secretary of State is satisfied that the member—
- (a) has a financial or other interest that is likely to affect prejudicially the carrying out of his or her functions as a member of the ONR;
 - (b) has been guilty of misbehaviour;
 - (c) is otherwise incapable of carrying out, or unfit to carry out, the functions of his or her office.
- (5) The Health and Safety Executive may by notice remove an HSE member from office.
- (6) The Health and Safety Executive must notify the ONR and the Secretary of State whenever an HSE member—
- (a) ceases to be a member of the Health and Safety Executive,
 - (b) resigns from office, or

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(c) is removed from office.

(7) In sub-paragraph (3) “debt relief order”, “debt relief restrictions order” and “interim debt relief restrictions order” mean the orders of those names made under—

- (a) Part 7A of the Insolvency Act 1986, or
- (b) Part 7A of the Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19)).

Commencement Information

I4 [Sch. 7 para. 10](#) in force at 10.3.2014 by [S.I. 2014/251](#), [art. 3\(b\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)