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STATUTORY INSTRUMENTS

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**2003 No. 403**

**The Nuclear Industries Security Regulations 2003**

**PART 4**

**SECURITY OF SENSITIVE NUCLEAR INFORMATION**

**Duties of persons with sensitive nuclear information**

- 22.**—(1) Subject to paragraph (2), this regulation applies to the following persons—
- (a) a responsible person who keeps sensitive nuclear information on any premises other than nuclear premises for which there is an approved security plan;
  - (b) any company designated by the Secretary of State under section 19(2) of the Atomic Energy Authority Act 1971<sup>(1)</sup>;
  - (c) any person who has possession or control of sensitive nuclear information for the purposes of planning, designing or constructing any proposed nuclear premises or any installation or other facility on nuclear premises;
  - (d) any contractor or consultant of any person referred to in sub-paragraphs (a) to (c) who has possession or control of sensitive nuclear information; and
  - (e) any holding company (as defined in section 736(1) of the Companies Act 1985<sup>(2)</sup>) whose subsidiary (as defined in that section) falls within any of sub-paragraphs (a) to (c) and which itself has possession or control of sensitive nuclear information.
- (2) This regulation does not apply to any person who is not (and is not expected to be) involved in activities on or in relation to any nuclear premises.
- (3) A person to whom this regulation applies must—
- (a) maintain such security standards, procedures and arrangements as are necessary for the purpose of minimising the risk of loss, theft or unauthorised disclosure of, or unauthorised access to, any sensitive nuclear information within his possession or control,
  - (b) comply with any direction given by the Secretary of State requiring him to take such steps as are necessary or as are specified in the direction for that purpose,
  - (c) ensure that each of his relevant personnel who—
    - (i) is specified in such a direction as a person whose suitability requires investigation and assessment by the Secretary of State, or
    - (ii) falls within a description of persons who are so specified,is a person who has been approved by the Secretary of State as being of suitable character and integrity, having regard to the need to ensure the security of any sensitive nuclear information within the possession or control of the person to whom this regulation applies, and

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(1) 1971 c. 11.

(2) 1985 c. 6; section 736 is substituted by the Companies Act 1989 (c. 40), section 144(1).

- (d) report to the Secretary of State any event or matter of a kind specified in paragraph (6) that relates to any sensitive nuclear information within his possession or control as soon as practicable and in any event within 24 hours of its becoming known to him, specifying the nature of the event or matter and, in the case of an event, the date and time it occurred and the apparent reason for it.
- (4) If it is not reasonably practicable for the person in question to make a written report under paragraph (3)(d) within the period specified in that paragraph, he must make the report orally and confirm it in writing within 48 hours of the event or matter becoming known to him.
- (5) In any other case the report must be made in writing.
- (6) The events and matters are—
  - (a) any theft or attempted theft, or any loss or unauthorised disclosure, of sensitive nuclear information, or any suspected such theft, loss or disclosure;
  - (b) any unauthorised access to sensitive nuclear information or any attempt to gain such access;
  - (c) any other event or matter which might affect the security of any sensitive nuclear information.