Radioactive Substances Act 1993

1993 CHAPTER 12

Enforcement notices and prohibition notices

[F1][F2]21 Enforcement notices.

(1) Subject to the provisions of this section, if the chief inspector is of the opinion that a person to whom a registration under section 7 or 10 relates or **[**[F3] who holds an authorisation under section 13 or 14 **]**—

(a) is failing to comply with any limitation or condition subject to which the registration or authorisation has effect, or

(b) is likely to fail to comply with any such limitation or condition,

he may serve a notice under this section on that person.

(2) A notice under this section shall—

(a) state that the chief inspector is of that opinion,

(b) specify the matters constituting the failure to comply with the limitations or conditions in question or the matters making it likely that such a failure will occur, as the case may be, and

(c) specify the steps that must be taken to remedy those matters and the period within which those steps must be taken.

(3) In the case of an authorisation granted by the chief inspector and the appropriate Minister in accordance with section 16(3), the power to issue notices under this section shall be exercisable by the chief inspector or by that Minister as if references in subsections (1) and (2) to the chief inspector were references to the chief inspector or that Minister.

(4) Where a notice is served under this section the chief inspector or, where the notice is served by the appropriate Minister, that Minister shall—

(a) in the case of a registration, if a certificate relating to the registration was sent to a local authority under section 7(8) or 10(5), or

(b) in the case of an authorisation, if a copy of the authorisation was sent to a public or local authority under section 16(9)(b) **[**[F4]or 16A(8)(d)**]**,

send a copy of the notice to that authority.**]**

Changes to legislation: *Radioactive Substances Act 1993, Section 21 is up to date with all changes known to be in force on or before 18 April 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*

Textual Amendments

F1 Ss. 1-24 repealed (S.) (1.9.2018) by The Environmental Authorisations (Scotland) Regulations 2018 (S.S.I. 2018/219), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by The Environmental Authorisations (Scotland) Regulations 2018 (Transitional and Savings Provisions) Order 2021 (S.I. 2021/1309), arts. 1(1), **3-5**)

F2 S. 21 repealed (E.W.) (6.4.2010) by The Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675), reg. 1(1)(b), Sch. 26 para. 11(2)(u), **Sch. 28** (with reg. 1(2), Sch. 4)

F3 Words in s. 21(1) substituted (27.7.2004) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 15 para. 5(1)**; S.I. 2004/1973, art. 2, Sch.

F4 Words in s. 21(4)(b) inserted (27.7.2004) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 15 para. 5(2)**; S.I. 2004/1973, art. 2, Sch.

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

- Act modified by 2014 c. 20 Sch. 1 para. 5
- Act saving for effects of S.I. 2016/1154, reg. 72 by S.S.I. 2018/219 Sch. 5 para. 346

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

- s. 34A(1A)-(1C) inserted by 2022 c. 35 s. 14(3)