

Status: Point in time view as at 01/04/2007.

Changes to legislation: Energy Act 2004, SCHEDULE 14 is up to date with all changes known to be in force on or before 12 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)

SCHEDULES

SCHEDULE 14

Section 69

MINOR AMENDMENTS RELATING TO CONSTABULARY

Public Records Act 1958

- 1 In paragraph 3 of Schedule 1 to the Public Records Act 1958 (c. 51) (administrative and departmental records of certain bodies to be public records), in Part 2 of the Table, at the appropriate place, insert— “ Civil Nuclear Police Authority. ”

Commencement Information

- II** Sch. 14 para. 1 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

Police (Scotland) Act 1967

- 2 (1) Section 12 of the Police (Scotland) Act 1967 (c. 77) (collaboration agreements) is amended as follows.
- (2) After subsection (6) insert—
- “(6A) For the purposes of this section—
- (a) the Civil Nuclear Constabulary shall be treated as if it were a police force;
 - (b) “police functions” shall include the functions of the Civil Nuclear Constabulary;
 - (c) the Civil Nuclear Police Authority shall be treated as if it were a police authority; and
 - (d) “police area”, in relation to the Civil Nuclear Constabulary and the Civil Nuclear Police Authority, means those places where members of that Constabulary have the powers and privileges of a constable.”
- (3) In subsection (7) after “British Transport Police Force” insert “ or the Civil Nuclear Constabulary ”.

Commencement Information

- I2** Sch. 14 para. 2 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

Firearms Act 1968

- 3 In section 54 of the Firearms Act 1968 (c. 27) (application to Crown servants), after subsection (3) insert—

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“(3AA) For the purposes of this section and of any rule of law whereby any provision of this Act does not bind the Crown—

- (a) a member of the Civil Nuclear Constabulary shall be deemed to be a person in the service of Her Majesty; and
- (b) references to the public service shall be deemed to include references to use by a person in the exercise and performance of his powers and duties as a member of the Civil Nuclear Constabulary.”

Commencement Information

I3 Sch. 14 para. 3 in force at 1.4.2005 by S.I. 2005/877, art. 2(1), Sch. 1

Race Relations Act 1976

- 4 In Part 2 of Schedule 1A to the Race Relations Act 1976 (c. 74) (persons subjected after commencement of duties to general duties with respect to discrimination and equality), after the entry relating to the chief constable of the Ministry of Defence Police insert—

“The Civil Nuclear Police Authority.

The chief constable of the Civil Nuclear Constabulary.”

Commencement Information

I4 Sch. 14 para. 4 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

Ministry of Defence Police Act 1987

- 5 (1) In section 2 of the Ministry of Defence Police Act 1987 (c. 4) (jurisdiction of Ministry of Defence Police)—
- (a) for subsection (3A)(d) substitute—
 - “(d) the Civil Nuclear Constabulary”;
 - (b) in subsection (3B)(d), for “United Kingdom Atomic Energy Authority Constabulary” substitute “Civil Nuclear Constabulary”.
- (2) In section 2A(4) of that Act (provision of assistance to other forces)—
- (a) in the definition of “chief officer”, in paragraph (d), for “United Kingdom Atomic Energy Authority Constabulary” substitute “Civil Nuclear Constabulary”; and
 - (b) in the definition of “relevant force”, for paragraph (d) substitute—
 - “(d) the Civil Nuclear Constabulary.”
- (3) In section 2B(3) of that Act (constables serving with other forces)—
- (a) in the definition of “chief officer”, in paragraph (f), for “United Kingdom Atomic Energy Authority Constabulary” substitute “Civil Nuclear Constabulary”; and
 - (b) in the definition of “relevant force”, for paragraph (f) substitute—
 - “(f) the Civil Nuclear Constabulary.”

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Commencement Information

I5 Sch. 14 para. 5 in force at 1.4.2005 by S.I. 2005/877, art. 2(1), Sch. 1

Official Secrets Act 1989

6 In section 12 of the Official Secrets Act 1989 (c. 6) (Crown servants etc.), after subsection (4) insert—

“(4A) In this section the reference to a police force includes a reference to the Civil Nuclear Constabulary.”

Commencement Information

I6 Sch. 14 para. 6 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

Police Act 1996

7 In section 23 of the Police Act 1996 (c. 16) (collaboration agreements), after subsection (7A) insert—

“(7B) For the purposes of this section—

- (a) the Civil Nuclear Constabulary shall be treated as if it were a police force;
- (b) the chief constable of the Civil Nuclear Constabulary shall be treated as if he were the chief officer of police of that Constabulary;
- (c) “police functions” shall include the functions of the Civil Nuclear Constabulary; and
- (d) the Civil Nuclear Police Authority shall be treated as if it were a police authority.”

Commencement Information

I7 Sch. 14 para. 7 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

Regulation of Investigatory Powers Act 2000

8 (1) In section 46(3) of the Regulation of Investigatory Powers Act 2000 (c. 23) (persons in relation to whom authorisations may apply to any place in the United Kingdom), after paragraph (d) insert—

“(dza) the Civil Nuclear Constabulary;”.

(2) In Part 1 of Schedule 1 to that Act (relevant authorities for the purposes of sections 28 and 29), for paragraph 1A substitute—

“1A The Civil Nuclear Constabulary.”

Commencement Information

I8 Sch. 14 para. 8 in force at 1.4.2005 by S.I. 2005/877, art. 2(1), Sch. 1

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Criminal Justice and Police Act 2001

F19

Textual Amendments

F1 Sch. 14 para. 9 repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 15 Pt. 1\(A\)](#); [S.I. 2007/709](#), art. 3(q) (with art. 6)

Anti-terrorism, Crime and Security Act 2001

10 (1) In section 77(7) of the Anti-terrorism, Crime and Security Act 2001 (c. 24) (interpretation of section 77), for the definitions of “nuclear material” and “nuclear site” substitute—

““nuclear material” has the same meaning as in Chapter 3 of Part 1 of the Energy Act 2004;

“nuclear site” means a licensed nuclear site within the meaning of that Chapter;”.

(2) In section 79(4) of that Act (interpretation of section 79), for the definition of “nuclear material” substitute—

““nuclear material” has the same meaning as in Chapter 3 of Part 1 of the Energy Act 2004;”.

(3) In section 100(1) of that Act (jurisdiction of British Transport Police when assisting other forces), for paragraph (c) substitute—

“(c) the Civil Nuclear Constabulary;”.

Commencement Information

I9 Sch. 14 para. 10 in force at 1.4.2005 by [S.I. 2005/877](#), art. 2(1), [Sch. 1](#)

Police Reform Act 2002

11 In section 82 of the Police Reform Act 2002 (c. 30) (nationality requirements applicable to police officers)—

(a) for subsection (1)(e) substitute—

“(e) a member of the Civil Nuclear Constabulary;”;

F2(b)

Textual Amendments

F2 Sch. 14 para. 11(b) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8)(8), [Sch. 17 Pt. 2](#); [S.I. 2006/378](#), art. 4(1), [Sch. para. 13\(qq\)](#)

Commencement Information

I10 Sch. 14 para. 11 in force at 1.4.2005 by [S.I. 2005/877](#), art. 2(1), [Sch. 1](#)

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