



Energy Act 2004

2004 CHAPTER 20

PART 1

THE CIVIL NUCLEAR INDUSTRY

CHAPTER 1

NUCLEAR DECOMMISSIONING

Strategies, plans and reports

14 Annual reports

- (1) As soon as reasonably practicable after the end of each financial year, the NDA must prepare and send to the Secretary of State a report on—
 - (a) the discharge of its responsibilities during that year; and
 - (b) the carrying out of its other functions.
- (2) If during the year to which the report relates the NDA has had responsibilities which—
 - (a) fall within subsection (2) of section 6, or
 - (b) are mentioned in subsection (3) of that section,it must also send a copy of that report to the Scottish Ministers.
- (3) The report must contain—
 - (a) a description of what has been done, during the year to which it relates, towards achieving the NDA's objectives, as set out in the approved strategy in force during that year;
 - (b) a general description of the work carried out during that year for the purpose of decommissioning the installations designated as installations to be decommissioned;
 - (c) a general description of the work carried out during that year for the purpose of cleaning up the sites designated as sites to be cleaned up;

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- (d) a report on every change occurring during that year in the identity of persons with control of designated installations, designated sites and designated facilities;
 - (e) a report of every significant change during that year to the contractual arrangements of the NDA that are in force with respect to the carrying out (whether or not during that year) of decommissioning or cleaning-up work;
 - (f) a report on the extent to which the NDA has implemented its plan for that year;
 - (g) a report of the NDA's dealings during that year with [^{F1}the Office for Nuclear Regulation,] the Health and Safety Executive, the Environment Agency^{F2}, the Natural Resources Body for Wales] and the Scottish Environment Protection Agency;
 - (h) a report containing an assessment of the performance in relation to safety and environmental matters of the persons (other than the NDA itself) who have control of designated installations, designated sites and designated facilities;
 - (i) a report of the NDA's dealings during that year with such persons with responsibilities in relation to nuclear security as have been nominated for the purposes of this subsection by the Secretary of State; and
 - (j) any other matters which the NDA is directed by the Secretary of State to include in that report.
- (4) Before giving a direction for the purposes of subsection (3)(j) the Secretary of State must consult the Scottish Ministers.
- (5) The report must deal separately with—
- (a) activities relating to the decommissioning of installations or the cleaning-up of sites; and
 - (b) the NDA's other activities.
- (6) The Secretary of State must lay a copy of every report received by him under this section before Parliament.
- (7) The Secretary of State must also arrange for a copy of the report to be published in the manner which, in his opinion, is most appropriate for bringing it to the attention of persons likely to be affected by it.
- (8) The Scottish Ministers must lay a copy of every report received by them under this section before the Scottish Parliament.
- (9) The Secretary of State may exclude—
- (a) from what he lays before Parliament or arranges to be published under this section, and
 - (b) from what is to be laid before the Scottish Parliament by the Scottish Ministers,
- anything falling within subsection (10).
- (10) The following falls within this subsection—
- (a) anything the publication of which the Secretary of State considers to be against the interests of national security;
 - (b) anything relating to the private affairs of an individual the publication of which the Secretary of State considers would seriously and prejudicially affect the interests of that individual; and

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- (c) anything of a commercial nature relating specifically to the affairs of a particular body of persons the publication of which the Secretary of State considers would seriously and prejudicially affect the interests of that body.

Textual Amendments

- F1** Words in s. 14(3)(g) inserted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 78**; S.I. 2014/251, art. 4
- F2** Words in s. 14(3)(g) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 426** (with Sch. 7)

Commencement Information

- I1** S. 14 in force at 5.10.2004 by [S.I. 2004/2575](#), art. 2(1), **Sch. 1**

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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. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)