
Changes to legislation: Energy Act 2013, Paragraph 20 is up to date with all changes known to be in force on or before 02 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

SCHEDULES

SCHEDULE 12

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 3

PART 2

NUCLEAR SAFETY

Nuclear Installations Act 1965 (c. 57)

20 For section 5 substitute—

“5 Revocation and surrender of licences

- (1) A nuclear site licence may at any time be—
 - (a) revoked by the appropriate national authority, or
 - (b) surrendered by the licensee.
- (2) The appropriate national authority must consult the appropriate environment authority before revoking a nuclear site licence.
- (3) Subsections (4) to (6) apply where a nuclear site licence has been revoked or surrendered.
- (4) If the appropriate national authority requires it to do so, the licensee must deliver up or account for the licence to such person as the appropriate national authority may direct.
- (5) During the remainder of the period of the licensee's responsibility the appropriate national authority may give the licensee such directions as the authority may consider appropriate for preventing, or giving warning of, any risk of—
 - (a) injury to any person, or
 - (b) damage to any property,by ionising radiations from anything remaining on the site.
- (6) A nuclear safety inspector may direct the licensee to ensure that, during the remainder of the period of responsibility, notices indicating the limits of the site are kept posted on the site in the positions specified in the direction.
- (7) For this purpose, “nuclear safety inspector” means an inspector appointed—
 - (a) by the ONR under Schedule 8 to the Energy Act 2013, in the case of a site in England, Wales or Scotland, or
 - (b) under section 24, in the case of a site in Northern Ireland.

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- (8) A licensee who contravenes any direction for the time being in force under subsection (5) or (6) is guilty of an offence.
- (9) A person who without reasonable cause pulls down, injures or defaces any notice posted under subsection (6) is guilty of an offence.
- (10) A person convicted of an offence under subsection (8) in England and Wales or Scotland is liable—
- (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 12 months, or a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland), or both.
- (11) A person convicted of an offence under subsection (8) in Northern Ireland is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 12 months, or a fine, or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding 3 months, or a fine not exceeding the prescribed sum, or both.
- (12) A person convicted of an offence under subsection (9) is liable on summary conviction—
- (a) in England and Wales or Scotland, to a fine not exceeding level 2 on the standard scale;
 - (b) in Northern Ireland, to a fine not exceeding level 1 on the standard scale.
- (13) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to imprison), the reference to 12 months in subsection (10)(b), as it has effect in England and Wales, is to be read as a reference to 6 months.
- (14) In this Act, “period of responsibility” in relation to the licensee under a nuclear site licence means, as respects the site in question or any part of it, the period—
- (a) beginning with the grant of the licence, and
 - (b) ending with whichever of the dates in subsection (15) is the earliest, except that it does not include any period during which section 19(1) does not apply in relation to the site.
- (15) Those dates are—
- (a) the date when the appropriate national authority gives notice in writing to the licensee that in the authority's opinion there has ceased to be any danger from ionising radiations from anything on the site or, as the case may be, on the part of it in question;
 - (b) the date when a new nuclear site licence in respect of a site comprising the site in question or, as the case may be, that part of it, is granted (whether to the same licensee or to some other person);
 - (c) the date when the following conditions have both become satisfied—

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- (i) the site in question or, as the case may be, that part of it is used or occupied by or on behalf of the Crown, and
- (ii) a nuclear site licence has ceased to be required in respect of that site or part.”

Commencement Information

II Sch. 12 para. 20 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

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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\(4\)](#)