

Changes to legislation: Energy Act 2013, Cross Heading: Atomic Energy Act 1946 (c. 80) is up to date with all changes known to be in force on or before 15 March 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 4

NUCLEAR SAFEGUARDS

Atomic Energy Act 1946 (c. 80)

34 The Atomic Energy Act 1946 is amended as follows.

Commencement Information

II Sch. 12 para. 34 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

35 (1) Section 4 (power to obtain information of materials, plants and processes) is amended as follows.

(2) In subsection (1), at the beginning insert “ Subject to subsection (1A) ”.

(3) After subsection (1) insert—

“(1A) No notice may be served under subsection (1) which imposes a requirement which could be imposed—

(a) by a notice served by the Office for Nuclear Regulation under section 97 of the Energy Act 2013 (power of ONR to obtain information), or

(b) by an authorised inspector under paragraph 15 of Schedule 8 to that Act (power of inspectors to require information and documents).”.

Commencement Information

I2 Sch. 12 para. 35 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

36 (1) Section 5 (power of entry and inspection) is amended as follows.

(2) In subsection (1), at the beginning insert “ Subject to subsection (1A) ”.

(3) After subsection (1) insert—

“(1A) No authorisation to enter or inspect any premises may be given by the Minister to any person under subsection (1) if such authorisation could be given by the Office for Nuclear Regulation to an inspector under Part 1 of Schedule 8 to the Energy Act 2013 (appointment and powers of inspectors).”.

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Commencement Information

I3 Sch. 12 para. 36 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

37 In section 11 (restriction on disclosure of information relating to plant), after subsection (2) insert—

“(2A) The communication of information is not an offence under this section if it is—

- (a) communication to the Office for Nuclear Regulation of information required under section 97 of the Energy Act 2013 (power of ONR to obtain information), or any subsequent communication of that information by the Office for Nuclear Regulation, or
- (b) communication to an authorised inspector of information required by the inspector under paragraph 15 of Schedule 8 to that Act (power of inspectors to require information and documents), or any subsequent communication of that information by an inspector.”.

Commencement Information

I4 Sch. 12 para. 37 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

38 In section 18 (definitions), in subsection (1), after the definition of “atomic energy” insert—

““inspector” means an inspector appointed under Schedule 8 to the Energy Act 2013; and “authorised”, in relation to such an inspector, is to be construed in accordance with paragraph 2(4) of that Schedule;”.

Commencement Information

I5 Sch. 12 para. 38 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

Changes to legislation:

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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\(4\)](#)