
Changes to legislation: Energy Act 2013, Paragraph 4 is up to date with all changes known to be in force on or before 05 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 8

INSPECTORS

Modifications etc. (not altering text)

- C1** Sch. 8 modified (1.4.2014) by The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014 (S.I. 2014/469), art. 1(2), Sch. 1 para. 5(2)Sch. 1 para. 5(3)(b) (with Sch. 1 paras. 6, 4)

PART 2

POWERS EXERCISABLE BY INSPECTORS AUTHORISED BY INSTRUMENT OF APPOINTMENT: IMPROVEMENT NOTICES AND PROHIBITION NOTICES

Prohibition notices

- 4 (1) This paragraph applies where an inspector is of the opinion that—
- (a) relevant activities, as they are being carried on by or under the control of a person, involve a risk of serious personal injury, or
 - (b) relevant activities which are likely to be carried on by or under the control of a person will, as so carried on, involve a risk of serious personal injury.
- (2) The inspector may, if authorised, give the person a notice (“a prohibition notice”) directing that the activities to which the notice relates must not be carried on by or under the control of the person unless the following have been remedied—
- (a) the matters specified in the notice under sub-paragraph (3)(b), and
 - (b) any associated contraventions of provisions specified under sub-paragraph (3)(c).
- (3) A prohibition notice must—
- (a) state that the inspector is of the opinion mentioned in sub-paragraph (1);
 - (b) specify the matters which in the inspector's opinion give, or, as the case may be, will give rise to the risk mentioned in that sub-paragraph;
 - (c) where in the inspector's opinion any of those matters involves or, as the case may be, will involve a contravention of any applicable provision—
 - (i) specify the provision or provisions in question, and
 - (ii) state that the inspector is of that opinion, and why.
- (4) A prohibition notice takes effect—
- (a) at the end of the period specified in the notice, or
 - (b) if the notice so specifies, immediately.

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(5) In this paragraph—

“applicable provision” has the same meaning as in paragraph 3 [^{F1}but does not include nuclear safeguards regulations or a provision of the Nuclear Safeguards Act 2000];

“relevant activities” means any activities in relation to which any applicable provision applies (or would apply if they were being carried on).

Textual Amendments

F1 Words in [Sch. 8 para. 4\(5\)](#) inserted (31.12.2020) by [Nuclear Safeguards Act 2018 \(c. 15\)](#), s. 6(2), [Sch. para. 11\(3\)](#); [S.I. 2020/1547](#), reg. 2(b)

Commencement Information

I1 [Sch. 8 para. 4](#) 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\(4\)](#)