

Changes to legislation: Energy Act 2013, Cross Heading: Improvement notices is up to date with all changes known to be in force on or before 27 February 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

Improvement notices

- 3 (1) This paragraph applies where an inspector is of the opinion that a person—
- (a) is contravening one or more applicable provisions, or
 - (b) has contravened one or more of those provisions in circumstances that make it likely that the contravention will continue or be repeated.
- (2) The inspector may, if authorised, give the person a notice (an “improvement notice”) requiring the person to remedy—
- (a) the contravention, or
 - (b) as the case may be, the matters giving rise to the notice,
- within the period specified in the notice.
- (3) The improvement notice must—
- (a) specify the applicable provision or provisions in question, and
 - (b) state that the inspector is of the opinion mentioned in sub-paragraph (1), and why.
- (4) The period specified under sub-paragraph (2) must end no earlier than the period within which an appeal against the notice may be brought under paragraph 6.
- (5) In this paragraph “applicable provision” means—
- (a) ^{[F1}any of the relevant statutory provisions other than any provision of nuclear regulations which is identified in accordance with section 74(9) (provision made for nuclear security purposes),] or
 - (b) any condition attached to a nuclear site licence under section 4 of the Nuclear Installations Act 1965 relating to a site in England, Wales or Scotland.

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Textual Amendments

- F1** Sch. 8 para. 3(5)(a) substituted (31.12.2020) by Nuclear Safeguards Act 2018 (c. 15), s. 6(2), **Sch. para. 11(2)**; S.I. 2020/1547, reg. 2(b)
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Commencement Information

- I1** Sch. 8 para. 3 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\(4\)](#)