
STATUTORY INSTRUMENTS

2016 No. 562

The Nuclear Installations (Liability for Damage) Order 2016

Notice to Secretary of State of proceedings

26. After section 17 of the 1965 Act insert—

“17A Notice to the Secretary of State of proceedings

(1) If a person brings proceedings in any part of the United Kingdom in relation to which the condition in subsection (3) is satisfied, the person must notify the Secretary of State of the proceedings when they are brought.

(2) If a person makes a claim in proceedings brought in any part of the United Kingdom as a result of which the condition in subsection (3) is satisfied in relation to the proceedings, the person must notify the Secretary of State of the proceedings when that claim is made.

(3) The condition is that—

- (a) a breach of a duty imposed on a person by section 7, 7B, 8, 9 or 10 is alleged in the proceedings,
- (b) the effect of any of sections 7 to 21 and Schedule 1A is in issue in the proceedings, or
- (c) a matter relating to a relevant international agreement is in issue in the proceedings.

(4) When a person notifies the Secretary of State of proceedings under subsection (1), the person must at the same time send the Secretary of State—

- (a) a copy of the document that initiates the proceedings, and
- (b) if the claim being made by the person is not set out in the document that initiates the proceedings, a copy of the document that sets out the claim for the purposes of the proceedings.

(5) When a person notifies the Secretary of State of proceedings under subsection (2), the person must at the same time send the Secretary of State a copy of the document that sets out the claim in question for the purposes of the proceedings.

(6) A person is to be treated as notifying the Secretary of State of proceedings if the person seeks to make the Secretary of State a party to the proceedings.”