
STATUTORY INSTRUMENTS

2023 No. 712

**The Relevant Licensee Nuclear Company
Administration (England and Wales) Rules 2023**

PART 14

Miscellaneous

False claim of status as creditor, etc.

182. Where these Rules provide for creditors, members or contributories of a relevant licensee nuclear company a right to inspect any documents, whether on the court file or in the hands of a nuclear administrator or other person, it is an offence for a person, with the intention of gaining sight of documents which the person has not under these Rules any right to inspect, falsely to claim a status which would entitle the person to inspect them.

Punishment of offences

183.—(1) The Schedule to these Rules has effect with respect to the way in which contraventions of these Rules are punishable on conviction.

(2) In relation to an offence under a provision of the rules specified in the first column of the Schedule (the general nature of the offence being described in the second column), the third column shows whether the offence is punishable on conviction on indictment, or on summary conviction, or either in the one way or the other.

(3) The fourth column shows, in relation to an offence, the maximum punishment by way of fine or imprisonment which may be imposed on a person convicted of the offence in the way specified in relation to it in the third column (that is to say, on indictment or summarily), a reference to a period of years or months being to a term of imprisonment of that duration.

(4) The fifth column shows (in relation to an offence for which there is an entry in that column) that a person convicted of the offence after continued contravention is liable to a daily default fine; that is to say, the person is liable on a second or subsequent conviction of the offence to the fine specified in that column for each day on which the contravention is continued (instead of the penalty specified for the offence in the fourth column of the Schedule).

(5) Section 431 of the 1986 Act (summary proceedings)⁽¹⁾, as it applies to England and Wales, has effect in relation to offences under these Rules as to offences under the 1986 Act.

Review

184.—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provision contained in these Rules, and
- (b) publish a report setting out the conclusions of the review.

(1) Section 431 was amended by the Corporate Insolvency and Governance Act 2020, Schedule 3, paragraph 27.

(2) The first report must be published before the end of the period of five years beginning with the date on which these Rules come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this rule must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
- (b) assess the extent to which those objectives are achieved,
- (c) assess whether those objectives remain appropriate, and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this rule, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).