

Changes to legislation: Nuclear Installations Act 1965, SCHEDULE 2 is up to date with all changes known to be in force on or before 25 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

^{F1}^{F2}SCHEDULE 2]

Section 22(5).

^{F3} INQUIRIES UNDER SECTION 22(10) RELATING TO OCCURRENCES IN NORTHERN IRELAND]

Textual Amendments

- F1** Sch. 2 saved by virtue of Health and Safety at Work etc. Act 1974 (c. 37, SIF 43:3), s. 53, **Sch. 1** and Highland Regional Council (Harbours) Order Confirmation Act 1991 (c. xii), **s. 61(1)(f)**
- F2** Schedule as originally enacted re-numbered Sch. 2 by Atomic Energy Authority Act 1971 (c. 11), **s.17(6)**
- F3** Sch. 2 heading substituted (1.4.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 29(6)**; S.I. 2014/251, art. 4

Modifications etc. (not altering text)

- C1** Sch. 2 saved by virtue of Health and Safety at Work Act 1974 (c. 37, SIF 43:3), s. 53, **Sch. 1** and Tay Road Bridge Order Confirmation Act 1991 (c. iv), **Sch. Pt. VII**, s. 62
- C2** Sch. 2 repealed (E.W.)(S.) by S.I. 1974/2056
- C3** Sch. 2 modified by S.I. 1978/1039 (N. I. 9), arts. 2(2), 3, **Sch. 1**
- C4** Sch. 2 amended by S. I. 1988/1222, **regs. 3, 4**; 1990/1380, arts. 3, 4
- C5** Sch. 2 modified (7.3.1994) by S.R. 1994/1, **reg. 3**

- 1 An inquiry in pursuance of a direction under ^{F4}section 22(10)] of this Act with respect to any occurrence shall be held by a competent person appointed by ^{F5}the Secretary of State], and that person may conduct the inquiry either alone or with the assistance of an assessor or assessors so appointed.

Textual Amendments

- F4** Words in Sch. 2 para. 1 substituted (1.4.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 29(2)**; S.I. 2014/251, art. 4
- F5** Words in Sch. 2 para. 1 substituted (1.4.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 29(3)**; S.I. 2014/251, art. 4

- 2 The Minister may pay to the person appointed to hold the inquiry and to any assessor appointed to assist him such remuneration and allowances as ^{F6}the Secretary of State] may, with the approval of the Treasury, determine.

Textual Amendments

- F6** Words in Sch. 2 para. 2 substituted (1.4.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 29(3)**; S.I. 2014/251, art. 4

- 3 The person appointed to hold the inquiry (hereafter in this Schedule referred to as “the court”) shall hold the inquiry in such manner and under such conditions as the court thinks most effectual for ascertaining the causes, circumstances and effects of the occurrence and for enabling the court to make the report hereafter in this Schedule mentioned.
- 4 The court shall, for the purposes of the inquiry, have power—
- (a) to enter and inspect any place or building the entry or inspection whereof appears to the court requisite for the said purposes;

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- (b) by summons signed by the court to require any person to attend, at such time and place as is specified in the summons, to give evidence or produce any documents in his custody or under his control which the court considers it necessary for the purposes of the inquiry to examine;
- (c) to require a person appearing at the inquiry to furnish to any other person appearing thereat, on payment of such fee, if any, as the court thinks fit, a copy of any document offered, or proposed to be offered, in evidence by the first-mentioned person;
- (d) to take evidence on oath, and for that purpose to administer oaths, or, instead of administering an oath, to require the person examined to make and subscribe a declaration of the truth of the matter respecting which he is examined;
- (e) to adjourn the inquiry from time to time; and
- (f) subject to the foregoing sub-paragraphs, to regulate the procedure of the court.

5 A person attending as a witness before the court shall be entitled to be paid by [^{F7}the Secretary of State] such expenses as would be allowed to a witness attending on subpoena before a court of record, and any dispute as to the amount to be so allowed shall be referred by the court to a master of the Supreme Court who, on request signed by the court, shall ascertain and certify the proper amount of the expenses.

Textual Amendments

F7 Words in Sch. 2 para. 5 substituted (1.4.2014) by [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 29\(3\)](#); [S.I. 2014/251, art. 4](#)

6 The court shall make a report to [^{F8}the Secretary of State] stating the causes, circumstances and effects of the occurrence, adding any observations which the court thinks it right to make, and [^{F8}the Secretary of State] shall cause copies of the report, or so much thereof as it is not in his opinion inconsistent with the interests of national security to disclose, to be laid before Parliament.

Textual Amendments

F8 Words in Sch. 2 para. 6 substituted (1.4.2014) by [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 29\(3\)](#); [S.I. 2014/251, art. 4](#)

7 If any person—

- (a) without reasonable excuse (proof whereof shall lie on him), and after having the expenses (if any) to which he is entitled tendered to him, fails to comply with any summons or requisition of the court; or
- (b) does any other thing which would, if the court had been a court of law having power to commit for contempt, have been contempt of that court,

the court may, by instrument signed by the court, certify the offence of that person to the High Court [^{F9}and the High Court] may thereupon inquire into the alleged offence and after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the High Court ^{F10}....

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Textual Amendments

- F9** Words in Sch. 2 para. 7 substituted (1.4.2014) by [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 29\(4\)\(a\)](#); S.I. 2014/251, art. 4
- F10** Words in Sch. 2 para. 7 omitted (1.4.2014) by virtue of [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 29\(4\)\(b\)](#); S.I. 2014/251, art. 4

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Textual Amendments

- F11** Sch. 2 para. 8 omitted (1.4.2014) by virtue of [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 29\(5\)](#); 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:

- Act modified by [2014 c. 20 Sch. 1 para. 3\(2\)\(3\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2A)(2B) inserted by [2023 c. 52 s. 156\(2\)](#)
- s. 1(12) inserted by [2023 c. 52 s. 302\(2\)](#)
- s. 1(13) inserted by [2023 c. 52 s. 303\(2\)](#)
- s. 3(12A) inserted by [2023 c. 52 s. 303\(3\)\(b\)](#)
- s. 3A inserted by [2023 c. 52 s. 303\(4\)](#)
- s. 5(15)(ba)(bb) inserted by [2023 c. 52 s. 303\(5\)\(f\)](#)
- s. 5A inserted by [2023 c. 52 s. 303\(6\)](#)
- s. 7B(2A) inserted by [2023 c. 52 s. 303\(7\)\(a\)](#)
- s. 7B(2B) inserted by [2023 c. 52 s. 304\(2\)\(a\)](#)
- s. 7B(3)(e) inserted by [2023 c. 52 s. 304\(2\)\(b\)](#)
- s. 7B(3A) inserted by [2023 c. 52 s. 304\(2\)\(c\)](#)
- s. 7B(5A) inserted by [2023 c. 52 s. 303\(7\)\(c\)](#)
- s. 7B(7A) inserted by [2023 c. 52 s. 304\(2\)\(e\)](#)
- s. 20(5A) inserted by [2023 c. 52 s. 304\(4\)](#)
- s. 27(1)(aa) inserted by [2023 c. 52 s. 303\(8\)](#)