

SCHEDULE

Section 3.

APPLICATION OF CERTAIN ENACTMENTS

Preliminary

- 1 In this Schedule “designated premises” means any designated premises as respects which such arrangements as are referred to in section 1(3) of this Act have been made, whatever may be the respective rights of the Secretary of State and any contractor in or over any part of the premises.

Military Lands Act 1892 (c. 43)

- 2 For the purposes of Part II of the Military Lands Act 1892 (byelaws for lands under the management of Secretary of State used for service purposes), land in designated premises shall be treated as land under the management of the Secretary of State for military purposes.

Landlord and Tenant Act 1954 (c. 56)

- 3 Part II of the Landlord and Tenant Act 1954 (security of tenure for business tenants) shall not apply to any tenancy granted to a contractor in respect of any land in designated premises.

Clean Air Act 1956 (c. 52)

- 4 (1) Subsection (1) of section 22 of the Clean Air Act 1956 (Crown premises) shall have effect, in relation to emissions from designated premises, as if—
- (a) references to premises under the control of a government department which are occupied for the public service of the Crown included a reference to designated premises; and
 - (b) references to the responsible Minister were references to the Secretary of State.
- (2) For all other purposes of that Act any such premises shall be treated as Crown premises occupied by a government department.

Radioactive Substances Act 1960 (c. 34)

- 5 (1) For the purposes of the Radioactive Substances Act 1960, so far as relating to authorisations required under section 6(1) of that Act for the disposal of radioactive waste, a relevant site in designated premises shall be treated as a site in respect of which a nuclear site licence is for the time being in force.
- (2) For the purposes of sub-paragraph (1) above, “relevant site” means a site used by a contractor for the purposes of any activity which would, if section 1 of the Nuclear Installations Act 1965 applied in relation to the site, require a nuclear site licence.

Nuclear Installations Act 1965 (c. 57)

- 6 (1) For the purposes of sections 1 and 2 of the Nuclear Installations Act 1965 (restriction of certain installations to licensed sites and prohibition of certain operations), any

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site in designated premises used by a contractor shall be treated as a site used by a government department.

- (2) If a contractor uses any site in designated premises for a purpose which, if section 1 of that Act applied to the contractor in relation to that site, would require the authority of a nuclear site licence, the provisions of that Act other than sections 1 to 6 and 22 shall have effect as if—
- (a) the contractor were the licensee under a nuclear site licence in respect of that site; and
 - (b) any reference to the period of the licensee's responsibility were a reference to any period during which the contractor occupies that site.

Health and Safety at Work etc. Act 1974 (c. 37)

- 7 (1) The power of the Secretary of State under section 48(4) of the Health and Safety at Work etc. Act 1974 (Crown exemptions) shall include power to provide for exemptions, in relation to designated premises or activities carried on by a contractor at such premises, from all or any of the relevant statutory provisions within the meaning of Part I of that Act.
- (2) For the purposes of the Health and Safety (Enforcing Authority) Regulations 1989, designated premises and the activities carried on by a contractor at such premises shall be treated as premises occupied, and as activities carried on by, the Crown.

Control of Pollution Act 1974 (c. 40)

- 8 (1) For the purposes of section 80 of the Control of Pollution Act 1974 (notices requiring information about air pollution), designated premises, and persons at such premises, shall be treated as premises used for, or persons in, the public service of the Crown.
- (2) For the purposes of section 105(3) of that Act (treatment of Crown land under the Act), any interest of a contractor in designated premises shall be treated as a Crown interest in those premises.

Local Government Finance Act 1988 (c. 41)

- 9 For the purposes of Part III of the Local Government Finance Act 1988 (under which non-domestic rates are levied except on land occupied by or on behalf of the Crown for public purposes), land in designated premises shall be treated as occupied on behalf of the Crown for public purposes.

Planning (Hazardous Substances) Act 1990 (c. 10)

- 10 For the purposes of section 31 of the Planning (Hazardous Substances) Act 1990 (exercise of powers in relation to Crown land), any interest of a contractor in designated premises shall be treated as a Crown interest in those premises.

Supplemental

- 11 All instruments, authorities, powers and privileges subsisting at the commencement of this Act under the enactments mentioned in the foregoing provisions of this Schedule shall (until revoked) continue in force in accordance with those provisions.