



# Energy Act 2004

## 2004 CHAPTER 20

### PART 1

#### THE CIVIL NUCLEAR INDUSTRY

### CHAPTER 3

#### CIVIL NUCLEAR CONSTABULARY

#### *Supervision and inspection etc.*

#### 61 Planning and reports

Schedule 12 (which makes provision about planning and reporting) has effect.

#### Commencement Information

II S. 61 in force at 1.4.2005 by S.I. 2005/877, art. 2(1), Sch. 1

#### 62 Inspection

- (1) Her Majesty's Inspectors of Constabulary must inspect the Constabulary from time to time.
- (2) Her Majesty's Inspectors of Constabulary must also inspect the Constabulary if requested to do so by the Secretary of State either—
  - (a) generally; or
  - (b) in respect of a particular matter.
- (3) Before carrying out an inspection under this section wholly or partly in Scotland, Her Majesty's Inspectors of Constabulary must consult the Scottish inspectors—

**Changes to legislation:** Energy Act 2004, Cross Heading: Supervision and inspection etc. is up to date with all changes known to be in force on or before 20 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

- (a) in the case of any inspection by virtue of subsection (1) or (2)(a), about the scope and conduct in Scotland of the proposed inspection; and
  - (b) in any other case, about its conduct in Scotland.
- (4) Following an inspection under this section, Her Majesty’s Inspectors of Constabulary must report to the Secretary of State on the efficiency and effectiveness of the Constabulary either—
- (a) generally; or
  - (b) in the case of an inspection under subsection (2)(b), in respect of the matter to which the inspection related.
- (5) A report under subsection (4) must be in such form as the Secretary of State may direct.
- (6) The Secretary of State must arrange for every report which he receives under subsection (4) to be published in such manner as appears to him to be appropriate.
- (7) The Secretary of State may exclude from publication under subsection (6) any part of a report if, in his opinion, the publication of that part—
- (a) would be against the interests of national security; or
  - (b) might jeopardise the safety of any person.
- (8) The Secretary of State must send a copy of the published report—
- (a) to the Police Authority; and
  - (b) to the chief constable.
- (9) The Police Authority must pay to the Secretary of State such amounts as he may determine in respect of an inspection carried out under this section.
- (10) The Secretary of State must pay sums received by him under subsection (9) into the Consolidated Fund.
- (11) In this section “the Scottish inspectors” means the inspectors of constabulary appointed under <sup>[F1]</sup>section 71(2) of the Police and Fire Reform (Scotland) Act 2012].

#### Textual Amendments

- F1** Words in s. 62(11) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012](#) (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), [Sch. 2 para. 44\(3\)](#)

#### Commencement Information

- I2** S. 62 in force at 1.4.2005 by [S.I. 2005/877](#), art. 2(1), [Sch. 1](#)

## 63 Supervision by Secretary of State

- (1) The Police Authority must comply with directions given by the Secretary of State under Schedule 13.
- (2) The Secretary of State must exercise his powers under this Chapter in such manner, and to such extent, as appears to him best calculated to promote the efficiency and effectiveness of the Constabulary.
- (3) The Police Authority must pay to the Secretary of State such amounts as he may determine in respect of things done by him for or in relation to the Authority or its employees in connection with matters relating to security.

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- (4) The Secretary of State must pay sums received by him under subsection (3) into the Consolidated Fund.

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**Commencement Information**

**I3** S. 63 in force at 1.3.2005 by S.I. 2005/442, art. 2(1), Sch. 1

**Changes to legislation:**

Energy Act 2004, Cross Heading: Supervision and inspection etc. is up to date with all changes known to be in force on or before 20 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.

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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. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)