



Energy Act 2004

2004 CHAPTER 20

PART 1

THE CIVIL NUCLEAR INDUSTRY

CHAPTER 1

NUCLEAR DECOMMISSIONING

Supplementary provisions of Chapter 1 of Part 1

34 Amendment of Schedule 12 to the 1989 Act

(1) In sub-paragraph (1) of paragraph 1 of Schedule 12 to the 1989 Act (financial assistance by the Secretary of State in respect of nuclear liabilities), for paragraph (c) and the word “or” immediately preceding it substitute—

- “(ba) the cleaning-up of a principal nuclear site; or
- (c) the decommissioning of a nuclear installation.”

(2) After sub-paragraph (4) of paragraph 1 of that Schedule insert—

“(5) In this paragraph “cleaning-up”, “decommissioning”, “nuclear installation” and “principal nuclear site” have the same meanings as in Chapter 1 of Part 1 of the Energy Act 2004.”

(3) After paragraph 3 of that Schedule insert—

“3A The Secretary of State shall not—

- (a) make any grant or loan under this Schedule for the purpose of meeting any expenditure, or
- (b) give any guarantee in respect of borrowing undertaken for the purpose of meeting any expenditure,

Changes to legislation: Energy Act 2004, Section 34 is up to date with all changes known to be in force on or before 12 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

if the expenditure is expenditure on anything for which the Nuclear Decommissioning Authority has a financial responsibility under section 21 of the Energy Act 2004.”

.....
Commencement Information

II S. 34 in force at 5.10.2004 by S.I. 2004/2575, art. 2(1), Sch. 1

Changes to legislation:

Energy Act 2004, Section 34 is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

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\(2\)\(b\)](#)