



# Energy Act 2004

## 2004 CHAPTER 20

### PART 1

#### THE CIVIL NUCLEAR INDUSTRY

### CHAPTER 3

#### CIVIL NUCLEAR CONSTABULARY

#### *[<sup>F1</sup>Additional services*

#### **[<sup>F1</sup>55A Provision of additional police services**

- (1) The Constabulary may, with the consent of the Secretary of State, provide additional police services to any person.
- (2) In this Chapter, “additional police services” means services relating to the protection of places, persons or materials.
- (3) In subsection (2), “place” includes—
  - (a) premises, facilities or equipment at a place;
  - (b) any vehicle, vessel, aircraft or hovercraft.
- (4) The Secretary of State must not give consent for the purposes of subsection (1) unless satisfied, on an application made by the Police Authority, that—
  - (a) the provision of the additional police services in question is in the interests of national security,
  - (b) the provision by the Constabulary of those services will not prejudice the carrying out of its primary function under section 52(2), and
  - (c) it is reasonable in all the circumstances for the Constabulary to provide those services.

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*Changes to legislation: Energy Act 2004, Section 55A is up to date with all changes known to be in force on or before 21 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*

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- (5) Before giving consent for the purposes of subsection (1), the Secretary of State must consult the chief constable.
- (6) The chief constable must ensure that the provision by the Constabulary of additional police services does not prejudice the carrying out of its primary function under section 52(2).
- (7) Consent given for the purposes of subsection (1)—
  - (a) must specify the period of time (not exceeding 5 years) for which it has effect;
  - (b) may, subject to subsections (8) and (9), be withdrawn at any time if the Secretary of State is no longer satisfied of the matters mentioned in subsection (4).
- (8) Where the Secretary of State proposes to withdraw consent given for the purposes of subsection (1), the Secretary of State must consult the Police Authority.
- (9) If, following consultation under subsection (8), the Secretary of State decides to withdraw consent given for the purposes of subsection (1), the Secretary of State must give such notice to the Police Authority as is reasonably practicable of the date on which the consent will cease to have effect.
- (10) The Police Authority may enter into an agreement with any person for the provision of additional police services by the Constabulary under this section.
- (11) The Police Authority must publish, as soon as is reasonably practicable and in such manner as the Authority considers appropriate—
  - (a) the name of any person or persons to whom additional police services are to be provided under this section, and
  - (b) (subject to subsections (12) and (13)) such information about the place or places at which those services are to be provided as the Police Authority considers may be published without prejudicing the interests of national security.
- (12) The Police Authority must consult the Secretary of State before publishing the information referred to in subsection (11)(b).
- (13) The Secretary of State may direct the Police Authority not to publish information about the place or places at which additional police services are to be provided where the Secretary of State considers that publication of the information would prejudice the interests of national security.
- (14) The Police Authority must comply with a direction given by the Secretary of State under subsection (13).]

#### Textual Amendments

**F1** S. 55A and cross-heading inserted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), ss. [307\(1\)](#), [334\(2\)\(n\)](#)

**Changes to legislation:**

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