



Energy Act 2004

2004 CHAPTER 20

PART 1

THE CIVIL NUCLEAR INDUSTRY

CHAPTER 3

CIVIL NUCLEAR CONSTABULARY

Rights etc. of members of the Constabulary

64 Civil Nuclear Police Federation

- (1) The Secretary of State may approve a body (whether corporate or unincorporate) as the body approved to carry out the functions conferred by this section.
- (2) The body approved by the Secretary of State shall be known as the Civil Nuclear Police Federation.
- (3) The function of the Civil Nuclear Police Federation shall be to represent members of the Constabulary (other than senior officers) in all matters affecting their welfare and efficiency.
- (4) Those matters do not include—
 - (a) the promotion in rank of particular individuals; or
 - (b) (except to the extent provided in subsection (5)) discipline matters affecting particular individuals.
- (5) The Civil Nuclear Police Federation may represent a member of the Constabulary (other than a senior officer)—
 - (a) at disciplinary proceedings conducted in accordance with arrangements made by the Police Authority; or

Changes to legislation: Energy Act 2004, Section 64 is up to date with all changes known to be in force on or before 19 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

- (b) on an appeal under any such arrangements from a decision in such proceedings.
- (6) But representation under subsection (5) must comply with any restrictions imposed by section 66.
- (7) Except so far as otherwise authorised by the Secretary of State, the Civil Nuclear Police Federation must be entirely independent of, and unassociated with, bodies and other persons who are without appropriate police connections.
- (8) But it may employ in an administrative or advisory capacity persons who are without appropriate police connections.
- (9) An authorisation for the purposes of subsection (7)—
 - (a) may be given either conditionally or unconditionally; and
 - (b) may be varied or revoked at any time.
- (10) Only the following have appropriate police connections for the purposes of this section—
 - (a) persons within the service of the Constabulary, of the Ministry of Defence Police, of the British Transport Police Force, of a police force for a police area in [^{F1}England and Wales, of the Police Service of Scotland] or of the Police Service of Northern Ireland;
 - (b) persons not falling within paragraph (a) who are members of or employed by the Police Authority;
 - (c) a federation referred to in section 59 of the Police Act 1996 (c. 16), section 3 of the Ministry of Defence Police Act 1987 (c. 4) or section 39 of the Railways and Transport Safety Act 2003 (c. 20) (police federations);
 - (d) the Police Association for Northern Ireland;
 - (e) a rank-related association;
 - (f) a body recognised under, and for the purposes specified in, section 64(5) of the Police Act 1996 or section 35(4) of the Police (Northern Ireland) Act 1998 (c. 32) (recognition of other bodies for trade union purposes).

Textual Amendments

- F1** Words in s. 64(10)(a) 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\(4\)](#)

Commencement Information

- I1** S. 64 in force at 1.4.2005 by [S.I. 2005/877](#), art. 2(1), [Sch. 1](#)

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