



# Energy Act 2004

## 2004 CHAPTER 20

### PART 1

#### THE CIVIL NUCLEAR INDUSTRY

### CHAPTER 3

#### CIVIL NUCLEAR CONSTABULARY

##### *Supplementary provisions of Chapter 3 of Part 1*

## 71 Interpretation of Chapter 3 of Part 1

(1) In this Chapter—

[<sup>F1</sup>“additional police services” has the meaning given in section 55A(2);]

“chief constable” means the chief constable of the Constabulary;

“the Civil Nuclear Police Federation” is to be construed in accordance with section 64(2);

“the Constabulary” means the Civil Nuclear Constabulary;

“licensed nuclear site” means a site in respect of which a nuclear site licence is or is required to be in force;

“nuclear material” means—

(a) any fissile material in the form of—

(i) uranium metal, alloy or chemical compound; or

(ii) plutonium metal, alloy or chemical compound;

(b) any other fissile material prescribed by regulations made by the Secretary of State;

“the Police Authority” means the Civil Nuclear Police Authority;

“rank-related association” is to be construed in accordance with section 65(2);

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**Changes to legislation:** Energy Act 2004, Section 71 is up to date with all changes known to be in force on or before 22 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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“senior officer” means the chief constable or the deputy chief constable or an assistant chief constable of the Constabulary.

- (2) References in this Chapter to the functions of the Police Authority include references to securing that the functions of the Constabulary are carried out.
- (3) Any power of the Secretary of State under this Chapter to give directions—
- (a) restricting the exercise by the Police Authority of its powers,
  - (b) requiring functions to be carried out or objectives to be met by the Constabulary or the Police Authority, or
  - (c) imposing obligations on the Police Authority or any of its members or employees,
- includes power to impose restrictions, confer functions, require objectives to be met or impose obligations at or in relation to places outside Great Britain.
- (4) Regulations under subsection (1) are subject to the negative resolution procedure.
- (5) Where regulations under subsection (7) of section 76 of the Anti-terrorism, Crime and Security Act 2001 (c. 24) (jurisdiction of Atomic Energy Authority special constables) prescribing material to be treated as nuclear material for the purposes of that section are in force immediately before the commencement of this section, those regulations shall have effect after the commencement of this section as regulations made under and for the purposes of subsection (1).

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**Textual Amendments**

**F1** Words in s. 71(1) inserted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), [ss. 307\(3\)](#), [334\(2\)\(n\)](#)

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**Commencement Information**

**I1** [S. 71](#) in force at 1.3.2005 by [S.I. 2005/442](#), [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\(2\)\(b\)](#)