

SCHEDULES

SCHEDULE 17

OFFENCES RELATING TO NUCLEAR MATERIAL AND NUCLEAR FACILITIES

PART 1

AMENDMENTS OF NUCLEAR MATERIAL (OFFENCES) ACT 1983

5 After section 3 (supplemental) insert—

“3A Application to activities of armed forces

- (1) Nothing in this Act applies in relation to acts done by the armed forces of a country or territory—
 - (a) in the course of an armed conflict, or
 - (b) in the discharge of their functions.
- (2) If in any proceedings a question arises whether an act done by the armed forces of a country or territory was an act falling within subsection (1), a certificate issued by or under the authority of the Secretary of State and stating that it was, or was not, such an act shall be conclusive of that question.
- (3) In any proceedings a document purporting to be such a certificate as is mentioned in subsection (2) shall be taken to be such a certificate unless the contrary is proved.”