

1990 No. 1918

HEALTH AND SAFETY

The Nuclear Installations Act 1965
(Repeal and Modifications) Regulations 1990

Made - - - - 18th September 1990

Laid before Parliament 25th September 1990

Coming into force - 31st October 1990

The Secretary of State for Energy (in relation to England and Wales) and the Secretary of State for Scotland (in relation to Scotland), in exercise of the powers conferred on them by sections 15(1) and (3)(a) and 80(1) and (4) of the Health and Safety at Work etc. Act 1974(a) ("the 1974 Act") and of all other powers enabling them in that behalf;

- (a) for the purpose of giving effect without modifications to proposals submitted to them by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act; and
- (b) it appearing to them that the modifications of the Nuclear Installations Act 1965 (b) ("the 1965 Act") set out in paragraphs 2 and 3 of the Schedule to the following Regulations are expedient in consequence of or in connection with the repeal of a provision of the 1965 Act; and after the carrying out of consultations in accordance with section 80(4) of the 1974 Act;

hereby make the following Regulations:-

Citation and commencement

1.—These Regulations may be cited as the Nuclear Installations Act 1965 (Repeal and Modifications) Regulations 1990 and shall come into force on 31st October 1990.

Repeal and modifications

2.—The Nuclear Installations Act 1965 shall have effect subject to the repeal and modifications specified in the Schedule to these Regulations.

15th September 1990

John Wakeham
Secretary of State for Energy

18th September 1990

Malcolm Rifkind
Secretary of State for Scotland

(a) 1974 c.37; sections 15, 50 and 80 were amended by Schedule 15 to the Employment Protection Act 1975 (c.71), paragraphs 6, 16 and 19 respectively.
(b) 1965 c.57.

REPEAL AND MODIFICATIONS OF THE NUCLEAR INSTALLATIONS ACT
1965

1. In section 1(1), the words "other than the Authority" shall be repealed.
 2. In section 7—
 - (a) in subsection (1), at the beginning there shall be inserted the words "Subject to subsection (4) below,";
 - (b) after subsection (3), there shall be inserted the following subsection—

“(4) Section 8 of this Act shall apply in relation to sites occupied by the Authority.”
 3. In section 8, at the end there shall be inserted the words—

“; and section 7 shall so apply whether or not a nuclear site licence has been granted in respect of the premises in question.”
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations repeal part of section 1(1) of the Nuclear Installations Act 1965 ("the 1965 Act"), removing the exemption of the United Kingdom Atomic Energy Authority ("the Authority") from licensing under that Act.

The Regulations also modify the 1965 Act to ensure that section 8 continues to apply to determine the duties of the Authority in respect of all premises which are or have been occupied by it, so that those duties apply whether or not a nuclear site licence has been granted in respect of the premises.

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