

# Nuclear Installations Act 1965 c. 57

## s. 7 Duty of licensee of licensed site.



Law In Force With Amendments Pending

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### Subjects

Energy

### Keywords

Duty of care; Licence conditions; Licensees; Nuclear installations

### 7.— Duty of licensee of licensed site.

(1) [Subject to subsection (4) below,]<sup>1</sup> where a nuclear site licence has been granted in respect of any site, it shall be the duty of the licensee to secure that—

(a) no such occurrence involving nuclear matter as is mentioned in subsection (2) of this section causes injury to any person or damage to any property of any person other than the licensee, being injury or damage arising out of or resulting from the radioactive properties, or a combination of those and any toxic, explosive or other hazardous properties, of that nuclear matter; and

(b) no ionising radiations emitted during the period of the licensee's responsibility—

(i) from anything caused or suffered by the licensee to be on the site which is not nuclear matter; or

(ii) from any waste discharged (in whatever form) on or from the site,

cause injury to any person or damage to any property of any person other than the licensee.

(2) The occurrences referred to in subsection (1)(a) of this section are—

(a) any occurrence on the licensed site during the period of the licensee's responsibility, being an occurrence involving nuclear matter;

(b) any occurrence elsewhere than on the licensed site involving nuclear matter which is not excepted matter and which at the time of the occurrence—

(i) is in the course of carriage on behalf of the licensee as licensee of that site; or

(ii) is in the course of carriage to that site with the agreement of the licensee from a place outside the relevant territories; and

(iii) in either case, is not on any other relevant site in the United Kingdom;

(c) any occurrence elsewhere than on the licensed site involving nuclear matter which is not excepted matter and which—

(i) having been on the licensed site at any time during the period of the licensee's responsibility; or

(ii) having been in the course of carriage on behalf of the licensee as licensee of that site,

has not subsequently been on any relevant site, or in the course of any relevant carriage, or (except in the course of relevant carriage) within the territorial limits of a country which is not a relevant territory.

(3) In determining the liability by virtue of subsection (1) of this section in respect of any occurrence of the licensee of a licensed site, any property which at the time of the occurrence is on that site, being—

(a) a nuclear installation; or

(b) other property which is on that site—

(i) for the purpose of use in connection with the operation, or the cessation of the operation, by the licensee of a nuclear installation which is or has been on that site; or

(ii) for the purpose of the construction of a nuclear installation on that site,

shall, notwithstanding that it is the property of some other person, be deemed to be the property of the licensee.

[

(4) [Section 8](#) of this Act shall apply in relation to sites occupied by the Authority.

] <sup>2 3</sup>

## Notes

<sup>1</sup> Words inserted by S.I. 1990/1918, reg. 2, Sch. para. 2(a)

<sup>2</sup> S. 7(4) inserted by S.I. 1990/1918, reg. 2, Sch. para. 2(b)

<sup>3</sup> Act amended S.I. 1988/1222, regs. 3, 4; 1990/1380, arts. 3, 4; explained by Congenital Disabilities (Civil Liability) Act 1976 (c. 28), s. 3(2); extended by Congenital Disabilities (Civil Liability) Act 1976 (c. 28), s. 3(3); modified by Congenital Disabilities (Civil Liability) Act 1976 (c. 28), s. 4(4) Functions of Minister of Power under this Act now exercisable by Secretary of State: S.I. 1969/1498 and 1970/1537 Functions of Minister of Technology under this Act now exercisable by Secretary of State: S.I. 1970/1537

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*DUTY OF LICENSEE, ETC., IN RESPECT OF NUCLEAR OCCURRENCES > s. 7 Duty of licensee of licensed site.*

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