STATUTORY INSTRUMENTS

2016 No. 795

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES NUCLEAR SECURITY

The Nuclear Industries Security (Amendment) Regulations 2016

Made - - - - 20th July 2016

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 70(3), 74(1)(b), (3)(a) and (c), (4)(a), (5) and (11), 75(1)(b), (2) and (6), and 113(6) of, and paragraphs 1, 7 to 9, 11, 13, 14 and 16 of Schedule 6 to, the Energy Act 2013(**1**).

In accordance with section 74(7)(a) and (c) of that Act, the Secretary of State has consulted the Office for Nuclear Regulation and such other persons as the Secretary of State considered appropriate.

For the purposes of section 74(9) and (10) of that Act, these Regulations are made for the nuclear security purposes.

In accordance with section 113(2)(a) and (3)(a) and (c) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Nuclear Industries Security (Amendment) Regulations 2016 and come into force at the end of the period of one month beginning with the day on which they are made.

Amendment to the Nuclear Industries Security Regulations 2003

2.—(1) The Nuclear Industries Security Regulations 2003(**2**) are amended as follows.

(**1**) 2013 c. 32. These Regulations amend the Nuclear Industries Security Regulations 2003 (S.I. 2003/403), which were made under powers in the Health and Safety at Work etc Act 1974 (c. 37) and the Anti-terrorism, Crime and Security Act 2001 (c. 24). By virtue of article 4(a) of, and paragraph 1 of Schedule 1 to, the Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014 (S.I. 2014/469), the Nuclear Industries Security Regulations 2003 are to be treated as regulations made under the Energy Act 2013. In accordance with sections 74(11) and 75(6) of that Act, 'specified' for the purposes of sections 74(5) and 75(2) of, and paragraphs 8, 9, 13 and 16 of Schedule 6 to that Act, means specified in nuclear regulations. In accordance with section 70(3) of that Act, 'nuclear material' for the purposes of nuclear security includes fissile material prescribed in regulations made by the Secretary of State.

(**2**) S.I. 2003/403, amended by S.I. 2006/2815, 2013/190, 2014/469 and 2014/526.