



# Nuclear Installations Act 1965

## 1965 CHAPTER 57

### MISCELLANEOUS AND GENERAL

#### **[<sup>F1</sup>22 Reporting of and inquiries into dangerous occurrences**

- (1) The provisions of this section apply where any prescribed occurrence happens—
  - (a) on a licensed site, or
  - (b) in the course of the carriage of nuclear matter on behalf of any person where a duty with respect to that carriage is imposed on that person by section 7, 10 or 11 of this Act.
- (2) The licensee or other person mentioned in subsection (1) must ensure that the occurrence is reported without delay in the prescribed manner—
  - (a) to the appropriate national authority, and
  - (b) to such other persons, if any, as may be prescribed in relation to occurrences of that kind.
- (3) A person who is required by virtue of subsection (2) to report an occurrence and who fails to do so is guilty of an offence.

[<sup>F2</sup>(3A) person convicted of an offence under subsection (3) in England and Wales is liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
  - (b) on summary conviction to imprisonment for a term not exceeding the general limit in a magistrates' court, or a fine, or both.]
- (4) A person convicted of an offence under subsection (3) in <sup>F3</sup>... or Scotland is liable—
    - (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
    - (b) on summary conviction to imprisonment for a term not exceeding 12 months, <sup>F4</sup>... or a fine not exceeding £20,000 <sup>F5</sup>..., or both.

**Changes to legislation:** Nuclear Installations Act 1965, Section 22 is up to date with all changes known to be in force on or before 09 June 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

- (5) A person convicted of an offence under subsection (3) in Northern Ireland is liable on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding level 3 on the standard scale, or both.
- (6) In relation to an offence committed before [<sup>F6</sup>2 May 2022], the reference to [<sup>F7</sup>the general limit in a magistrates' court] in subsection [<sup>F8</sup>(3A)(b)], as it has effect in England and Wales, is to be read as a reference to 6 months.
- (7) Before exercising any function under subsection (1) or (2) in or as regards Scotland, the Secretary of State must consult the Scottish Ministers.
- (8) Subsections (9) to (11) have effect only in relation to a prescribed occurrence which happens in Northern Ireland.
- (9) The Secretary of State—
- (a) may direct an inspector to make a special report with respect to the occurrence, and
  - (b) may cause any such report, or so much of it as it is not in the Secretary of State's opinion inconsistent with the interests of national security to disclose, to be made public at such time and in such manner as the Secretary of State considers appropriate.
- (10) The Secretary of State may direct an inquiry to be held into the occurrence and its causes, circumstances and effects.
- (11) Any such inquiry must be held—
- (a) in accordance with the provisions of Schedule 2 to this Act, and
  - (b) in public, except where or to the extent that it appears to the Secretary of State expedient in the interests of national security to direct otherwise.]

#### Textual Amendments

- F1** S. 22 substituted (1.4.2014) by [Energy Act 2013 \(c. 32\), s. 156\(1\), Sch. 12 para. 23](#); S.I. 2014/251, art. 4
- F2** S. 22(3A) inserted (E.W.) (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 3\(5\)\(a\)](#)
- F3** Words in s. 22(4) omitted (E.W.) (7.2.2023 at 12.00 p.m.) by virtue of [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 3\(5\)\(b\)](#)
- F4** Words in s. 22(4)(b) omitted (E.W.) (7.2.2023 at 12.00 p.m.) by virtue of [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 3\(5\)\(c\)](#)
- F5** Words in s. 22(4)(b) omitted (E.W.) (7.2.2023 at 12.00 p.m.) by virtue of [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 3\(5\)\(c\)](#)
- F6** Words in s. 22(6) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\), regs. 1\(2\), 5\(1\), Sch. Pt. 1](#)
- F7** Words in s. 22(6) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 2\(1\), Sch. Pt. 1 table](#)
- F8** Word in s. 22(6) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\), regs. 1\(2\), 3\(5\)\(d\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2014 c. 20 Sch. 1 para. 3\(2\)\(3\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2A)(2B) inserted by [2023 c. 52 s. 156\(2\)](#)
- s. 1(12) inserted by [2023 c. 52 s. 302\(2\)](#)
- s. 1(13) inserted by [2023 c. 52 s. 303\(2\)](#)
- s. 3(12A) inserted by [2023 c. 52 s. 303\(3\)\(b\)](#)
- s. 3A inserted by [2023 c. 52 s. 303\(4\)](#)
- s. 5(15)(ba)(bb) inserted by [2023 c. 52 s. 303\(5\)\(f\)](#)
- s. 5A inserted by [2023 c. 52 s. 303\(6\)](#)
- s. 7B(2A) inserted by [2023 c. 52 s. 303\(7\)\(a\)](#)
- s. 7B(2B) inserted by [2023 c. 52 s. 304\(2\)\(a\)](#)
- s. 7B(3)(e) inserted by [2023 c. 52 s. 304\(2\)\(b\)](#)
- s. 7B(3A) inserted by [2023 c. 52 s. 304\(2\)\(c\)](#)
- s. 7B(5A) inserted by [2023 c. 52 s. 303\(7\)\(c\)](#)
- s. 7B(7A) inserted by [2023 c. 52 s. 304\(2\)\(e\)](#)
- s. 20(5A) inserted by [2023 c. 52 s. 304\(4\)](#)
- s. 27(1)(aa) inserted by [2023 c. 52 s. 303\(8\)](#)