



# Nuclear Installations Act 1965

## 1965 CHAPTER 57

### NUCLEAR SITE LICENCES

#### [<sup>F13</sup> Grant and variation of nuclear site licences

- (1) A nuclear site licence—
  - (a) may be granted only to a body corporate;
  - (b) is not transferable.
- (2) The appropriate national authority must consult the appropriate environment authority before granting a nuclear site licence.
- (3) Two or more installations in the vicinity of one another may, if the appropriate national authority consider appropriate, be treated for the purposes of the grant of a nuclear site licence as being on the same site.
- (4) Subject to subsection (8), where an application is made for a nuclear site licence, the appropriate national authority may direct the applicant to serve a notice on any public authority specified in the direction.
- (5) For this purpose “public authority” includes—
  - (a) in relation to a site in England or Wales, a water undertaker;
  - (b) in relation to a site in Scotland, Scottish Water;
  - (c) in relation to a site in Northern Ireland, a water undertaker (within the meaning of the Water and Sewerage Services) (Northern Ireland) Order 2006 (S.I. 2006/3336 ( . 21)).
- (6) Such a notice must—
  - (a) state that the application has been made,
  - (b) give such particulars about the proposed use of the site under the licence as may be specified in the direction, and
  - (c) state that the body on whom it is served may make representations about the application to the appropriate national authority within three months of the date of service.

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*Status: Point in time view as at 01/04/2014. This version of this provision has been superseded.*

*Changes to legislation: Nuclear Installations Act 1965, Section 3 is up to date with all changes known to be in force on or before 24 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)*

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- (7) Where a direction has been given under subsection (4), the appropriate national authority may not grant the licence unless it is satisfied that—
- (a) three months have passed since the service of the last of the notices required by the direction, and
  - (b) the authority has considered any representations made in accordance with any of those notices.
- (8) Subsection (4) does not apply in relation to an application in respect of a site for a generating station where—
- (a) a consent under section 36 of the Electricity Act 1989 is required for the operation of the station (or would be required but for an order under the Planning Act 2008 granting development consent for the site), or
  - (b) a consent under Article 39 of the Electricity (Northern Ireland) Order 1992 is required for the operation of the station.
- (9) A nuclear site licence may include provision about when section 19(1) is to start to apply in relation to the licensed site.
- (10) But, if the licence relates to a site in England, Wales or Scotland, such a provision may be included only with the consent of the Secretary of State.
- (11) Where a nuclear site licence includes such a provision, section 19(1) does not apply in relation to the site until—
- (a) the time determined in accordance with the provision, or
  - (b) if earlier, the time when the site is first used for the operation of a nuclear installation after the grant of the licence.
- (12) The appropriate national authority may from time to time vary a nuclear site licence by excluding from it any part of the licensed site—
- (a) which the licensee no longer needs for any use requiring such a licence, and
  - (b) with respect to which the appropriate national authority is satisfied that there is no danger from ionising radiations from anything on that part of the site.
- (13) The appropriate national authority must consult the appropriate environment authority before varying a nuclear site licence if the variation relates to or affects the creation, accumulation or disposal of radioactive waste.
- (14) In subsection (13), “radioactive waste”—
- (a) in relation to a site in England or Wales, has the same meaning as in the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675);
  - (b) in relation to a site in Scotland or Northern Ireland, has the same meaning as in the Radioactive Substances Act 1993.]

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#### Textual Amendments

**F1** S. 3 substituted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), [Sch. 12 para. 18](#); [S.I. 2014/251](#), art. 4

**Status:**

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**Changes to legislation:**

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