



Nuclear Installations Act 1965

1965 CHAPTER 57

DUTY OF LICENSEE, ETC., IN RESPECT OF NUCLEAR OCCURRENCES

7 Duty of licensee of licensed site.

[^{F1}(1) Subject to subsection (4), where a nuclear site licence has been granted in respect of a site, the licensee has the duties set out in subsections (1A), (1C) and (1E).

(1A) It is the duty of the licensee to secure that no occurrence involving nuclear matter falling within subsection (1B) causes—

- (a) injury to any person,
- (b) damage to any property of any person other than the licensee, or
- (c) significant impairment of the environment,

being injury, damage or impairment that arises out of or results from the radioactive properties, or a combination of those and any toxic, explosive or other hazardous properties, of that nuclear matter.

(1B) The occurrences referred to in subsection (1A) are—

- (a) any occurrence on the licensed site involving nuclear matter during the period of the licensee's responsibility;
- (b) any occurrence elsewhere than on the licensed site involving nuclear matter that is not excepted matter and which, at the time of the occurrence, satisfies the requirement mentioned in section 7A(1).

(1C) It is the duty of the licensee to secure that no occurrence involving the emission of ionising radiations falling within subsection (1D) causes—

- (a) injury to any person,
- (b) damage to any property of any person other than the licensee, or
- (c) significant impairment of the environment,

being injury, damage or impairment that arises out of or results from the radioactive properties, or a combination of those and any toxic, explosive or other hazardous properties, of the source of the emissions.

(1D) The occurrences referred to in subsection (1C) are—

Changes to legislation: Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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

- (a) an emission of ionising radiations during the period of the licensee's responsibility from anything caused or suffered by the licensee to be on the site which is not nuclear matter;
- (b) a discharge on or from the site of waste, being waste (of any form) that emits ionising radiations but is not nuclear matter, during the period of the licensee's responsibility.

(1E) It is the duty of the licensee to secure that no event happens that creates a grave and imminent threat of a breach of the duty under subsection (1A) or (1C).]

^{F2}(2)

[^{F3}(3) In determining the liability of the licensee of a licensed site by virtue of subsection (1A) or (1C) in respect of an occurrence, any such property as is mentioned in subsection (3B) which is on that site at the time of the occurrence is to be deemed to be the property of the licensee, notwithstanding that it is the property of some other person.

(3A) In determining the liability of the licensee of a licensed site by virtue of subsection (1E) in respect of an event, any such property as is mentioned in subsection (3B) which is on that site at the time of the event is to be deemed to be the property of the licensee, notwithstanding that it is the property of some other person.

(3B) The property referred to in subsections (3) and (3A) is—

- (a) a nuclear installation;
- (b) property other than a nuclear installation which is on the licensed site for the purpose of being used 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;
- (c) property other than a nuclear installation which is on the licensed site for the purpose of the construction of a nuclear installation on that site;
- (d) an installation for the disposal of nuclear matter.]

[^{F4}(4) Section 8 of this Act shall apply in relation to sites occupied by the Authority.]

Textual Amendments

- F1** S. 7(1)-(1E) substituted for s. 7(1) (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **3(2)** (with art. 40)
- F2** S. 7(2) omitted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by virtue of [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **3(3)** (with art. 40)
- F3** S. 7(3)-(3B) substituted for s. 7(3) (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **3(4)** (with art. 40)
- F4** S. 7(4) inserted by [S.I. 1990/1918](#), reg. 2, **Sch. para. 2(b)**

[^{F5}7A Occurrences not on a licensed site

- (1) The requirement referred to in section 7(1B)(b) is that the nuclear matter satisfies the condition in any of subsections (2) to (8) in relation to the licensee of the licensed site as licensee of that site.

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- (2) The condition in this subsection is that the nuclear matter—
- (a) is in the course of carriage to the licensed site with the agreement of the licensee from a place in a country or territory that is not a relevant territory, and
 - (b) is not on another relevant site in the United Kingdom.

For these purposes the carriage of the matter is to be treated as starting once the matter has been loaded on to the means of transport intended to be used for its carriage from that country or territory.

- (3) The condition in this subsection is that the nuclear matter—
- (a) is in the course of carriage from the licensed site to a place in a country or territory that is not a relevant territory, and
 - (b) is not on another relevant site in the United Kingdom.

For these purposes the carriage of the matter is to be treated as coming to an end once the matter has been unloaded from the means of transport used for its carriage to that country or territory.

- (4) The condition in this subsection is that the licensee has taken charge of the nuclear matter from a person authorised to operate a nuclear reactor comprised in a means of transport and the matter—
- (a) is in the course of carriage to the licensed site, and
 - (b) is not on another relevant site in the United Kingdom.

- (5) The condition in this subsection is that the nuclear matter—
- (a) is in the course of carriage from the licensed site to a person authorised to operate a nuclear reactor comprised in a means of transport and in which the matter is intended to be used, and
 - (b) is not on another relevant site in the United Kingdom.

For these purposes the carriage of the matter is to be treated as coming to an end once that operator takes charge of the matter.

- (6) The condition in this subsection is that—
- (a) the nuclear matter was in the course of such carriage as is described in subsection (2), (3), (4) or (5),
 - (b) that course of carriage was not completed, and
 - (c) since ceasing to be in the course of such carriage, the nuclear matter has not been in such circumstances as are mentioned in subsection (9), (10) or (11).

- (7) The condition in this subsection is that—
- (a) the nuclear matter is in the course of carriage on behalf of the licensee as a licensee of the licensed site, otherwise than as described in any of subsections (2)(a), (3)(a), (4)(a) and (5)(a), and the licensee has a direct economic interest in the matter, or
 - (b) the nuclear matter was in the course of such carriage while being matter in which the licensee had a direct economic interest and, since ceasing to be in the course of such carriage or since ceasing to be matter in which the licensee had a direct economic interest, has not been in such circumstances as are mentioned in subsection (9), (10) or (11).

- (8) The condition in this subsection is that the nuclear matter was on the licensed site and, since ceasing to be on that site, has not been in such circumstances as are mentioned in subsection (9), (10) or (11).

Changes to legislation: Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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

- (9) The circumstances in this subsection are that the nuclear matter is on a relevant site other than the licensed site.
- (10) The circumstances in this subsection are that the nuclear matter—
- (a) is in the course of carriage to a relevant site other than the licensed site with the agreement of the operator of that site from a place in a country or territory that is not a relevant territory,
 - (b) is in the course of carriage from a relevant site other than the licensed site to a place in a country or territory that is not a relevant territory,
 - (c) is in the course of carriage on behalf of a person authorised to operate a nuclear reactor which is comprised in a means of transport and in which the nuclear matter is intended to be used or was used or was intended to be used, or
 - (d) is in the course of relevant carriage on behalf of a person other than the licensee of the licensed site, and otherwise than as described in paragraph (a), (b) or (c), and is matter in which that person has a direct economic interest.
- (11) The circumstances in this subsection are that the nuclear matter—
- (a) is within the territorial limits of a country or territory that is not a relevant territory, and
 - (b) is not in the course of such carriage as is described in any of subsections (2)(a), (3)(a), (4)(a) and (5)(a) or in the course of relevant carriage from one relevant site to another.
- (12) Where the licensee of a licensed site operates the site on behalf of another person—
- (a) carriage of nuclear matter that is undertaken or arranged by the licensee as licensee of the licensed site on behalf of that other person is to be treated as carriage on behalf of the licensee (and accordingly is to be treated as relevant carriage on behalf of the licensee for the purposes of this Act), and
 - (b) a requirement in this section that a person have a direct economic interest in nuclear matter that is in the course of carriage is to be treated as satisfied by the licensee when acting on behalf of another person as regards the carriage of nuclear matter if—
 - (i) that other person is the person on whose behalf the licensee is operating the licensed site, and
 - (ii) that other person has a direct economic interest in the nuclear matter.
- (13) For the purposes of this section, a person who receives a financial or other benefit for or in connection with undertaking, or arranging for, the carriage of nuclear matter does not, for that reason only, have a direct economic interest in the matter.]

Textual Amendments

- F5** S. 7A inserted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **3(5)** (with art. 40)

[^{F6}7B Duties in respect of relevant disposal sites

- (1) Sections 7 and 7A apply in relation to the operator of a relevant disposal site as they apply in relation to the licensee of a licensed site, but with the following modifications—

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- (a) a reference in those sections to a case in which a nuclear site licence has been granted is to be read as a reference to a case in which an appropriate permit has been granted;
 - (b) a reference in those sections to a site in respect of which a nuclear site licence has been granted is to be read as a reference to a relevant disposal site;
 - (c) a reference in those sections to the licensee of a licensed site is to be read as a reference to the operator of a relevant disposal site;
 - (d) a reference in those sections to a nuclear installation is to be read as a reference to an installation for the disposal of nuclear matter;
 - (e) paragraph (d) of section 7(3B) is to be disregarded;
 - (f) the reference in section 7(1B)(a) to the period of responsibility of a licensee under a nuclear site licence is to be read, when applied in relation to the operator of a relevant disposal site, as a reference to the period during which the operator is responsible for the relevant disposal site.
- (2) For the purposes of subsection (1)(f) an operator of a relevant disposal site is responsible for the relevant disposal site or any part of it during the period that—
- (a) begins—
 - (i) when article 4 of the Nuclear Installations (Liability for Damage) Order 2016 comes fully into force, or
 - (ii) if later, when the person becomes the operator of the site or, as the case may be, part of it, and
 - (b) ends with whichever of the dates in subsection (3) is the earliest.
- (3) The dates referred to in subsection (2)(b) are—
- (a) the date when the appropriate environment authority gives notice in writing to the operator of the site that in the opinion of that authority there has ceased to be any danger from ionising radiations from anything on the site or, as the case may be, part of it;
 - (b) the date when another person becomes the operator of the site or, as the case may be, part of it;
 - (c) the date when the following conditions have both become satisfied—
 - (i) the site or, as the case may be, part of it ceases to be used by the operator, and
 - (ii) the site or, as the case may be, that part of it is used or occupied by or on behalf of the Crown;
 - (d) the date when a nuclear site licence is granted in respect of the site or, as the case may be, part of it.
- (4) Subject to subsections (5), (6) and (7), a site is a relevant disposal site for the purposes of this section if—
- (a) it is used for the operation of an installation for the disposal of nuclear matter, and
 - (b) that use is a use for which the authority of an appropriate permit is required.
- (5) A site is not a relevant disposal site if it is—
- (a) a site or part of a site in respect of which a nuclear site licence has been granted,
 - (b) premises treated because of section 8 as a site for which a nuclear site licence has been granted or part of such premises, or
 - (c) a site or part of a site used or occupied by or on behalf of the Crown.

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- (6) A site is not a relevant disposal site if—
- (a) any person using the site ceased, before article 4 of the Nuclear Installations (Liability for Damage) Order 2016 came fully into force, to accept on the site any nuclear matter for the purposes of disposal on the site, and
 - (b) no person using the site has, after article 4 came fully into force, accepted on the site any nuclear matter for the purposes of disposal on the site.
- (7) A site is not a relevant disposal site if the nuclear matter disposed of in the installation or installations on the site consists only of nuclear matter that is excepted matter.
- (8) If a site ceases to be a relevant disposal site, no liability may arise by virtue of this section after the time it ceases to be a relevant disposal site, except in relation to an occurrence or event that began to happen before that time.
- (9) In this section—
- “appropriate permit” means—
- (a) in relation to a site in England or Wales, a permit under regulations made under section 2 of the Pollution Prevention and Control Act 1999 authorising a person to use the site for the disposal of radioactive waste;
 - (b) in relation to a site in Scotland or Northern Ireland, an authorisation under section 13 of the Radioactive Substances Act 1993 authorising a person to use the site for the disposal of radioactive waste;
- “operator”, in relation to a relevant disposal site, means the person who uses the site to operate the installation by virtue of which the site is a relevant disposal site.]

Textual Amendments

- F6** S. 7B inserted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **4(2)** (with art. 40)

[^{F7}7C Excluded disposal sites

- (1) A site that is used or intended to be used for the operation of an installation for the disposal of nuclear matter is an excluded disposal site if—
- (a) the Secretary of State is satisfied, on an application by the operator of the site, that the site meets—
 - (i) the permit condition,
 - (ii) the site history condition, and
 - (iii) such other conditions as may be prescribed, and
 - (b) the Secretary of State gives the operator notice in writing to that effect.
- (2) In this section, “disqualifying matter” means nuclear matter that exceeds the radioactivity concentration limits set out in paragraph 3(a) of the Appendix to the 2016 Decision.
- (3) The permit condition is that—
- (a) an appropriate permit is in force in respect of the site, and
 - (b) that permit includes a condition preventing the site from receiving disqualifying matter.

Changes to legislation: Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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

- (4) The site history condition is that—
- (a) disqualifying matter has not at any time been accepted for disposal at the site, or
 - (b) any disqualifying matter previously accepted for disposal at the site has been removed from the site.
- (5) An application under [subsection \(1\)\(a\)](#) must be accompanied by such documents as may be prescribed.
- (6) Regulations made under [subsection \(5\)](#) may—
- (a) specify requirements relating to the preparation, approval or review of a prescribed document;
 - (b) require an operator to provide a copy of a prescribed document to a person other than the Secretary of State;
 - (c) make different provision for different purposes.
- (7) A site ceases to be an excluded disposal site if the site no longer meets the permit condition or any condition prescribed under [subsection \(1\)\(a\)\(iii\)](#).
- (8) Where the appropriate permit in force in respect of an excluded disposal site is transferred to a new operator, the site ceases to be an excluded disposal site at the end of the period of one month beginning with the date on which the permit is transferred unless, before the end of that period—
- (a) the new operator notifies the Secretary of State of the transfer, and
 - (b) the Secretary of State gives the new operator notice in writing that the Secretary of State consents to the site continuing to be an excluded disposal site.
- (9) The Secretary of State must notify the Scottish Ministers of any notification given under [subsection \(1\)\(b\)](#) in relation to a site in Scotland.
- (10) In this section—
- “2016 Decision” means the Decision and Recommendation Concerning the Application of the Paris Convention on Third Party Liability in the Field of Nuclear Energy to Nuclear Installations for the Disposal of Certain Types of Low-level Radioactive Waste published on 16 January 2017 by the Steering Committee for Nuclear Energy of the Nuclear Energy Agency of the Organisation for Economic Co-operation and Development;
 - “appropriate permit” has the meaning given in section 7B(9).

Textual Amendments

- F7** Ss. 7C, 7D inserted (11.1.2024 for specified purposes) by [Energy Act 2023 \(c. 52\)](#), [ss. 304\(3\), 334\(1\)](#); [S.I. 2024/32, reg. 2\(e\)](#)

7D Excluded disposal sites: acceptance of disqualifying matter

- (1) This section applies where disqualifying matter is accepted at an excluded disposal site; and for the purposes of this section the acceptance of such matter is referred to as “the breach”.

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- (2) The operator of the site must notify the Secretary of State of the breach before the end of the notification period.
- (3) “The notification period” means the period of 21 days beginning with the day on which the operator becomes aware of the breach.
- (4) The site ceases to be an excluded disposal site at the end of the notification period unless the operator complies with the duty under [subsection \(2\)](#).
- (5) An operator who has complied with the duty under [subsection \(2\)](#) must remove the disqualifying waste from the site before the end of the removal period.
- (6) “The removal period” means—
 - (a) the period of 90 days beginning with the day on which the operator notifies the Secretary of State of the breach, or
 - (b) such longer period as the Secretary of State may specify before the end of the period mentioned in [paragraph \(a\)](#) if satisfied that the operator is taking all reasonable steps to remove the disqualifying matter from the site.
- (7) The site ceases to be an excluded disposal site at the end of the removal period unless before the end of that period—
 - (a) the Secretary of State is satisfied that the disqualifying waste has been removed from the site, and
 - (b) the Secretary of State gives the operator notice in writing to that effect.
- (8) In this section, “disqualifying matter” has the meaning given by [section 7C](#).]

Textual Amendments

- F7** [Ss. 7C, 7D](#) inserted (11.1.2024 for specified purposes) by [Energy Act 2023 \(c. 52\)](#), [ss. 304\(3\), 334\(1\)](#); [S.I. 2024/32, reg. 2\(e\)](#)

8 Duty of Authority.

[^{F8}Sections 7 and 7A] of this Act shall apply in relation to the Authority—

- (a) as if any premises which are or have been occupied by the Authority were a site in respect of which a nuclear site licence has been granted to the Authority; and
- (b) as if in relation to any such premises any reference to the period of the licensee’s responsibility were a reference to any period during which the Authority is in occupation of those premises [^{F9}; and [^{F10}sections 7 and 7A] shall so apply whether or not a nuclear site licence has been granted in respect of the premises in question.]

Textual Amendments

- F8** Words in s. 8 substituted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), [arts. 1\(2\), 5\(a\)](#) (with [art. 40](#))
- F9** Words inserted by [S.I. 1990/1918, reg. 2, Sch. para. 3](#)

Changes to legislation: Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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

F10 Words in s. 8 substituted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **5(b)** (with art. 40)

9 Duty of Crown in respect of certain sites.

[^{F11}(1) If a government department uses any site for any purpose which, if section 1 of this Act applied to the Crown, would require the authority of a nuclear site licence in respect of that site, [^{F12}sections 7 and 7A] of this Act shall apply in like manner as if—

- (a) the Crown were the licensee under a nuclear site licence in respect of that site; and
- (b) any reference to the period of the licensee's responsibility were a reference to any period during which the department occupies the site.]

[^{F13}(2) If a government department uses a site for a purpose which, if section 7B applied to the Crown, would cause the site to be a relevant disposal site, sections 7 and 7A are to apply in respect of that site as they apply in relation to the licensee of a licensed site, but with the following modifications—

- (a) a reference to a case in which a nuclear site licence has been granted is to be read as a reference to a case in which a site is used by a government department for a purpose which, if section 7B applied to the Crown, would cause the site to be a relevant disposal site (a “disposal purpose”);
- (b) a reference in those sections to a site in respect of which a nuclear site licence has been granted is to be read as a reference to a site used by a government department for a disposal purpose;
- (c) a reference in those sections to the licensee of a licensed site is to be read as a reference to the government department that is using a site for a disposal purpose;
- (d) paragraph (d) of section 7(3B) is to be disregarded;
- (e) the reference in section 7(1B)(a) to the period of responsibility of a licensee under a nuclear site licence is to be read, when applied in relation to a government department using a site for a disposal purpose, as a reference to the period during which the department is responsible for the site.

(3) For the purposes of subsection (2)(e) a government department is responsible for a site used by it for a disposal purpose, or for any part of a site so used by it, during the period that—

- (a) begins—
 - (i) when article 4 of the Nuclear Installations (Liability for Damage) Order 2016 comes fully into force, or
 - (ii) if later, when the department starts to use the site or, as the case may be, part of it for a disposal purpose, and
- (b) ends with whichever of the dates in subsection (4) is the earliest.

(4) The dates referred to in subsection (3)(b) are—

- (a) the date when the department ceases to occupy the site or, as the case may be, part of it, and
- (b) the date when, if section 1 applied to the Crown, the use of the site or, as the case may be, part of it would require the authority of a nuclear site licence.

Changes to legislation: Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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) In determining for the purposes of subsection (2) whether a use of a site would, if section 7B applied to the Crown, cause the site to be a relevant disposal site—
- (a) section 7B(5)(a) is to be read as if it referred to a site or part of a site which is or was used for a purpose which, if section 1 applied to the Crown, would require the authority of a nuclear site licence in respect of that site,
 - (b) section 7B(5)(c) is to be disregarded,
 - (c) any limitation on the application to the Crown of a requirement to have an appropriate permit is to be disregarded, and
 - (d) the Crown is to be taken to have complied with any requirement which would, if complied with, exempt a person from being required to have an appropriate permit in relation to the site.]

Textual Amendments

- F11** S. 9(1): s. 9 renumbered as s. 9(1) (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **6(2)** (with art. 40)
- F12** Words in s. 9(1) substituted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **6(3)** (with art. 40)
- F13** S. 9(2)-(5) inserted (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#), arts. 1(2), **6(4)** (with art. 40)

[^{F14}10] **Duty of certain foreign operators.**

- (1) It is the duty of a relevant foreign operator to secure that no occurrence involving nuclear matter which is not excepted matter and satisfying the conditions in subsections (2) and (4) causes—
- (a) injury to any person,
 - (b) damage to any property of any person other than that operator, or
 - (c) significant impairment of the environment,
- being injury, damage or impairment that arises out of or results from the radioactive properties, or a combination of those and any toxic, explosive or other hazardous properties, of that nuclear matter.
- (1A) It is the duty of a relevant foreign operator to secure that no event happens that creates a grave and imminent threat of a breach of the duty under subsection (1).]

- [^{F15}(2) The condition in this subsection is that the occurrence is—
- (a) an occurrence taking place wholly or partly within United Kingdom limits; or
 - (b) an occurrence taking place outside those limits which also involves nuclear matter in respect of which a duty is imposed on any person by section 7, 7B, 8 or 9.
- (3) For the purposes of subsection (2), an occurrence takes place within United Kingdom limits if it takes place—
- (a) within the territorial limits of the United Kingdom, or
 - (b) within the limits of the United Kingdom’s relevant maritime zone,
- and the limits of that zone are to be treated as applying to sea, sea bed, subsoil and airspace.

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- (4) The condition in this subsection is that the nuclear matter involved in the occurrence would, if the relevant foreign operator were the licensee of a licensed site and that operator's relevant site were a licensed site, satisfy the requirement in section 7A(1) in relation to the relevant foreign operator at the time of the occurrence.]

Textual Amendments

- F14** S. 10(1)(1A) substituted for s. 10(1) (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#) , arts. 1(2) , **7(2)** (with art. 40)
- F15** S. 10(2)-(4) substituted for s. 10(2) (coming into force in accordance with art. 1(2)-(5) of the amending S.I.) by [The Nuclear Installations \(Liability for Damage\) Order 2016 \(S.I. 2016/562\)](#) , arts. 1(2) , **7(3)** (with art. 40)

11 Duty of persons causing nuclear matter to be carried.

Where any nuclear matter, not being excepted matter, is in the course of carriage within the territorial limits of the United Kingdom on behalf of any person (hereafter in this section referred to as “the responsible party”) and—

- (a) the carriage is not relevant carriage; and
- (b) the nuclear matter is not for the time being on any relevant site,

it shall be the duty of the responsible party to secure that no occurrence involving that nuclear matter causes injury to any person or damage to any property of any person other than the responsible party, being injury or damage incurred within the said territorial limits and 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.

Changes to legislation:

Nuclear Installations Act 1965, Duty of licensee, etc., in respect of nuclear occurrences is up to date with all changes known to be in force on or before 18 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.

[View outstanding changes](#)

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\(8\)](#)