

## ELIZABETH II



## 1969 CHAPTER 18

An Act to make in the Nuclear Installations Act 1965 certain amendments necessary to bring that Act into conformity with international agreements.

[16th May 1969]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. In the Nuclear Installations Act 1965 (hereafter in this Act referred to as "the principal Act"), in section 12 (which relates to the right to compensation in respect of certain injury or damage) after subsection (3) there shall be inserted the following subsection:—

Restriction of liability for certain damage.  
1965 c. 57.

"(3A) Subject to subsection (4) of this section, where damage to any property has been caused which was not caused in breach of a duty imposed by section 7, 8, 9 or 10 of this Act but which would have been caused in breach of such a duty if in subsection (1)(a) or (b) of the said section 7 the words 'other than the licensee' or in subsection (1) of the said section 10 the words 'other than that operator' had not been enacted, no liability which, apart from this subsection, would have been incurred by any person in respect of that damage shall be so incurred except—

- (a) in pursuance of an agreement to incur liability in respect of such damage entered into in writing before the occurrence of the damage; or
- (b) where the damage was caused by an act or omission of that person done with intent to cause injury or damage";

and in subsection (4) of the said section 12 (which provides that nothing in subsection (1)(b) of that section shall affect certain enactments giving effect to international agreements with respect to the carriage of goods) after the words "subsection (1)(b)" there shall be inserted the words "or in subsection (3A)".

Adjustment  
of certain  
amounts.

2.—(1) In sections 17(3)(b)(ii) and 21(1) of the principal Act (which relate to the amount available for meeting certain claims under that Act) for the words “one and three-quarter million pounds” there shall in each case be substituted the words “£2,100,000”.

(2) In subsections (1) and (4) of section 18 of the principal Act (which relate to the amount of compensation for which cover is to be provided) for the words “forty-three million pounds” wherever those words occur there shall be substituted the words “£50 million”.

Extension of  
compensation  
in certain  
cases.

3. In section 13(5)(b) of the principal Act (under which, where in the case of an occurrence which constitutes a breach of a duty imposed by section 7, 8, 9 or 10 of that Act a person other than the person subject to that duty makes any payment in respect of injury or damage caused by that occurrence, the person making the payment is entitled to make a claim for compensation under that Act if the occurrence took place within the territorial limits of a country which is not a relevant territory within the meaning of that Act and certain other conditions are satisfied), after the words “took place” there shall be inserted the words “or the injury or damage was incurred”.

Expenses.

4. There shall be paid out of moneys provided by Parliament any increase attributable to any of the provisions of this Act in the sums so payable under the principal Act.

Citation.

5.—(1) This Act may be cited as the Nuclear Installations Act 1969.

1965 c. 57.

(2) The Nuclear Installations Act 1965 and this Act may be cited together as the Nuclear Installations Acts 1965 and 1969.

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