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**Changes to legislation:** Energy Act 2004, Cross Heading: *Validity of proceedings* is up to date with all changes known to be in force on or before 24 July 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](#)

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# SCHEDULES

## SCHEDULE 1

### THE NUCLEAR DECOMMISSIONING AUTHORITY

#### PART 2

#### PROCEEDINGS OF NDA

##### *Validity of proceedings*

- 13 (1) The validity of proceedings of the NDA, of the non-executive members or of a committee established by the NDA shall not be affected by—
- (a) a vacancy in the membership of the NDA or of such a committee;
  - (b) a defect in the appointment of the chairman, of any other non-executive member, of the chief executive or of any other executive member;
  - (c) a failure of the Secretary of State to comply with the requirements of section 2(9); or
  - (d) a failure to comply with arrangements made under paragraph 10.
- (2) Nothing in sub-paragraph (1) validates—
- (a) the proceedings of a meeting which would still be inquorate even if defects and failures mentioned within sub-paragraph (1)(b) or (c) had not occurred; or
  - (b) a decision which (apart from this paragraph) is ineffective by virtue of paragraph 9.

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#### **Commencement Information**

**II** Sch. 1 para. 13 in force at 27.7.2004 by S.I. 2004/1973, art. 2, [Sch.](#)

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

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

- s. 88(1)(a) words substituted by [S.I. 2024/706 reg. 7\(a\)](#)
- s. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)