



Energy Act 2013

2013 CHAPTER 32

PART 3

NUCLEAR REGULATION

CHAPTER 4

FUNCTIONS OF THE ONR

Other functions

87 Provision of information

- (1) The ONR must make such arrangements as it considers appropriate for providing information that it holds that is relevant to the ONR's purposes.
- (2) Arrangements that may be made under subsection (1) are arrangements of any description, including arrangements—
 - (a) for providing information to any person or category of persons (whether or not concerned with matters relevant to the ONR's purposes);
 - (b) for providing information on request or on the ONR's initiative;
 - (c) for providing only such information as the ONR considers appropriate.
- (3) This section is subject to section 94.

Commencement Information

II S. 87 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

88 Research, training etc

- (1) The ONR—

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- (a) may carry out research in connection with the ONR's purposes, or arrange for such research to be carried out on its behalf, and
 - (b) must, if it considers it appropriate to do so, publish the results of any such research or arrange for them to be published.
- (2) The ONR may make payments for research to be carried out in connection with the ONR's purposes and for the dissemination of information derived from such research.
- (3) The ONR may provide, or make arrangements for the provision of, training to any person in connection with the ONR's purposes.
- (4) Arrangements under subsection (3) may include provision for payments to be made to the ONR by or on behalf of—
- (a) other parties to the arrangements,
 - (b) persons to whom the training is provided.

Commencement Information

I2 S. 88 in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

89 Provision of information or advice to relevant authorities

- (1) The ONR must, on request, provide a relevant authority with relevant information or relevant advice.
- (2) Relevant information is information about the ONR's activities which is requested—
- (a) in the case of information requested by a Minister of the Crown—
 - (i) for the purpose of monitoring the ONR's performance of its functions, or
 - (ii) for the purpose of any proceedings in Parliament,
 - (b) in any case, in connection with any matter with which the relevant authority requesting it is concerned.
- (3) The reference in subsection (2) to the ONR's activities includes a reference to—
- (a) the activities of inspectors appointed by the ONR under—
 - (i) Schedule 8,
 - (ii) section 19 of the 1974 Act, or
 - (iii) Article 26 of the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541),
 in their capacity as such inspectors, and
 - (b) the activities of enforcing officers appointed by the ONR under section 61(3) of the Fire (Scotland) Act 2005 (asp. 5) in their capacity as such enforcing officers.
- (4) Relevant advice is advice on a matter with which the relevant authority requesting it is concerned where the matter—
- (a) is relevant to the ONR's purposes, or
 - (b) is one on which expert advice is obtainable from any member or member of staff of the ONR.

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- (5) The ONR may require a relevant authority to whom information or advice is provided under subsection (1) to pay a fee in respect of the ONR's costs reasonably incurred in providing the authority with—
- (a) relevant information requested under subsection (2)(b), or
 - (b) relevant advice.
- (6) The Secretary of State may by regulations provide that subsection (5) is not to apply in particular cases or classes of case or in particular circumstances.
- (7) The duty under subsection (1) is in addition to any other duty or power of the ONR to provide information or advice.
- (8) In this section “relevant authority” means any of the following—
- (a) a Minister of the Crown;
 - (b) the Scottish Ministers;
 - (c) the Welsh Ministers;
 - (d) a Northern Ireland Department;
 - (e) the Health and Safety Executive;
 - (f) the Health and Safety Executive for Northern Ireland;
 - (g) the Civil Aviation Authority;
 - (h) [^{F1}the Office of Rail and Road].
 - [^{F2}(i) a person appointed by regulations under section 16 of the Space Industry Act 2018.]

Textual Amendments

- F1** Words in s. 89(8)(h) substituted (E.W.S.) (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. Pt. 1 para. 4(w)(ii)**
- F2** S. 89(8)(i) inserted (29.7.2021) by [Space Industry Act 2018 \(c. 5\)](#), s. 70(1), **Sch. 12 para. 32**; S.I. 2021/817, reg. 2, **Sch. para. 117** (with reg. 3)

Commencement Information

- I3** S. 89 in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

90 Arrangements with government departments etc

- (1) If the condition in subsection (2) is met, the ONR may enter into an agreement with a Minister of the Crown, a government department or a public authority for the ONR to perform any function exercisable by the Minister, department or authority.
- (2) The condition is that—
- (a) the function is—
 - (i) a function of the Health and Safety Executive of investigating or making a special report under section 14 of the 1974 Act, or
 - (ii) a function of [^{F3}the Office of Rail and Road] of investigating or making a special report under paragraph 4 of Schedule 3 to the Railways Act 2005, or
 - (b) the Secretary of State considers that the function in question can appropriately be performed by the ONR.

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- (3) The functions to which an agreement under subsection (1) may relate—
- (a) in the case of an agreement with a Minister of the Crown, include a function not conferred by an enactment;
 - (b) do not include any power to make regulations or other instruments of a legislative character.
- (4) An agreement under subsection (1) may provide for functions to be performed with or without payment.
- (5) The ONR may provide services or facilities, with or without payment, otherwise than for the ONR's purposes, to a government department or public authority in connection with the exercise of that department's or authority's functions.

Textual Amendments

F3 Words in s. 90(2)(a)(ii) substituted (E.W.S.) (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. Pt para. 4(w)(iii)**

Commencement Information

I4 S. 90(1)-(4) in force at 10.3.2014 by [S.I. 2014/251](#), **art. 3(c)**

I5 S. 90(5) in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

91 Provision of services or facilities

- (1) The ONR may provide services and facilities for the ONR's purposes to any person.
- (2) The ONR may, with the consent of the Secretary of State, provide any relevant services to any person, whether or not in the United Kingdom.
- (3) In subsection (2), “relevant services” means services which—
- (a) are not relevant to the ONR's purposes, but
 - (b) are in a field in which any member or member of staff of the ONR has particular expertise.
- (4) The Secretary of State may give consent for the purposes of subsection (2)—
- (a) in relation to particular arrangements for the provision of services, or
 - (b) generally in relation to such arrangements of a particular description.
- (5) Arrangements for the provision of services to a person under subsection (2) are to be on such terms as to payment as that person and the ONR may agree.

Commencement Information

I6 S. 91 in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)