
Changes to legislation: Energy Act 2013, Cross Heading: Power to deal with cause of imminent danger is up to date with all changes known to be in force on or before 26 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

SCHEDULES

SCHEDULE 8

INSPECTORS

Modifications etc. (not altering text)

- C1** Sch. 8 modified (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), Sch. 1 para. 5(2)**Sch. 1 para. 5(3)(b)** (with Sch. 1 paras. 6, 4)

PART 3

OTHER POWERS EXERCISABLE BY INSPECTOR IF AUTHORISED BY INSTRUMENT OF APPOINTMENT

Power to deal with cause of imminent danger

- 10 (1) Sub-paragraph (2) applies where an inspector finds any article or substance in relevant premises in circumstances in which the inspector has reasonable cause to believe it is a cause of imminent danger of serious personal injury.
- (2) The inspector may, if authorised, do any of the following—
- (a) seize the article or substance;
 - (b) cause it to be made harmless or the risk of harm from it to be reduced (in either case, by destruction or otherwise);
 - (c) for the purpose mentioned in paragraph (b), seize any other article or substance.
- (3) Before any article that forms part of a batch of similar articles, or any substance, is dealt with under sub-paragraph (2)(b), the inspector must, if it is practicable,—
- (a) take a sample, and
 - (b) give a portion of the sample, marked so as to be identifiable, to a responsible person.
- (4) As soon as practicable after seizing or dealing with any article or substance under sub-paragraph (2), the inspector must make and sign a written report setting out the circumstances in which the article or substance was seized or so dealt with.
- (5) The inspector must give a signed copy of the report to a responsible person.
- (6) If that person is not the owner of the article or substance, the inspector must also—
- (a) give a signed copy of the report to the owner, or
 - (b) if that is not possible because—

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- (i) the inspector cannot find out the owner's name or address after making reasonable enquiries, and
 - (ii) the owner has not indicated a willingness in accordance with section 110 to receive a signed copy of the report by any means mentioned in subsection (1)(b) of that section,
- give a further signed copy of the report to that responsible person.
- (7) For the purposes of this paragraph—
- (a) “responsible person”, in relation to any article or substance, means a responsible person at the premises in which the inspector finds the article or substance;
 - (b) in the case of a report in electronic form, any signature required on the report or a copy of it may be an electronic signature (within the meaning given in section 7(2) of the Electronic Communications Act 2000).

Commencement Information

II [Sch. 8 para. 10](#) 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\(4\)](#)