



# Energy Act 2013

## 2013 CHAPTER 32

### PART 3

#### NUCLEAR REGULATION

### CHAPTER 5

#### SUPPLEMENTARY

#### *Supplementary*

#### **111 Crown application: Part 3**

- (1) Subject as follows, this Part, and regulations made under it, bind the Crown.
- (2) Part 2 of Schedule 8 (inspectors: improvement and prohibition notices) does not bind the Crown.
- (3) Any other provision of, or of regulations under, this Part under which a person may be prosecuted for an offence—
  - (a) does not bind the Crown, but
  - (b) applies to persons in the public service of the Crown as it applies to other persons.
- (4) So far as it applies to nuclear regulations, subsection (3) is subject to any provision made by those regulations.
- (5) For the purposes of this Part and regulations made under this Part, persons in the service of the Crown are to be treated as employees of the Crown (whether or not they would be so treated apart from this subsection).
- (6) The Secretary of State may, by order—
  - (a) amend this section so as to provide for any provision made by or under this Part to apply to the Crown, or not to apply to the Crown, to any extent;

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*Status: This is the original version (as it was originally enacted).*

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- (b) amend any provision of sections 68 to 73 so far as it affects the extent to which any of the ONR's purposes relates to the Crown or any of the purposes of the Crown.
- (7) Provision that may be made under subsection (6) includes in particular provision altering whether, or the extent to which, any of the ONR's purposes relates to—
- (a) sites or premises used or occupied by the Crown,
  - (b) sites controlled or occupied to any extent for defence purposes (within the meaning of section 70), or
  - (c) transport for those purposes.
- (8) Nothing in this section authorises proceedings to be brought against Her Majesty in her private capacity (within the meaning of the Crown Proceedings Act 1947).