



Nuclear Energy (Financing) Act 2022

2022 CHAPTER 15

PART 1

NUCLEAR ENERGY GENERATION PROJECTS: REGULATED ASSET BASE MODEL

Information

11 Provision of information to the Secretary of State

- (1) The Secretary of State may by notice require a nuclear company to provide to the Secretary of State such information as the Secretary of State may reasonably require in connection with the carrying out of the Secretary of State's functions under or by virtue of this Part.
- (2) Information required under [subsection \(1\)](#) must be provided in such form and manner and at such time and place, and be accompanied or supplemented by such explanations, as may be specified in the notice.
- (3) A nuclear company may not be required under this section to provide any information that would be protected from disclosure or production in legal proceedings on grounds of legal professional privilege or, in Scotland, confidentiality of communications.
- (4) Except as provided by [subsection \(5\)](#), the disclosure of information under this section does not breach—
 - (a) any obligation of confidence owed by the nuclear company making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (5) This section does not authorise or require a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, a requirement imposed under [subsection \(1\)](#) is to be taken into account).

Changes to legislation: There are currently no known outstanding effects for the Nuclear Energy (Financing) Act 2022, Cross Heading: Information. (See end of Document for details)

Commencement Information

II S. 11 in force at Royal Assent, see [s. 44\(1\)\(a\)](#)

12 Provision of information to or by the Authority

- (1) The Authority may provide to a person within [subsection \(2\)](#) such information as the Authority considers necessary in connection with the exercise by the Authority of its functions relating to the regulation of a relevant licensee nuclear company.
- (2) The following persons are within this subsection—
 - (a) the Office for Nuclear Regulation;
 - (b) the national system operator;
 - (c) a nuclear administrator appointed under [Part 3](#) in relation to the relevant licensee nuclear company;
 - (d) where any part of the site for the nuclear project is in England, the Environment Agency;
 - (e) where any part of the site for the nuclear project is in Wales, Natural Resources Wales;
 - (f) where any part of the site for the nuclear project is in Scotland, the Scottish Environment Protection Agency;
 - (g) any other person with regulatory functions the exercise of which the Authority considers relevant to the exercise by the Authority of its functions relating to the regulation of a relevant licensee nuclear company.
- (3) The Authority may by notice request from a person within [subsection \(2\)](#) such information as the Authority considers necessary in connection with the exercise by the Authority of its functions relating to the regulation of a relevant licensee nuclear company.
- (4) A person to whom a request is made under [subsection \(3\)](#) must, so far as reasonably practicable, provide the requested information within such period, and in such form and manner, as may be specified in the notice.
- (5) The Authority must reimburse a person to whom a request is made under [subsection \(3\)](#) for any costs reasonably incurred by the person in providing the Authority with the requested information.
- (6) Except as provided by [subsection \(7\)](#), the disclosure of information under this section does not breach—
 - (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (7) This section does not authorise or require a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, the power conferred by [subsection \(1\)](#) or, as the case may be, a requirement imposed by virtue of [subsection \(3\)](#) is to be taken into account).
- (8) In this section—

“information” includes advice;

“national system operator” means the person operating the national transmission system for Great Britain (and for this purpose “transmission

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system” has the same meaning as in the Electricity Act 1989, as to which see section 4(4) of that Act).

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Commencement Information

I2 S. 12 in force at 1.6.2022, see s. 44(2)(a)

Changes to legislation:

There are currently no known outstanding effects for the Nuclear Energy (Financing) Act 2022,
Cross Heading: Information.