



# Nuclear Energy (Financing) Act 2022

## 2022 CHAPTER 15

### PART 1

#### NUCLEAR ENERGY GENERATION PROJECTS: REGULATED ASSET BASE MODEL

##### *Licence modifications*

#### **7 Licence modifications: relevant licensee nuclear companies**

- (1) The Secretary of State may modify a condition of a relevant licensee nuclear company's electricity generation licence.
- (2) The Secretary of State may exercise the power under [subsection \(1\)](#) only if the Secretary of State considers that—
  - (a) the total expenditure expected to be incurred by the relevant licensee nuclear company in order to complete the construction of the nuclear project is likely to exceed any cap on such expenditure included in the licence, and
  - (b) in consequence of [paragraph \(a\)](#), an adjustment is needed in relation to how the company's allowed revenue is to be calculated.
- (3) When exercising the power under [subsection \(1\)](#), the Secretary of State must have regard to the matters mentioned in [section 6\(4\)](#).
- (4) The power under [subsection \(1\)](#) may not be exercised in relation to a relevant licensee nuclear company at any time after construction of the nuclear project has been completed.
- (5) For the purposes of this section, construction of the nuclear project is to be taken to have been completed on successful completion of such procedures and tests relating to the project as constitute, at the time they are undertaken, the usual industry standards and practices for nuclear energy generation projects in order to demonstrate that they are capable of commercial operations.

*Status: This is the original version (as it was originally enacted).*

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- (6) The Secretary of State must publish a statement setting out the procedure that the Secretary of State expects to follow in determining whether to exercise the power under subsection (1).