Changes to legislation: Atomic Energy Authority Act 1954 is up to date with all changes known to be in force on or before 15 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)



Atomic Energy Authority Act 1954

1954 CHAPTER 32 2 and 3 Eliz 2

1 The United Kingdom Atomic Energy Authority.

- (1) There shall be an Authority, to be called the United Kingdom Atomic Energy Authority (hereafter in this Act referred to as "the Authority"), who shall, as from the appointed day, exercise and perform the functions assigned to them by this Act.
- (2) The Authority shall consist of a chairman and not less than [F1 four] nor more than [F2 fifteen] other members.
- (3) All the members of the Authority shall be appointed by the Lord President of the Council F3. . .
- (4) Every member of the Authority shall hold and vacate his office in accordance with the terms of his appointment, and shall, on ceasing to be a member, be eligible for re-appointment; but any member may at any time by notice in writing to the Lord President of the Council resign his office.

(6) The Authority—

- (a) shall pay to each of their members, in respect of his office as such, such remuneration (whether by way of salary or fees) and such allowances as the Lord President of the Council may, with the approval of the Treasury, determine in the case of those members respectively; and
- (b) in the case of such members as the Lord President of the Council may, with the approval of the Treasury, determine, shall pay such pensions or make such payments towards the provision of pensions to or in respect of those members as he may, with the approval of the Treasury, determine in the case of those members respectively.
- (7) If any member of the Authority, other than the chairman thereof, is employed about the affairs of the Authority otherwise than as a member thereof, the Authority shall pay to that member such remuneration, if any, (in addition to any remuneration to which he may be entitled in respect of his office as a member) as the Lord President of the Council may, with the approval of the Treasury, determine.

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- [F6(8A) The terms of appointment of a member of the Authority may, with the approval of the Treasury, entitle him to compensation to be paid by the Authority on his ceasing to be a member.
 - (8B) Where a person ceases to be a member of the Authority otherwise than on the expiry of his term of office and is not entitled to compensation under the terms of his appointment, but it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation, the Secretary of State may, with the approval of the Treasury, require the Authority to make to that person a payment of such amount as may be determined by the Secretary of State with the approval of the Treasury.]
 - (9) The provisions of the First Schedule to this Act (which relate to the procedure of and other similar matters concerning the Authority) shall have effect with respect to the Authority.

Textual Amendments

- **F1** Word in s. 1(2) substituted (8.11.1995) by 1995 c. 37, s. 11(2)
- F2 Word substituted by Atomic Energy Authority Act 1959 c. 5 (8 & 9 Eliz. 2), s. 1
- **F3** Words in s. 1(3) repealed (8.11.1995) by 1995 c. 37, s. 11(3)
- F4 S. 1(5) repealed by House of Commons Disqualification Act 1957 (c. 20), Sch. 4 Pt. I
- F5 S. 1(8) repealed by Atomic Energy Authority Act 1986 (c. 3, SIF 8), s. 7(2)
- F6 S. 1(8A)(8B) inserted by Atomic Energy Authority Act 1986 (c. 3, SIF 8), s. 7(3)

Modifications etc. (not altering text)

C1 Functions of Treasury under s. 1(6)(7) now again exercisable by Treasury: S.I. 1968/1656, and 1981/1670, art. 2(1)(c)(2)

2 Functions of the Authority.

- (1) On the appointed day, the Authority shall take over from the Lord President of the Council the carrying on of the activities then being carried on by him under subsection (1) of section two of the MI Atomic Energy Act 1946 and subsection (1) of section one of the MI Radioactive Substances Act 1948 and the provisions of the Second Schedule to this Act shall have effect in relation to the property, rights and liabilities held or enjoyed by, or incumbent on, the Lord President of the Council for the purposes of or in connection with those activities.
- (2) Subject to the provisions of this Act, the Authority shall, as from the appointed day, have power (whether within the United Kingdom or elsewhere)—
 - (a) to produce, use and dispose of atomic energy and carry out research into any matters connected therewith;
 - (b) to manufacture or otherwise produce, buy or otherwise acquire, store and transport any articles which in the opinion of the Authority are, or are likely to be, required for or in connection with the production or use of atomic energy or such research as aforesaid, and to dispose of any articles manufactured, produced, bought or acquired by them;
 - (c) to manufacture or otherwise produce, buy or otherwise acquire, treat, store, transport and dispose of any radioactive substances;

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F7(d))																

- (e) to make arrangements with universities and other institutions or persons for the conduct of research into matters connected with atomic energy or radioactive substances and, with the approval of the Lord President of the Council and the Treasury, to make grants or loans to universities and other institutions or persons engaged in the production or use of atomic energy or radioactive substances or in research into matters connected with atomic energy or radioactive substances;
- (f) to distribute information relating to, and educate and train persons in matters connected with, atomic energy or radioactive substances:

Provided that—

- (i) the Authority shall not, save in accordance with arrangements made with the Minister of Supply, develop or produce any weapon or part of a weapon, . . . ^{F8}
- (ii) the Authority shall not search for minerals in the United Kingdom otherwise than under the authority of the Lord President of the Council and shall not work minerals in the United Kingdom otherwise than in the exercise of rights vested in them under section seven of the M3Atomic Energy Act 1946, as amended by this Act.
- (3) As from the appointed day, subsection (1) of section two of the M4Atomic Energy Act 1946, section three of that Act and section one of the M5Radioactive Substances Act 1948 are hereby repealed:

Provided that, notwithstanding the repeal by this section of subsection (1) of section two of the M6Atomic Energy Act 1946, the Lord President of the Council shall have power—

- (a) to exercise any rights vested in him under section seven of that Act; and
- (b) to store, transport and dispose of any articles acquired by him in the exercise of those rights or in or by reason of any exercise of the powers conferred on him by sections six, eight and nine of that Act; and
- (c) to do all such things (including the erection of buildings and the execution of works) as appear to him to be necessary or expedient for the exercise of the powers reserved to him by the preceding provisions of this proviso.

Textual Amendments

- F7 S. 2(2)(d) repealed (5.10.2004) by Energy Act 2004 (c. 20), s. 198(2), Sch. 23 Pt. 1; S.I. 2004/2575, art. 2(1), Sch. 1
- F8 Words repealed by Atomic Energy Authority (Weapons Group) Act 1973 (c. 4), s. 6(2)

Modifications etc. (not altering text)

- C2 S. 2(2) extended by Science and Technology Act 1965 (c. 4), s. 4(1), Radiological Protection Act 1970 (c. 46), s. 3(2) and Control of Pollution Act 1974 (c. 40), s. 101; restricted by Atomic Energy Authority (Weapons Group) Act 1973 (c. 4), s. 6(1)
- C3 Functions of Minister of Supply under this Act now exercisable by Secretary of State: 1959/1768 (1959 I, p. 1793), 1967/155, 1970/1537 and 1971/719

Marginal Citations

- **M1** 1946 c. 80.
- **M2** 1948 c. 87.
- M3 1946 c. 80.

Changes to legislation: Atomic Energy Authority Act 1954 is up to date with all changes known to be in force on or before 15 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)

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M4 1946 c. 80.
M5 1948 c. 37.
M6 1946 c. 80
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Power and duties of the Lord President of the Council in relation to the Authority.

- (1) The general duty of the Lord President of the Council under section one of the M7Atomic Energy Act 1946 to promote and control the development of atomic energy shall include, in particular, the duty of securing that, in the conduct of the affairs of the Authority, the proper degrees of importance are attached to the various applications of atomic energy.
- (2) The Lord President of the Council shall have power to give the Authority such directions as he may think fit and the Authority shall comply with any directions so given.
- (3) The said directions may be general or particular in character, but no such direction shall be given except after consultation with the Authority, and the Lord President of the Council shall not regard it as his duty to intervene in detail in the conduct by the Authority of their affairs unless in his opinion overriding national interests so require.
- (4) The Authority shall furnish the Lord President of the Council with such returns, accounts and other information with respect to their property and activities as he may from time to time require and shall prepare programmes and estimates of expenditure in such form and at such times as he may require.
- (5) The Authority shall as soon as possible after the end of each financial year make to the Lord President of the Council a report on the exercise and performance by the Authority of their functions during that year, indicating what parts thereof ought in their opinion to be withheld from publication in the interests of national security, and the Lord President of the Council shall lay a copy of the report, with the omission of such parts thereof as ought in his opinion to be withheld from publication in the interests of national security, before each House of Parliament, together with such comments as he may think fit to make.

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Modifications etc. (not altering text)
C4 S. 3 extended by Atomic Energy (Miscellaneous Provisions) Act 1981 (c. 48, SIF 8), s. 1(2)
C5 S. 3(2) extended (8.11.1995) by 1995 c. 37, s. 2(8)(b)

Marginal Citations
M7 1946 c. 80.
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4 Financial provisions as to the Authority.

- (1) The Lord President of the Council may, out of moneys provided by Parliament, pay to the Authority such sums in respect of the expenses of the Authority as he may, with the consent of the Treasury, determine.
- (2) [F9Any sums received by the Authority], shall be applied by the Authority in such manner as the Lord President of the Council may, with the approval of the Treasury,

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direct, and any such direction may require the whole or any part of [F9those sums] to be paid into the Exchequer.

(3) The Authority shall keep proper accounts and other records and shall prepare in respect of each financial year statements of account in such form as the Treasury may direct, and those statements shall, on or before the thirtieth day of November next following the expiration of the financial year in question, be transmitted to the Comptroller and Auditor General, who shall examine and certify the statements and lay copies thereof, together with his report thereon, before each House of Parliament.

Textual Amendments

F9 Words substituted (*retrospectively*) by Atomic Energy (Miscellaneous Provisions) Act 1981 (c. 48, SIF 8), s. 2

Modifications etc. (not altering text)

C6 S. 4(1) extended by Science and Technology Act 1965 (c 4), s. 4(2) and (E.W.)(S.) by Atomic Energy Authority Act 1971 (c. 11), s. 23(a)

5 Powers as to purchase of land, carrying out works, etc. E+W

(1) The Lord President of the Council may authorise the Authority to purchase compulsorily any land required for the exercise and performance of their functions, and the [F10] Acquisition of Land Act 1981] and the M8 Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply F11...:

Provided that the Authority may be authorised under this subsection to purchase compulsorily a right to place any pipe across land, whether above or below ground, and to use, repair and maintain that pipe, without purchasing any other interest in the land, and, in relation to the compulsory purchase of any such right, the said Acts and the enactments incorporated therewith shall have effect as if references (whatever the terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the land across which the pipe is to be placed, and references to the obtaining or taking possession of the first-mentioned land were construed as references to the exercise of the right.

(2) The Authority may, if it appears to them necessary or expedient for the due exercise and performance of their functions, place any pipe in any highway and repair and maintain any pipe so placed, and for those purposes open and break up the highway.

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- (5) [F14Section 4 of the Building Act 1984] (which exempts from building byelaws buildings of statutory undertakers other than houses, offices and showrooms) shall apply in relation to the Authority as it applies in relation to statutory undertakers.
- (6) No requirements or restrictions imposed by or under the provisions of ^{F15}. . . section one hundred and eighty-one of the ^{M9}Public Health (Scotland) Act 1897, or by or under the corresponding provisions of any local Act, as to the erection, placing or making of buildings, erections or excavations, or the reconstruction of or alterations to buildings, and no requirement imposed by or under any enactment or by virtue of the common law as to the submission of plans and specifications and the giving of notices to a

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local authority or the presentation of a petition to a dean of guild court or any body exercising the functions of a dean of guild court, shall apply in relation to any building in Scotland belonging to or in the occupation of the Authority:

Provided that the exemption conferred by this subsection shall not extend to dwelling-houses.

Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only.

Textual Amendments

- F10 Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, Sch. 4 para. 1 Table (subject to transitional savings in Sch. 5)
- F11 Words in s. 5(1) repealed by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, Sch. 6 Pt. I (subject to transitional savings in Sch. 5)
- F12 S. 5(3) repealed by virtue of Energy Act 1983 (c. 25, SIF 44:1), s. 34, Sch. 4 Pt. II
- F13 S. 5(4) repealed with saving by Radioactive Substances Act 1960 (c. 34), s. 17(1)(2)
- F14 Words in s. 4 substituted (E.W.) (1.12.1984) by Building Act 1984 (c. 55, SIF 15), s. 133(1), Sch. 6 para. 4
- F15 Words in s. 5(6) repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. X Gp. 2

Marginal Citations

M8 1947 c. 42.

M9 1897 c. 38.

5 Powers as to purchase of land, carrying out works, etc. S+N.I.

(1) The Lord President of the Council may authorise the Authority to purchase compulsorily any land required for the exercise and performance of their functions, and the [F²⁴Acquisition of Land Act 1981] and the M²⁰Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall applyas if the Authority were a local authority within the meaning of those Acts and as if this Act had been in force immediately before the commencement thereof:

Provided that the Authority may be authorised under this subsection to purchase compulsorily a right to place any pipe across land, whether above or below ground, and to use, repair and maintain that pipe, without purchasing any other interest in the land, and, in relation to the compulsory purchase of any such right, the said Acts and the enactments incorporated therewith shall have effect as if references (whatever the terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the land across which the pipe is to be placed, and references to the obtaining or taking possession of the first-mentioned land were construed as references to the exercise of the right.

(2) The Authority may, if it appears to them necessary or expedient for the due exercise and performance of their functions, place any pipe in any highway [F25] or road] and repair and maintain any pipe so placed, and for those purposes open and break up the highway [F25] or road].

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- (5) Section seventy-one of the M21Public Health Act 1936 (which exempts from building byelaws buildings of statutory undertakers other than houses, offices and showrooms) shall apply in relation to the Authority as it applies in relation to statutory undertakers.
- (6) No requirements or restrictions imposed by or under the provisions of F28. . . section one hundred and eighty-one of the M22Public Health (Scotland) Act 1897, or by or under the corresponding provisions of any local Act, as to the erection, placing or making of buildings, erections or excavations, or the reconstruction of or alterations to buildings, and no requirement imposed by or under any enactment or by virtue of the common law as to the submission of plans and specifications and the giving of notices to a local authority or the presentation of a petition to a dean of guild court or any body exercising the functions of a dean of guild court, shall apply in relation to any building in Scotland belonging to or in the occupation of the Authority:

Provided that the exemption conferred by this subsection shall not extend to dwelling-houses.

Extent Information

E2 This version of this provision extends to Scotland and Northern Ireland only; a separate version has been created for England and Wales only.

Textual Amendments

- **F24** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 4 para. 1** Table (subject to transitional savings in Sch. 5)
- F25 Words inserted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), Sch. 9 para. 43
- F26 S. 5(3) repealed by virtue of Energy Act 1983 (c. 25, SIF 44:1), s. 34, Sch. 4 Pt. II
- F27 S. 5(4) repealed with saving by Radioactive Substances Act 1960 (c. 34), s. 17(1)(2)
- **F28** Words in s. 5(6) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X** Gp. 2.

Modifications etc. (not altering text)

C9 Dean of guild courts abolished by Local Government (Scotland) Act 1973 (c. 65), s. 227 and, unless otherwise provided, functions thereof now exercisable by authority responsible for building control in the area concerned

Marginal Citations

M20 1947 c. 42.

M21 1936 c. 49.

M22 1897 c. 38.

6 Miscellaneous provisions as to the Authority.

(1) Any land occupied by the Authority shall be deemed, for the purposes of any rate on property, to be property occupied by or on behalf of the Crown for public purposes.

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(3) Any place belonging to or used for the purposes of the Authority shall, for the purposes of paragraph (c) of section three of the Milo Official Secrets Act 1911 (which provides that places belonging to or used for the purposes of Her Majesty may be declared by order of the Secretary of State to be prohibited places for the purposes of that Act),

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be deemed to be a place belonging to or used for the purposes of Her Majesty, and no person other than—

- (a) a constable acting in the execution of his duty as such; or
- (b) an officer of customs and excise or inland revenue, acting in the execution of his duty as such; [F17] or
- (bb) a person designated as an inspector of the International Atomic Energy Agency under article 85 of the Agreement made on 6th September 1976 for the application of Safeguards in the United Kingdom in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (Cmnd. 6730) [F18] or under Article 11 of the Additional Protocol (within the meaning of the Nuclear Safeguards Act 2000) [1]
 - (c) an officer of any government department specially authorised in that behalf by or on behalf of a Minister of the Crown [F19 or a member of staff of the Scottish Administration specially authorised in that behalf by or on behalf of the Scottish Ministers,],

shall be entitled to exercise any right of entry (whether arising by virtue of any statutory provision or otherwise) upon any place belonging to or used for the purposes of the Authority which is such a prohibited place as aforesaid except with the consent of the Authority and in accordance with any conditions imposed by them:

Provided that any person aggrieved by a refusal by the Authority to consent to, or by conditions imposed on, the exercise of any such right of entry may apply to the Lord President of the Council who may, if he thinks fit, himself authorise the exercise of the right subject to such conditions, if any, as he may think fit to impose.

- (4) The enactments specified in the Third Schedule to this Act shall have effect subject to the provisions set out in that Schedule for modifying or adapting those enactments consequentially on the establishment of the Authority.
- (5) It is hereby declared that, save as otherwise expressly provided in this Act, the Authority are not to be treated for the purposes of the enactments and rules of law relating to the privileges of the Crown as a body exercising functions on behalf of the Crown F20...

Textual Amendments

- F16 S. 6(2) repealed with savings by Income and Corporation Taxes Act 1970 (c. 10), ss. 538, 539, Sch. 16
- F17 S. 6(3)(bb) and the word "or" immediately preceding it added by Nuclear Safeguards and Electricity (Finance) Act 1978 (c. 25, SIF 8), s. 2(3)(a)
- **F18** Words in s. 6(3)(bb) inserted (1.5.2004) by Nuclear Safeguards Act 2000 (c. 5), **ss. 11(1)**, 12(2) (with s. 12(3)); S.I. 2004/1242, arts. 2, 3
- F19 Words in s. 6(3)(c) added (1.7.1999) by S.I. 1999/1820, art. 4, Sch. 2 Pt. I para. 28 (with S.I. 1998/3178, art. 3).
- **F20** Words in s. 6(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 16** Group 1

Marginal Citations

M10 1911 c. 28.

Changes to legislation: Atomic Energy Authority Act 1954 is up to date with all changes known to be in force on or before 15 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)

7 Machinery for settling terms and conditions of employment of staff etc.

- (1) Except so far as the Authority are satisfied that adequate machinery exists for achieving the purposes of this section, it shall be the duty of the Authority to seek consultation with any organisation appearing to them to be appropriate with a view to the conclusion between the Authority and that organisation of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for—
 - (a) the settlement by negotiation of terms and conditions of employment of persons employed by the Authority with provision for reference to arbitration in default of such settlement of such cases as may be determined by or under the agreements; and
 - (b) the promotion and encouragement of measures affecting the safety, health and welfare of persons employed by the Authority and (so far as in the opinion of the Authority considerations of national security permit) the discussion of other matters of mutual interest to the Authority and such persons, including efficiency in the Authority's work.
- (2) The Authority shall send to the Lord President of the Council and the Minister of Labour and National Service copies of any such agreement as aforesaid and of any instrument varying the terms of any such agreement.

Modifications etc. (not altering text)

Functions of Minister of Labour and National Service now exercisable by Secretary of State: S.I. 1959/1769 (1959 I, p. 1735), 1968/729 and 1970/1537

8 Interpretation.

- (1) Section eighteen of the MII Atomic Energy Act 1946 and section twelve of the MI2 Radioactive Substances Act 1948 shall apply for the interpretation of this Act as they apply for the interpretation of those Acts respectively.
- (2) In this Act, except so far as the context otherwise requires,—

"the appointed day" means such day as Her Majesty may by Order in Council appoint;

"financial year" means the twelve months ending with the thirty-first day of March;

"instrument" (without prejudice to the generality of that expression) includes in particular Orders in Council, Letters Patent, judgements, decrees, orders, rules, regulations, byelaws, awards, contracts, certificates and other documents:

"pension", in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions, with or without interest thereon or any other addition thereto;

"statutory provision" means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature.

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9 Application to Northern Ireland.

- (1) This Act shall apply to Northern Ireland subject to the modifications specified in the following provisions of this section.
- (2) So much of this Act as amends section seven of the MI3 Atomic Energy Act 1946 shall not extend to Northern Ireland, but—
 - (a) the reference in subsection (1) of section twenty of that Act to section seven of that Act shall be construed as a reference to the said section seven as amended by this Act; and
 - (b) any reference in this Act to rights vested in the Authority under the said section seven shall be construed as including a reference to rights vested in the Authority under so much of any law made by the Parliament of Northern Ireland in pursuance of the said subsection (1) as corresponds to the said section seven.
- (3) For the purpose of the compulsory purchase by the Authority, on the authorisation of the Lord President of the Council under subsection (1) of section five, of land in Northern Ireland, Her Majesty may by Order in Council provide for extending the [F21 Acquisition of Land Act 1981] to Northern Ireland subject to any adaptations, modifications and exceptions which may be provided for by the Order.

F2	² (5)
	(6) For subsections (5) and (6) of section five, there shall be substituted the following
	subsection—

- "(5) Section thirty-two of the Public Health (Ireland) Act 1896 (which exempts Crown property from the provisions of the enactments in force in Northern Ireland relating to public health) shall apply in relation to the Authority, in like manner as it applies in relation to the Crown."
- (7) The reference in subsection (2) of section seven of this Act to the Minister of Labour and National Service shall, in relation to any agreement affecting employment in Northern Ireland, be construed as including a reference to the Minister of Labour and National Insurance for Northern Ireland.

(4) Subsection (2) of section five shall not apply.

(9) For the reference in the Third Schedule to the M14Factories Acts 1937 M15 and 1948, there shall be substituted a reference to the M16Factories Acts (Northern Ireland) 1938 M17 and 1949.

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Textual Amendments

- **F21** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34, **Sch. 4 para. 1** Table (subject to transitional savings in Sch. 5)
- F22 S. 9(5) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 16 Group 1
- **F23** S. 9(8) repealed (1.4.2005) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 23 Pt. 1**; S.I. 2005/877, art. 2(1), Sch. 1

Marginal Citations

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M13 1946 c. 80.
M14 1937 c. 67.
M15 1948 c. 55.
M16 1938 c. 23 (N.I.).
M17 1949 c. 6 (N.I.).
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10 Short title and citation.

This Act may be cited as the Atomic Energy Authority Act 1954 and this Act, the M18 Atomic Energy Act 1946 and the M19 Radioactive Substances Act 1948, may be cited together as the Atomic Energy and Radioactive Substances Acts 1946 to 1954.

Marginal Citations M18 1946 c. 80.

M19 1948 c. 37.

Status:

Point in time view as at 01/04/2005.

Changes to legislation:

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