



# Atomic Energy Authority Act 1954

## 1954 CHAPTER 32

An Act to provide for the setting up of an Atomic Energy Authority for the United Kingdom, to make provision as to their powers, duties, rights and liabilities, to amend, consequentially on the establishment of and otherwise in connection with that Authority, the Atomic Energy Act, 1946, the Radioactive Substances Act, 1948, and certain other enactments, and for purposes connected with the matters aforesaid. [4th June, 1954]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **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 seven nor more than ten other members.
- (3) All the members of the Authority shall be appointed by the Lord President of the Council and of those members—
  - (a) three shall be appointed from amongst persons appearing to the Lord President of the Council to be persons who have had wide experience of, and shown capacity in dealing with, problems associated with atomic energy; and
  - (b) one shall be appointed from amongst persons appearing to the Lord President of the Council to have had wide experience of, and shown capacity in, administration and finance; and
  - (c) one shall be appointed from amongst persons appearing to the Lord President of the Council to have had wide experience of, and shown capacity in, the organisation of workers.

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- (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.
- (5) A person shall be disqualified for being appointed or being a member of the Authority so long as he is a member of the Commons House of Parliament.
- (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.
- (8) The Lord President of the Council shall, as soon as possible after the passing of this Act, lay before each House of Parliament a statement of the remuneration and allowances that are or will be payable to the members of the Authority under this section; and, if any subsequent determination by him under this section involves any departure from the terms of the said statement or if a determination by him under this section relates to the payment of, or to payments towards the provision of, a pension to or in respect of any member of the Authority, the Lord President of the Council shall, as soon as possible after the determination, lay a statement thereof before each House of Parliament.
- (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.

## **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 Atomic Energy Act, 1946, and subsection (1) of section one of the 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;
- (d) to do all such things (including the erection of buildings, and the execution of works and the searching for and working of minerals) as appear to the Authority necessary or expedient for the exercise of the foregoing powers;
- (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, except that nothing in this proviso shall limit the power of the Authority to conduct experimental work which may lead to improved types of explosive nuclear assemblies for atomic weapons;
  - (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 Atomic Energy Act, 1946, as amended by this Act.
- (3) As from the appointed day, subsection (1) of section two of the Atomic Energy Act, 1946, section three of that Act and section one of the Radioactive Substances Act, 1948, are hereby repealed:

Provided that, notwithstanding the repeal by this section of subsection (1) of section two of the Atomic 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.

### **3 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 Atomic Energy Act, 1946, to promote and control the development of atomic energy shall

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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.

#### **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) Any revenues of the Authority for any financial year, whether from Government departments or other persons and whether in respect of articles or property sold or services rendered or otherwise, shall be applied by the Authority in such manner as the Lord President of the Council may, with the approval of the Treasury, direct, and any such direction may require the whole or any part of those revenues 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.

#### **5 Powers as to purchase of land, carrying out works, etc.**

- (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 Acquisition of Land (Authorisation Procedure) Act, 1946, and the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, shall apply as 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 and repair and maintain any pipe so placed, and for those purposes open and break up the highway.
- (3) It shall be the duty of the Authority to secure that no ionising radiations from anything on any premises occupied by them, or from any waste discharged (in whatever form) on or from any premises occupied by them, cause any hurt to any person or any damage to any property, whether he or it is on any such premises or elsewhere.
- (4) The following provisions shall, for the period of seven years beginning with the day of the passing of this Act, have effect as respects waste discharged (in whatever form) on or from any premises occupied by the Authority—
  - (a) no radioactive waste shall be discharged otherwise than in accordance with authorisations to be given by the Minister of Housing and Local Government and the Minister of Agriculture and Fisheries, after consultation, in each case, with such local authorities, river boards, local fisheries committees or other public or local authorities as appear to the Minister in question to be proper to be consulted by him;
  - (b) the said authorisations may be given subject to compliance with such conditions and requirements as the Minister in question thinks fit;
  - (c) any person authorised in that behalf by either of the said Ministers may enter and inspect such parts of any premises occupied by the Authority and take or cause to be taken such samples of waste which is being discharged or awaiting discharge thereon or therefrom as may appear necessary for ascertaining whether any breach of any such condition or requirement is or is likely to be committed;
  - (d) for the purposes of any statutory provision conferring or imposing powers or duties on any local authority, river board, local fisheries committee or other public or local authority (and, in particular, for the purposes of the Public Health Acts, 1936 and 1937, the Rivers (Prevention of Pollution) Act, 1951, the Salmon and Fresh Water Fisheries Act, 1923, the Sea Fisheries Regulation Act, 1888, and any corresponding enactment in force in Scotland) all waste discharged on or from any premises occupied by the Authority shall be conclusively presumed not to be radioactive to any significant extent:

Provided that Her Majesty may by Order in Council (which shall be subject to annulment in pursuance of a resolution of either House of Parliament) abridge or from time to time extend the said period of seven years, and the preceding provisions of this subsection shall have effect accordingly.

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For the avoidance of doubt, it is hereby declared that the restrictions imposed by this subsection on the Authority are in addition to and not in derogation of their duty under the last preceding subsection, and that the presumption required to be made by paragraph (d) of this subsection operates only for the particular purposes mentioned in that paragraph.

In the application of this subsection to Scotland, references to the Secretary of State shall be substituted for references to the Minister of Housing and Local Government and the Minister of Agriculture and Fisheries.

- (5) Section seventy-one of the Public 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 sections one hundred and sixty-six to two hundred and nine of the Burgh Police (Scotland) Act, 1892, section ninety-three of the Burgh Police (Scotland) Act, 1903, or section one hundred and eighty-one of the 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 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.

## **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.
- (2) Exemption shall be granted—
  - (a) from income tax chargeable under Schedule A in respect of lands, tenements, hereditaments and heritages owned and occupied by the Authority;
  - (b) from income tax chargeable under Schedule B in respect of lands occupied by the Authority;
  - (c) from income tax chargeable under Schedule A or, by virtue of section one hundred and seventy-seven or section one hundred and eighty-two of the Income Tax Act, 1952, under Schedule D, in respect of the rents and profits of any lands, tenements, hereditaments or heritages belonging to the Authority;
  - (d) from income tax chargeable under Schedule C in respect of any interest, annuities, dividends or shares of annuities, or under Schedule D in respect of any yearly interest or other annual payment, forming part of the income of the Authority:

Provided that—

- (i) the exemption granted by paragraphs (a) and (b) of this subsection shall not extend to tax in respect of any rent payable or other annual payment to be made by the Authority in respect of the lands, tenements, hereditaments and heritages; and

- (ii) notwithstanding anything in paragraph (c) of this subsection, any assessment upon the respective properties falling within that paragraph shall not be vacated or altered but shall be in force and levied notwithstanding the allowance of any such exemption as/is mentioned therein.

Income arising from investments or deposits held for the purposes of any pension scheme provided and maintained by the Authority shall be treated for the purposes of this subsection as if that income and the source thereof belonged to the Authority.

- (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 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), 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; or
  - (c) an officer of any government department specially authorised in that behalf by or on behalf of a Minister of the Crown,

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, and the Public Authorities Protection Act, 1893, and section twenty-one of the Limitation Act, 1939, shall not apply to any action, prosecution or proceeding against the Authority or for or in respect of any act, neglect or default done or committed by a servant or agent of the Authority in his capacity as a servant or agent of theirs.

## **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.

## 8 Interpretation

- (1) Section eighteen of the Atomic Energy Act, 1946, and section twelve of the 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, judgments, 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.

## 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 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 Acquisition of Land (Authorisation Procedure) Act, 1946, to Northern Ireland subject to any adaptations, modifications and exceptions which may be provided for by the Order.
- (4) Subsection (2) of section five shall not apply.
- (5) In subsection (4) of section five—
- (a) references to the Minister of Housing and Local Government shall be construed as references to the Minister of Health and Local Government for Northern Ireland;
  - (b) references to the Minister of Agriculture and Fisheries shall be construed as references to the Ministers of Commerce and Agriculture for Northern Ireland;
  - (c) for paragraph (d) the following paragraph shall be substituted—
    - “(d) for the purposes of the Fisheries Acts (Northern Ireland) 1842 to 1949, the Rivers Pollution and Prevention Acts, 1876 and 1893, and the Public Health Acts (Northern Ireland) 1878 to 1949, all waste discharged on or from any premises occupied by the Authority shall be conclusively presumed not to be radioactive to any significant extent.”
- (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.
- (8) For the references in the Third Schedule to this Act to section three of the Special Constables Act, 1923, as extended by paragraph 1 of the Second Schedule to the Emergency Laws (Miscellaneous Provisions) Act, 1947, there shall be substituted references to sub-paragraph (2) of paragraph 1 of the Second Schedule to the Emergency Laws (Miscellaneous Provisions) Act, 1947.
- (9) For the reference in the Third Schedule to the Factories Acts, 1937 and 1948, there shall be substituted a reference to the Factories Acts (Northern Ireland), 1938 and 1949.

## **10 Short title and citation.**

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

## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### PROVISIONS AS TO THE UNITED KINGDOM ATOMIC ENERGY AUTHORITY

- 1       The Authority shall be a body corporate with perpetual succession and a common seal and power to hold land without licence in mortmain.
- 2       The Authority may act notwithstanding a vacancy among their members.
- 3       The quorum of the Authority shall be three or such number, not being less than three, as the Authority may from time to time determine.
- 4       It shall be within the capacity of the Authority as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the exercise and performance of their functions under this Act.
- 5       (1) A member of the Authority who is in any way directly or indirectly interested in a contract made or proposed to be made by the Authority shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of the Authority.
- (2) Any disclosure made under sub-paragraph (1) of this paragraph shall be recorded in the minutes of the Authority and the member—
- (a) shall not take part after the disclosure in any deliberation or decision of the Authority with respect to that contract; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Authority for any such deliberation or decision.
- 6       Subject to the preceding provisions of this Schedule the Authority may regulate their own procedure.
- 7       (1) The Authority shall appoint a secretary and may appoint such other officers and take into their employment such other persons as they may determine.
- (2) The Authority shall—
- (a) pay to their officers and other persons employed by them such remuneration as the Authority may determine; and
- (b) as regards any officers or persons employed in whose case it may be determined by the Authority with the approval of the Lord President of the Council so to do, pay to or in respect of them such pensions, or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (3) Where any officer or person employed by the Authority, being a participant in any pension scheme applicable to his office or employment, becomes a member of the Authority, he may be treated for the purposes of the pension scheme as if his service as a member of the Authority were service as an officer or person employed by the Authority, and his rights under the scheme shall not be affected by any provision of this Act which requires that the pensions or payments towards the provision of pensions to be paid or made in the case of members of the Authority

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shall be determined by the Lord President of the Council with the approval of the Treasury.

- (4) Except with the consent of the Lord President of the Council, the Authority shall not terminate on security grounds the employment of any officer of, or person employed by, the Authority.

In this sub-paragraph the expression " security grounds " means grounds which are grounds for dismissal from the civil service of Her Majesty, in accordance with any arrangements for the time being in force relating to dismissals from that service for reasons of national security.

- 8 The application of the seal of the Authority shall be authenticated by the signatures of the chairman or some other member of the Authority authorised by the Authority to authenticate the application of the seal thereof, and of the secretary of the Authority or some person authorised by the Authority to act in his stead in that behalf.
- 9 Every document purporting to be an instrument issued by the Authority and to be sealed as aforesaid or to be signed on behalf of the Authority shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

## SECOND SCHEDULE

Section 2.

### TRANSFER OF PROPERTY RIGHTS AND LIABILITIES FROM THE LORD PRESIDENT OF THE COUNCIL TO THE AUTHORITY

- 1 The property held immediately before the appointed day by the Lord President of the Council for the purposes of his activities under subsection (1) of section two of the Atomic Energy Act, 1946, and subsection (1) of section one of the Radioactive Substances Act, 1948, and the rights and liabilities enjoyed by him or incumbent on him immediately before the appointed day in connection with those activities are hereby transferred as from the appointed day to the Authority:

Provided that this paragraph shall not apply to any property, rights or liabilities acquired or incurred under any pension scheme.

- 2 Any instrument shall, so far as may be necessary for or in consequence of the transfer effected by paragraph 1 of this Schedule, have effect as if references to, or which are to be construed as references to, the Lord President of the Council or any department or organisation maintained by him for the purposes of his functions under the Atomic Energy Act, 1946, and the Radioactive Substances Act, 1948, were or, as the case may require, included references to the Authority and their organisation.
- 3 Anything in process of being done by or in relation to the Lord President of the Council immediately before the appointed day (and, in particular, legal proceedings then pending to which he is a party) may, if it relates wholly or partly to any property, rights or liabilities transferred by paragraph 1 of this Schedule, be continued by or in relation to the Authority or by or in relation to the Authority and the Lord President of the Council, as the case may be.
- 4 A certificate issued by the Lord President of the Council that any property vested in the Lord President of the Council immediately before the appointed day was or was

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not transferred to the Authority by paragraph 1 of this Schedule shall be conclusive evidence that that property was or was not so transferred.

### THIRD SCHEDULE

Sections 6, 9.

#### ADAPTATIONS AND MODIFICATIONS OF ENACTMENTS

##### *The Atomic Energy Act, 1946*

In subsection (1) of section seven after the words " vesting in him " there shall be inserted—

- (a) in the first place where those words occur, the words "or in the United Kingdom Atomic Energy Authority";
- (b) in the second place where those words occur, the words " or the said Authority ".

Sections ten and eleven shall not apply to anything done by or to the Authority.

In section twelve, in subsection (2), after the word "inspect " there shall be inserted the words " or authorise the United Kingdom Atomic Energy Authority to inspect ", and in subsection (7), after the words " the Minister " there shall be inserted the words " or the United Kingdom Atomic Energy Authority ".

In section thirteen, after the words " the Minister " there shall be inserted the words " or the United Kingdom Atomic Energy Authority ".

At the end of section sixteen there shall be added the following proviso—

“Provided that any compensation required to be paid by an order made under section seven of this Act vesting any right in the United Kingdom Atomic Energy Authority shall be paid by that Authority.”

In paragraph (c) of section nineteen after the words " vesting in the Minister " there shall be inserted the words " or in the United Kingdom Atomic Energy Authority ".

##### *Enactments relating to Official Secrets and Protection of Property*

For the purposes of section two of the Official Secrets Act, 1911, membership of or any office or employment under the Authority shall be deemed to be an office under Her Majesty and any contract with the Authority shall be deemed to be a contract with Her

Section three of the Special Constables Act, 1923, as extended by paragraph 1 of the Second Schedule to the Emergency Laws (Miscellaneous Provisions) Act, 1947, shall apply as if any premises in the possession or under the control Of the Authority were premises in the possession or under the control of the Minister of Supply, so however that, in relation to those premises, the powers of nomination conferred by those provisions shall be exercisable also by the Authority.

For the purposes of section two of the Metropolitan Police Act, 1860, any property of the Authority shall be deemed to be property of the Crown.

For the purposes of section six of the Public Stores Act, 1875, any person appointed under the Special Constables Act, 1923, as extended as aforesaid, to be a special constable within any premises which are in the possession or under the control of the Authority shall be deemed to be a constable deputed by a public department and any goods and chattels belonging to or in the possession of the Authority shall be deemed to be Her Majesty's stores.

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### *Other Enactments*

In section ninety-seven of the Explosives Act, 1875, references to a department of the Government, except the second such reference in paragraph (5) of that section, shall be construed as including references to the Authority.

For the purposes of Part II of the Military Lands Act, 1892 (as applied by the Ministry of Supply (Transfer of Powers) (No. 1) Order, 1939, subsection (2) of section two of the Atomic Energy Act, 1946, and Article 3 of the Transfer of Functions (Atomic Energy and Radioactive Substances) Order, 1953)—

- (a) any land vested in or under the management of the Authority shall be deemed to be land vested in or under the management of the Lord President of the Council;
- (b) any right of the Authority to use land vested in another person shall be deemed to be a right of the Lord President of the Council; and
- (c) the purposes of the Authority shall be deemed to be purposes of a department or organisation maintained by the Lord President of the Council for the purposes of the functions transferred to him under the Transfer of Functions (Atomic Energy and Radioactive Substances) Order, 1953.

For the purposes of the Factories Acts, 1937 and 1948, any premises belonging to or in the occupation of the Authority and any building operations or works of engineering construction undertaken by or on behalf of the Authority shall be deemed to be premises belonging to or in the occupation of the Crown or, as the case may be, to be operations or works undertaken by or on behalf of the Crown.

Section nineteen of the Ministry of Supply-Act, 1939, shall have effect as if the Authority were a Government Department.

In Subsection (2) of section forty-six of the Patents Act, 1949, after the words "Government department" there shall be inserted the words " or the United Kingdom Atomic Energy Authority "

### TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Metropolitan Police Act, 1860	23 & 24 Vict. c. 135.
Explosives Act, 1875	38 & 39 Vict. c. 17.
Public Stores Act, 1875	38 & 39 Vict. c. 25.
Sea Fisheries Regulation Act, 1888	51 & 52 Vict. c. 54.
Military Lands Act, 1892	55 & 56 Vict. c. 43.
Burgh Police (Scotland) Act, 1892	55 & 56 Vict. c. 55.
Public Authorities Protection Act, 1893	56 & 57 Vict. c. 61.
Public Health (Ireland) Act, 1896	59 & 60 Vict. c. 54.
Public Health (Scotland) Act, 1897	60 & 61 Vict. c. 38.
Burgh Police (Scotland) Act, 1903	3 Edw. 7. c. 33.
Official Secrets Act, 1911	1 & 2 Geo. 5. c. 28.
Special Constables Act, 1923	13 & 14 Geo. 5. c. 11.

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

Short Title	Session and Chapter
Salmon and Fresh Water Fisheries Act, 1923	13 & 14 Geo. 5. c. 16.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Limitation Act, 1939	2 & 3 Geo. 6. c. 21.
Ministry of Supply Act, 1939	2 & 3 Geo. 6. c. 38.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Atomic Energy Act, 1946	9 & 10 Geo. 6. c. 80.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Emergency Laws (Miscellaneous Provisions) Act, 1947	11 & 12 Geo. 6. c. 10.
Radioactive Substances Act, 1948	11 & 12 Geo. 6. c. 37.
Patents Act, 1949	12, 13 & 14 Geo. 6. c. 87.
Rivers (Prevention of Pollution) Act, 1951	14 & 15 Geo. 6. c. 64.
Income Tax Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.