
STATUTORY INSTRUMENTS

2003 No. 403

The Nuclear Industries Security Regulations 2003

PART 3

SECURITY OF TRANSPORT OF NUCLEAR MATERIAL

Approval of carriers

14.—(1) The Secretary of State may approve a carrier as an approved carrier only if she is satisfied that—

- (a) in the case of an approval as a Class A carrier, the carrier transports or proposes to transport Category I/II nuclear material in the course of his business,
- (b) in the case of an approval as a Class B carrier, the carrier transports or proposes to transport Category III nuclear material in the course of his business,
- (c) the carrier has provided the Secretary of State with—
 - (i) his telephone number, facsimile number and principal place of business,
 - (ii) the name, address, telephone number and facsimile number of an individual who will accept any written or oral communication from the Secretary of State under these Regulations on behalf of the carrier, and
- (d) the carrier has submitted a transport security statement under regulation 16 that the Secretary of State has approved (as submitted or with such amendments as she has required), and he will comply with the standards, procedures and arrangements described in the approved transport security statement while he is approved.

(2) Where a carrier has applied to the Secretary of State for approval as an approved carrier, she must give him notice in writing of her decision and, if she has granted the application, of the date from which he is approved and whether he is approved as a Class A carrier or as a Class B carrier.

(3) If the Secretary of State proposes not to approve a carrier as an approved carrier, she must give him written notice of her proposal and of the reasons for it.

(4) The carrier may make representations to the Secretary of State within 28 days from the date on which the notice under paragraph (3) is given.

(5) The Secretary of State must take into account any such representations before reaching a decision whether to approve the carrier as an approved carrier.

(6) If the Secretary of State decides not to approve a carrier as an approved carrier, she must state the reasons for her decision when she gives him notice of the decision under paragraph (2).

(7) The Secretary of State's approval of a carrier as an approved carrier has effect for the period of five years from the date from which he is approved, unless it is revoked earlier under regulation 15.