
STATUTORY INSTRUMENTS

2004 No. 1255

The Nuclear Safeguards (Notification) Regulations 2004

Citation and commencement

1. These Regulations may be cited as the Nuclear Safeguards (Notification) Regulations 2004, and shall come into force on 5th May 2004.

Interpretation

2. In these Regulations:

“Annex II” means Annex II to the Additional Protocol ^{M1};

“electronic communications network” has the same meaning as in section 32 of the Communications Act 2003 ^{M2};

^{F1}
...

“high enriched uranium” means uranium containing 20 per cent or more of the isotope uranium-235;

“non-nuclear-weapon State” means a State other than China, France, Russia, the United Kingdom and the United States of America;

“nuclear fuel cycle-related research and development activities” means research and development activities which are specifically related to any process or system development aspect of—

- (a) the enrichment of nuclear material,
- (b) the reprocessing of nuclear fuel, or
- (c) the processing of intermediate or high level waste containing plutonium, high enriched uranium, or uranium-233

but does not include activities related to theoretical or basic scientific research or to research and development on industrial radioisotope applications, medical, hydrological or agricultural applications, health or environmental effects or improved maintenance;

“nuclear material” means any source material (other than ore or ore residue) or any special fissionable material;

[^{F2}“the ONR” means the Office for Nuclear Regulation;]

“processing of intermediate or high level waste” does not include—

- (a) repackaging of the waste for storage or disposal,
- (b) conditioning of the waste not involving the separation of elements, for storage or disposal;

“source material” means uranium containing the mixture of isotopes occurring in nature, uranium depleted in the isotope 235, thorium, and any of the foregoing in the form of metal, alloy, chemical compound or concentrate;

“special fissionable material” means plutonium-239, uranium-233, uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these

isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature, and any material containing one or more of the foregoing.

Textual Amendments

- F1** Words in [reg. 2](#) omitted (31.12.2020) by virtue of [The Nuclear Safeguards \(EU Exit\) Regulations 2019 \(S.I. 2019/196\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 11](#) (with [Sch. 4](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** Words in [reg. 2](#) inserted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), [art. 1\(2\)](#), [Sch. 3 para. 19](#) (with [Sch. 4](#))

Marginal Citations

- M1** Cm 4282.
- M2** 2003 c. 21.

Persons required to notify the Secretary of State

^{F3}3.

Textual Amendments

- F3** [Reg. 3](#) omitted (31.12.2020) by virtue of [The Nuclear Safeguards \(EU Exit\) Regulations 2019 \(S.I. 2019/196\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 12](#) (with [Sch. 4](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

4.—(1) Subject to regulation 5, a person shall notify the [^{F4}ONR] on or before 15th January in each year if at any time during the previous calendar year he has carried out in the United Kingdom any of the activities specified in paragraph 1 of the Schedule.

(2) Subject to regulation 5, a person shall notify the [^{F4}ONR] on or before 15th January in each year if at any time during the previous calendar year he has carried out in the United Kingdom any nuclear fuel cycle-related research and development activities which were:

- (a) carried out in co-operation with, or otherwise relevant to, a non-nuclear-weapon State; and
- (b) not funded, specifically authorised or controlled by, or carried out on behalf of, Her Majesty's Government.

Textual Amendments

- F4** Word in Regulations substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), [art. 1\(2\)](#), [Sch. 3 para. 18](#) (with [Sch. 4](#))

Persons not required to notify the [^{F4}ONR]

5.—(1) The [^{F4}ONR] may serve on a person a written notice setting out particulars which the [^{F4}ONR] already has in relation to that person.

(2) A person on whom a notice has been served under paragraph (1) is not required to notify the [^{F4}ONR] under regulation ^{F5}... 4 if the particulars set out in the notice are accurate at the time the

notice is received by that person and are all the particulars which that person would be required to provide under these Regulations but for this paragraph.

(3) A person who by virtue of paragraph (2) is not required to notify the [F⁴ONR] under regulation F⁵ ...4 shall, within 14 days of any change in any of the particulars which were set out in the notice served on him under paragraph (1), give to the [F⁴ONR] notice of the new particulars.

(4) Section 10 of the Nuclear Safeguards Act 2000 applies in relation to the service by the [F⁴ONR] of notices under paragraph (1).

Textual Amendments

- F4** Word in Regulations substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), **art. 1(2), Sch. 3 para. 18** (with Sch. 4)
- F5** Words in reg. 5(2)(3) omitted (1.4.2014) by virtue of [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 3 para. 20** (with Sch. 4)

Form of notification to the [F⁴ONR]

6.—(1) A person who is required to notify the [F⁴ONR] under regulation F⁶ ... 4 shall do so by giving a notice to the [F⁴ONR] containing particulars of his name, his proper address (within the meaning of section 10(3) of the Nuclear Safeguards Act 2000), each activity, referred to in the regulation in question, which he has carried out during the relevant period and the address of each place at or from which he has carried out each such activity.

(2) A person who has given particulars to the [F⁴ONR] pursuant to paragraph (1) shall, within 14 days of any change in any of those particulars, give to the [F⁴ONR] notice of the new particulars.

(3) Any notice to be given by a person under paragraph (1) or (2), or under regulation 5(3), shall be in writing and sent by post or delivered to [F⁷the Office for Nuclear Regulation at the address given on its website as its postal address], or sent by means of an electronic communications network to [F⁸the address given on the Office's website as its address for electronic communications].

Textual Amendments

- F4** Word in Regulations substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), **art. 1(2), Sch. 3 para. 18** (with Sch. 4)
- F6** Words in reg. 6(1) omitted (1.4.2014) by virtue of [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 3 para. 21(a)** (with Sch. 4)
- F7** Words in reg. 6(3) substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 3 para. 21(b)(i)** (with Sch. 4)
- F8** Words in reg. 6(3) substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 3 para. 21(b)(ii)** (with Sch. 4)

Changes to legislation: *There are currently no known outstanding effects for the The Nuclear Safeguards (Notification) Regulations 2004. (See end of Document for details)*

Nigel Griffiths,
Parliamentary Under Secretary of State for Small
Business and Enterprise,
Department of Trade and Industry

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