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STATUTORY INSTRUMENTS

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**2006 No. 1379**

**The Radioactive Contaminated Land (Modification  
of Enactments)(England) Regulations 2006**

**Section 78F (determination of the appropriate person to bear responsibility for remediation)**

[<sup>F1</sup>9.—(1) Section 78F (determination of the appropriate person to bear responsibility for remediation) has effect with the following modifications—

(a) after subsection (1), insert—

“(1A) In relation to any land contaminated by a nuclear occurrence, the Secretary of State is deemed to be the appropriate person.”;

(b) for subsection (2), substitute—

“(2) Except where subsection (1A) applies and subject to the following provisions of this section, any person, or any of the persons, who caused or knowingly permitted the substances, or any of the substances, by reason of which the contaminated land in question is such land to be in, on or under that land is an appropriate person.”; and

(c) in subsection (9), after “biological process”, insert “or radioactive decay”.]

**F1** [Reg. 9 substituted \(10.12.2007\) by The Radioactive Contaminated Land \(Modification of Enactments\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/3245\), regs. 1, 3\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Radioactive Contaminated Land (Modification of Enactments)(England) Regulations 2006, Section 9.