
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Nuclear Industries Security Regulations 2003 (S.I. 2003/403) (“the 2003 Regulations”), which provide for the regulation of the civil nuclear industry for security purposes.

Regulation 3(a) amends regulation 4 of the 2003 Regulations to require the responsible person for each nuclear premises to ensure that there is an approved security plan in place for the premises. Regulation 8(a) makes it a criminal offence for the responsible person to fail to do so.

Regulations 3(b) and 5 amend regulations 4 and 16 of the 2003 Regulations respectively to require approved security plans and transport security plans to set out the steps to be taken in the event of any loss, theft or unauthorised disclosure of, or unauthorised access to, sensitive nuclear information kept on the premises.

Regulations 4, 6 and 7(b) amend regulations 9, 17 and 22 of the 2003 Regulations respectively to enable relevant personnel at a nuclear premises to be approved as being of suitable character and integrity to work at such premises by means of a process approved by the Office of Nuclear Regulation (the “ONR”), instead of having to be approved by the ONR directly.

Regulation 7(a) amends regulation 22 of the 2003 Regulations to remove a reference that is no longer needed.

Regulation 8(b) and (c) amends regulation 25 of the 2003 Regulations so as to reflect section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), which removed upper limits on fines that can imposed for offences punishable on summary conviction in England and Wales.

A full Impact Assessment has not been produced for this instrument as no impact on the public or voluntary sectors, and minimal impact on the private sector is foreseen. A regulatory triage assessment of the effect that this instrument will have on the costs of business is available from the Department for Business, Energy & Industrial Strategy, 3 Whitehall Place, London, SW1A 2AW and is published with the explanatory memorandum alongside this instrument on www.legislation.gov.uk.