
STATUTORY INSTRUMENTS

2019 No. 196

The Nuclear Safeguards (EU Exit) Regulations 2019

PART 2

Accountancy and control, records and the provision of information by an operator

Declaration of basic technical characteristics

3.—(1) In the case of a qualifying nuclear facility⁽¹⁾ existing immediately before commencement day the operator must declare to the ONR the basic technical characteristics of the qualifying nuclear facility, using the relevant questionnaire shown in Part 1 of Schedule 1, before the end of the period of 30 days beginning with commencement day.

(2) In the case of a new qualifying nuclear facility, which comes into existence on or after commencement day, the operator must declare to the ONR—

- (a) the preliminary basic technical characteristics of the facility as soon as the decision to construct or authorise construction has been taken;
- (b) the basic technical characteristics of the facility, based on the final design for the qualifying nuclear facility, using the relevant questionnaire shown in Part 1 of Schedule 1, not later than 200 days prior to and ending on the day on which construction is started; and
- (c) the basic technical characteristics of the facility as built, using the relevant questionnaire shown in Part 1 of Schedule 1, not later than 200 days before the day on which—
 - (i) qualifying nuclear material is first received at the facility;
 - (ii) in the case of a qualifying nuclear facility, which only treats or stores conditioned or retained waste, the treatment or storage begins; and
 - (iii) in the case of a qualifying nuclear facility, whose principal activity is the extraction of ores in the United Kingdom, the operations start.

(3) An operator must inform the ONR of a change in the basic technical characteristics within the period of 30 days beginning with the day on which the change is completed unless advance notification to the ONR of such a change is required by any particular safeguard provisions imposed on the operator by regulation 5.

(4) The reference in paragraph (3) to a change in the basic technical characteristics of a qualifying nuclear facility includes a change in respect of a qualifying nuclear facility which is in the process of being closed down or decommissioned until such time as the ONR has confirmed in writing to the operator that the qualifying nuclear facility has been fully decommissioned.

(5) On a written request by the ONR, an operator must supply further details, explanations, amplifications or clarifications of any information set out in the relevant questionnaire within the period of 15 days beginning with the day on which the operator receives the request from the ONR.

(1) “Qualifying nuclear facility” is defined in section 76A(7) of the Energy Act 2013 c. 32.

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