Draft Regulations laid before Parliament under section 306(5) of the Energy Act 2023 (c. 52), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No.

NUCLEAR ENERGY

The Nuclear Installations (Compensation for Nuclear Damage) (Amendment) Regulations 2025

Made - - - - ***

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the powers conferred by section 306(1), (2) and (3) of the Energy Act 2023(**a**).

In accordance with section 306(5) of that Act, a draft of the instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Nuclear Installations (Compensation for Nuclear Damage) (Amendment) Regulations 2025.

(2) These Regulations come into force on the same day as Schedule 22 to the EA 2023 (Accession to Convention on Supplementary Compensation for Nuclear Damage) comes into force.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

(4) In these Regulations, "EA 2023" means the Energy Act 2023.

Amendment of the Nuclear Installations Act 1965

2.—(1) The Nuclear Installations Act 1965(**b**) is amended in accordance with paragraphs (2) to (8).

(2) In section 13 (exclusion, extension or reduction of compensation in certain cases) (as amended by paragraph 1 of Schedule 22 to the EA 2023), in subsection (5A) omit "(1ZAA),".

(3) In section 16 (satisfaction of claims) (as amended by paragraph 2 of Schedule 22 to the EA 2023)—

(a) in subsection (1ZA) omit ", other than CSC-only claims,";

(b) omit subsection (1ZAA);

(**a**) 2023 c. 52.
(**b**) 1965 c. 57.

(c) in subsection (1A) for ", (1ZAA), (3B), (3BA), (3BB), (3BC) or (3BD)" substitute ", (3B), (3BA), (3BB) or (3BC)";

(d) in subsection (3), in paragraph (a) omit "(1ZAA),";

(e) in subsection (3B)—

(i) omit ", other than CSC-only claims ("non-CSC-only claims"),";

(ii) omit "non-CSC-only";

(f) in subsections (3BA), (3BB) and (3BC) omit "non-CSC-only";

(g) omit subsection (3BD);

(h) in subsection (3D), in paragraph (b)—

(i) in sub-paragraphs (i) and (ii) omit ", (1ZAA),";

(ii) in sub-paragraph (iii) omit ", (3BD)".

(4) In section 16AA (Section 16: CSC-related definitions) (as inserted by paragraph 4 of Schedule 22 to the EA 2023) omit subsections (4) to (6).

(5) In section 17 (jurisdiction, shared liability and foreign judgments) (as amended by paragraph 5 of Schedule 22 to the EA 2023), in subsection (3B), in paragraphs (a) and (b) omit ", (1ZAA)".

(6) In section 18 (general cover for compensation) (as amended by paragraph 6 of Schedule 22 to the EA 2023)—

(a) in subsection (1D)—

(i) in paragraphs (a) and (b) omit ", (1ZAA)";

(ii) in paragraph (c) omit ", (3BD)";

(b) in subsection (4B), in paragraph (b) omit "or, where relevant, (1ZAA)".

(7) Omit section 25C (special drawing rights) (as inserted by paragraph 7 of Schedule 22 to the EA 2023).

(8) In section 26 (interpretation) (as amended by paragraph 8 of Schedule 22 to the EA 2023), in subsection (1)—

(a) omit the definition of "CSC-only claim";

(b) in the definitions of "event" and "occurrence" omit "(1ZAA)," and ", (3BD)".

Name
[Parliamentary Under Secretary of State]
Department for Energy Security and Net Zero

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Nuclear Installations Act 1965 (c. 57) (NIA 1965), as amended by Schedule 22 to the Energy Act 2023 (c. 52) (Schedule 22). Schedule 22 contains the amendments necessary to implement the Convention on Supplementary Compensation for Nuclear Damage (CSC) in the United Kingdom. The CSC is an international nuclear third party liability treaty that aims to establish a minimum national compensation amount amongst the CSC contracting parties and to further increase the amount of compensation to be made available through public funds by the CSC contracting parties, should the national amount be insufficient to compensate the damage caused by a nuclear incident.

Schedule 22 will come into force on the day on which the CSC comes into force in respect of the United Kingdom and these Regulations come into force on the same day as Schedule 22.

These Regulations amend the classification of claims for compensation in respect of the CSC that is established under the NIA 1965 by the amendments in Schedule 22. Regulation 2(3)(b) omits section 16(1ZAA) of the NIA 1965, which is the provision that introduces a lower liability cap for claims that relate only to the CSC than is in place for claims arising under the Convention on Third Party Liability in the Field of Nuclear Energy (Paris Convention). The result is that the liability for claims under either convention is €700 million (pursuant to section 16(1ZA) NIA 1965). This means that any claim brought under the CSC (or under the CSC and Paris Convention) would have a cap on liability of €700 million plus the value of the CSC international pooled funds (as defined in section 26(1) NIA 1965, inserted by paragraph 8(2)(a) of Schedule 22).

The remainder of the amendments made by regulation 2 are consequential changes to the provisions of the NIA 1965 (as amended by Schedule 22) to reflect the change in liability limit in respect of CSC claims.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

© Crown Copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827207-9

£5.78

http://www.legislation.gov.uk/id/ukdsi/2025/9780348272079