Draft Regulations laid before Parliament under section 113(2)(c) of the Energy Act 2013 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No. ****

EXITING THE EUROPEAN UNION

NUCLEAR SAFEGUARDS

The Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) (Amendment) Regulations 2021

Made - - - -	***
Coming into force - -	***

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 112(1B) of the Energy Act 2013(**a**) ("the Act").

In accordance with section 112(1D) of the Act the Secretary of State has consulted the Office for Nuclear Regulation and such other persons as the Secretary of State considers it appropriate to consult.

In accordance with section 113(2)(c) of the Act, a draft of these Regulations has been laid before Parliament and approved by resolution of each House of Parliament.

Citation and commencement

1.—(1) These Regulations may be cited as the Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) (Amendment) Regulations 2021.

(2) These Regulations come into force on the day after the day on which they are made.

Amendment of the Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) Regulations 2019

2. In regulation 3 (relevant international agreements) of the Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) Regulations 2019(**b**) after paragraph (e) insert—

(**a**) 2013 c. 32. Part 3 of the Energy Act 2013 deals with nuclear regulation and was amended by the Nuclear Safeguards Act 2018 (c. 15) which amended section 112 and inserted section 112(1A) to (1E). Other amendments have been made to Part 3 but none are relevant to these Regulations.

(**b**) S.I. 2019/195, amended by S.I. 2020/992 and section 28 of the European Union (Future Relationship) Act 2020 (c. 29).

"(ea) the Protocol, signed on 16th December 2020, between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan which amends the Agreement described in paragraph (f);".

Name
Minister of State for Business, Energy and Clean Growth
Date Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

With effect from IP completion day, the United Kingdom's domestic nuclear safeguards regime is set out in the Energy Act 2013 (c. 32) (the "Act") as amended by the Nuclear Safeguards Act 2018 (c. 15), the Nuclear Safeguards (EU Exit) Regulations 2019 (S.I. 2019/196) and the Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) Regulations 2019 (S.I. 2019/195). These Regulations amend S.I. 2019/195.

Section 112(1A) of the Act defines "relevant international agreement" as an agreement (whether or not ratified) which the United Kingdom is a party to, relates to nuclear safeguards and is specified by the Secretary of State in regulations made under section 112(1B) of the Act. Regulation 3 of S.I. 2019/195 specifies the international agreements which constitute a "relevant international agreement" for this purpose.

Regulation 2 of these Regulations amends S.I. 2019/195 to add the Protocol Amending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan for Co-operation in the Peaceful Uses of Nuclear Energy, signed in London on 16 December 2020, (the "Amending Protocol") as a relevant international agreement specified by the Secretary of State for the purpose of section 112(1A). The text of the Amending Protocol is published on the Foreign Commonwealth and Development Office website www.treaties.fco.gov.uk/treaties.

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

An Explanatory Memorandum has been prepared and is available alongside this instrument at www.legislation.gov.uk.

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