STATUTORY INSTRUMENTS

2023 No. 1114

NATIONAL SECURITY

The National Security (Prohibited Places) (Civil Nuclear) Regulations 2023

Made - - - -	*24th October 2023*
Laid before Parliament	*25th October 2023*
Coming into force	*15th November 2023*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) and (4) of the National Security Act 2023(**a**).

The Secretary of State, having regard to the matters listed in section 8(3) of that Act, reasonably considers it necessary to designate the land, buildings and vehicles specified in these Regulations as prohibited places in order to protect the safety or interests of the United Kingdom.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Security (Prohibited Places) (Civil Nuclear) Regulations 2023 and come into force 21 days after the date on which they are laid.

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

Prohibited Places

2. The land, buildings and vehicles specified in paragraph 2 of the Schedule to these Regulations are designated as prohibited places in accordance with section 8 of the National Security Act 2023.

Andrew Bowie
Minister for Nuclear and Networks
Department for Energy Security and Net Zero

24th October 2023

(**a**) 2023 c. 32.

SCHEDULE

Regulation 2

Interpretation

1. In this Schedule—

(a) "the 2003 Regulations" means the Nuclear Industries Security Regulations 2003(**a**);

(b) the following terms have the meaning given by regulation 3 of the 2003 Regulations(**b**)—

(i) "Category I/II nuclear material";

(ii) "Category III nuclear material";

(c) the following terms have the meaning given by section 26 of the Nuclear Installations Act 1965(**c**)—

(i) "licensed site";

(ii) "nuclear reactor";

(d) the following terms have the meaning given by section 77(7) of the Anti-Terrorism, Crime and Security Act 2001(**d**)—

(i) "enrichment of uranium";

(ii) "equipment";

(iii) "United Kingdom ship".

Prohibited Places

2. A licensed site where—

(a) Category I/II nuclear material or Category III nuclear material, or both, is held; and

(b) a nuclear reactor is located.

3. In so far as paragraph 2 does not apply, the following licensed sites—

(a) Dounreay at Thurso, Caithness, KW14 7TZ;

(b) Harwell at Harwell Campus, Didcot, Oxfordshire, OX11 0DF;

(c) Sellafield at Seascale, Cumbria, CA20 1PG;

(d) Springfields Works at Salwick, Preston, Lancashire, PR4 0XJ.

4. Nucleus: the building at Wick Airport, Wick, Caithness, KW1 4QS which holds the Nuclear and Caithness Archives.

5. Land or a building which holds—

(a) equipment or software designed or adapted for use in, or in connection with, the enrichment of uranium (or which is not so designed or adapted but is likely to be of exceptional use in that connection); or

(b) information relating to, or capable of use in connection with, the enrichment of uranium.

(**a**) S.I. 2003/403 was amended by S.I. 2006/2815, S.I. 2013/190, S.I. 2014/469, S.I. 2014/526,S.I. 2016/795 and S.I. 2017/463.
(**b**) Regulation 3 of S.I. 2003/403 was amended by S.I. 2016/795.
(**c**) 1965 c. 57. Section 26(1) was amended by section 32 of the Energy Act 1983 (c. 25), paragraph 26 of Schedule 12 to the Energy Act 2013 (c. 32), S.I. 1999/2786 and S.I. 2016/562.
(**d**) 2001 c. 24. Section 77(7) was amended by section 77(5) of, and paragraph 10(1) of Schedule 14 to, the Energy Act 2004 (c. 2) and section 105(3) of the Energy Act 2011 (c. 16).

6. In so far as paragraph 2 does not apply, land or a building that is the subject of an order granting development consent under section 114(1)(a) of the Planning Act 2008(**a**) in relation to a nuclear generating station within section 15 of that Act(**b**)—

(a) if the land or building is within a five kilometre radius of a licensed site within paragraph 2 of this Schedule;

(b) if the land or building is outside a five kilometre radius of a licensed site within paragraph 2 of this Schedule, when it becomes a licensed site.

7. A ship in the United Kingdom or in the territorial waters adjacent to the United Kingdom, or a United Kingdom ship wherever it may be, designed or adapted for the transport of Category I/II nuclear material and used on at least one occasion by any person approved under regulation 14 of the 2003 Regulations(**c**) as a Class A carrier.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations designate certain licensed sites, land, buildings and ships connected to the civil nuclear industry as prohibited places for the purposes of sections 4 to 6 of the National Security Act 2023 (c. 32).

The Schedule to these Regulations lists the licensed sites, land, buildings and ships that have been designated. It includes certain licensed nuclear sites, nuclear sites in the process of being decommissioned, civil nuclear construction sites, and ships used to carry certain categories of nuclear material, in use or not.

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

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(**a**) 2008 c. 29. Section 114(1) was amended by section 240(2) of, and paragraphs 55(2)(a) and (b) of Schedule 13 to, the Localism Act 2011 (c. 20) and S.I. 2012/628, article 7(a).
(**b**) 2008 c. 29. Section 15 was amended by section 39 of the Wales Act 2017 (c. 4) and S.I. 2016/306 and S.I. 2020/1218.
(**c**) Regulation 14 of S.I. 2003/403 was amended by S.I. 2014/469.

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