STATUTORY INSTRUMENTS

# 1965 No. 1825

# ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

## LICENSING AND REGULATION OF SITES

## The Nuclear Installations Regulations 1965

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| *Made* - - - - | *20th October* 1965 |
| *Laid before Parliament* | *29th October* 1965 |
| *Coming into Operation* | *1st December* 1965 |

The Minister of Power and the Secretary of State in exercise of the powers conferred upon them by sections 1(1) and (2) and 26(1) of the Nuclear Installations Act 1965(a) (hereinafter referred to as "the Act") and of all other powers them enabling hereby jointly make the following Regulations :—

*Commencement and citation*

**1.** These Regulations shall come into operation on 1st December 1965 and may be cited as the Nuclear Installations Regulations 1965.

*Interpretation*

**2.**—(1) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) Unless the context otherwise requires, expressions used in these Regulations shall have the same meanings as in the Act.

*Prescribed installations*

**3.** The Minister of Power and the Secretary of State hereby prescribe for the purposes of section 1(1)(b) of the Act any installations of any of the following descriptions, that is to say—

(*a*) any installation designed or adapted for the carrying out of any process involved in the manufacture, from uranium enriched so as to contain more than 0.72 per cent of the isotope 235, or from plutonium, or from any alloy or chemical compound of such uranium or plutonium, of fuel elements to be used for the production of atomic energy;

(*b*) any installation designed or adapted for the carrying out of any process involved in the production, from uranium enriched as aforesaid or from plutonium, of any alloy or chemical compound of such uranium or plutonium, other than any such process carried out solely for the purpose of chemical or isotopic assay;

(a) 1965 c. 57. (b) 52 & 53 Vict. c. 63.

(*c*) any installation designed or adapted for the incorporation of uranium enriched as aforesaid or plutonium, or any alloy or chemical compound of such uranium or plutonium, in a device designed to form part of a nuclear assembly or designed for irradiation in a nuclear reactor, other than a device designed solely for the purpose of measuring neutron flux;

(*d*) any installation comprising a nuclear assembly designed or adapted for the production of neutrons, and containing uranium enriched as aforesaid or plutonium, or any alloy or chemical compound of such uranium or plutonium, and in which a controlled chain reaction can be maintained with an additional source of neutrons;

(*e*) any installation designed or adapted for the processing of irradiated nuclear fuel other than processing carried out solely for the purpose of chemical or isotopic assay or metallographic investigation of such nuclear fuel;

(*f*) any installation designed for the storage of nuclear matter in the form of either—

(i) fuel elements referred to in paragraph (*a*) of this Regulation, or

(ii) irradiated nuclear fuel,

other than storage incidental to the carriage thereof and, in the case of irradiated nuclear fuel, other than storage incidental to any of the excepted purposes referred to in paragraph (*e*) of this Regulation.

*Provisions for exemption*

**4.** The Minister may by instrument in writing exempt from the requirements of section 1(1) of the Act, either unconditionally or subject to compliance with such conditions as he may prescribe therein, any installation described in Regulation 3 hereof which the Minister is satisfied is not, or if the prescribed conditions were complied with would not be, a relevant installation.

*Revocations*

**5.**—(1) The Nuclear Installations Regulations 1960**(a)**, the Nuclear Installations Regulations 1962**(b)** and the Nuclear Installations (Amendment) Regulations 1964**(c)** are hereby revoked.

(2) In so far as any nuclear site licence granted under section 1(1) of the Nuclear Installations (Licensing and Insurance) Act 1959**(d)** in respect of any installation prescribed in any of the Regulations referred to in the preceding paragraph, and in force immediately before the date of the coming into operation of these Regulations, could have been granted under a corresponding provision of Regulation 3 of these Regulations, it shall not be invalidated by

(a) S.I. 1960/1255 (1960 I, p.318).
(b) S.I. 1962/37 (1962 I, p.29).
(c) S.I. 1964/1798 (1964 III, p.3936).
(d) 7 & 8 Eliz. 2. c. 46.

the revocation effected by the foregoing paragraph, but shall have effect as if it had been granted under that corresponding provision.

18th October 1965.

*Fred Lee,*
Minister of Power.

20th October 1965.

*William Ross,*
One of Her Majesty's Principal Secretaries of State.

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## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations, made by the Minister of Power and the Secretary of State for Scotland acting jointly, revoke and re-enact with modifications the Nuclear Installations Regulations 1960 and 1962 as amended by the Nuclear Installations (Amendment) Regulations 1964. The revoked Regulations prescribed certain classes of installations designed or adapted for carrying out processes which are preparatory or ancillary to the production or use of atomic energy, and which involve or might cause the emission of ionising radiations: they also prescribed certain storage installations.

The present Regulations made under section 1(1)(b) of the Nuclear Installations Act 1965 extend the classes of installations previously prescribed to include those involving plutonium as well as enriched uranium. The particular classes of installations thus now made subject to the operation of the Act are :—

(*a*) installations where the processes referred to above are carried out in the manufacture of nuclear fuel elements or the production of alloys or chemical compounds from enriched uranium or plutonium or the incorporation of such material into nuclear devices such as test rigs but not including neutron flux measuring instruments,

(*b*) installations comprising sub-critical assemblies or reactor exponential experiments containing enriched uranium or plutonium,

(*c*) installations where irradiated nuclear fuel is processed,

(*d*) installations for the storage of fuel elements containing enriched uranium or plutonium, or irradiated nuclear fuel, other than storage incidental to transport.

The Regulations do not apply to installations where alloys or chemical compounds of enriched uranium or plutonium are produced, or irradiated nuclear fuel is processed or stored, solely for the purpose of chemical or isotopic assay, or in the case of irradiated fuel, metallographic investigation.

The Regulations also provide for the Minister of Power or the Secretary of State for Scotland to exempt, with or without conditions, any installation otherwise falling within the prescribed classes, where he is satisfied that it is not a nuclear installation to which an international convention on third party liability in the field of nuclear energy applies.