

AGREEMENT UNDER SECTION 13(3) OF THE HEALTH AND SAFETY AT WORK ETC. ACT 1974 AND SECTION 90(1) OF THE ENERGY ACT 2013

THIS AGREEMENT is made on the 14th of April 2015 between the Health and Safety Executive ("the Executive") and the Office for Nuclear Regulation ("the ONR") under section 13(3) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act") and section 90(1) of the Energy Act 2013 ("the 2013 Act"). It specifies functions that the ONR agrees to perform on behalf of the Executive. Those functions are functions that in the opinion of the Secretary of State for Work and Pensions can appropriately be performed by the ONR.

IT IS AGREED THAT:

1. Subject to paragraph 3, the ONR will perform on behalf of the Executive such functions under the 1974 Act, as amended, as are conferred on the Executive by virtue of being an enforcing authority for premises which are, or are on, a defence nuclear site.
2. For the purposes of this Agreement, "defence nuclear site" means a site:
 - (a) for which there is in force a valid authorisation granted by, or on behalf of, the Secretary of State having responsibility for defence authorising its use for the carrying out of any nuclear related activity;
 - but
 - (b) which is not a nuclear warship site (within the meaning of the Health and Safety (Enforcing Authority) Regulations 1998).
3. This Agreement comes into effect on 14th April 2015. This agreement can be terminated by either party at any time, provided that written notice of termination is given to the other party.

4. If notice of termination is served on either party under paragraph 3, that notice shall take effect three months after the date on which the notice of termination is given.

The common seal of the HEALTH AND SAFETY EXECUTIVE hereunto affixed is authenticated by:


Judith Hackitt

Chair of the Health and Safety Executive

A person duly authorised to sign on behalf of the Health and Safety Executive

Date: 14/04/15



Signed by: 

Nick Baldwin

Chair of the Office for Nuclear Regulation

A person duly authorised to sign on behalf of the Office for Nuclear Regulation

Date: 21/04/15 .