



Department for  
Business, Energy  
& Industrial Strategy

# Entry to Generic Design Assessment for Advanced Nuclear Technologies

Instructions and Guidance for Requesting  
Parties

February 2022



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# Contents

Ministerial Foreword	5
1. Generic Design Assessment for Advanced Nuclear Technologies	6
1.1 Introduction	6
1.2 Purpose of GDA	6
1.3 Modernised GDA	7
1.4 GDA Entry Process for Advanced Nuclear Technologies	8
2. Information for Requesting Parties	9
2.1 Procedure for Submitting Applications	9
2.2 Documents Required for GDA Entry Application	9
2.3 Other Guidance	10
2.4 Indicative Timetable	10
2.5 Terms and Conditions applying to this GDA Entry Application Process	11
2.6 Consortium Bids	11
3. GDA Entry Application Pack	12
3.1 RP Structure and Governance	12
1. Provide the name and details of the Requesting Party (RP)	12
2. Outline the control and ownership structure of the RP	13
3. Outline the organisational structure of the RP	13
4. Provide a full postal address for the RP	14
5. Identify the duty holder(s)	14
6. Provide contact details for key staff involved	14
7. Summarise research collaborators and/or sub-contractors involved in development of the reactor proposed for GDA	15
3.2 Financial Standing	15
3.3 Intellectual Property Arrangements	16
3.4 Technology Overview	16
3.5 Readiness for GDA	17
3.5.1 Programme Plan	18
3.5.2 Resource Plan	18
3.5.3 Finance Plan	19
3.5.4 Security Plan	19

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3.6 Business Plan Summary	20
3.7 Declaration of Eligibility	21
Eligibility Criteria	21
3.8 Declaration of Good Faith	22
4. Evaluation of GDA Entry Applications	24
4.1 Checks and Due Diligence:	24
4.2 Readiness for GDA Scored Assessment	24
5. Decisions and Notification	26
6. Declaration 1: Declaration of Eligibility	27
7. Declaration 2: Application in Good Faith	28
8. Confidentiality	29
8.1 Privacy Notice	29
9. Discretionary exclusions	32
9.1 Misrepresentations in their application	32
9.2 Obligations in the field of environment, social and labour law	32
9.2.1 Annex 1: Extract from Public Procurement Directive 2014/24	33
9.3 Grave professional misconduct	33
9.4 Distortion of competition	33
9.5 Misrepresentation and undue influence	33
9.6 Breach of tax or social security obligations	34

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# Ministerial Foreword

## **Anne-Marie Trevelyan MP**

The UK was the first major economy to embrace a legal obligation to achieve net zero carbon emissions by 2050 and in doing so end our contribution to climate change.

As the Prime Minister's Ten Point Plan for a Green Industrial Revolution laid out in November 2020, nuclear power, whether large-scale, small-scale, or advanced, will have a key role to play in meeting our Net Zero targets. The Prime Minister's Ten Point Plan also set target milestones for the first nuclear power stations using Small Modular Reactors to be built in the UK by the early 2030s, alongside an Advanced Modular Reactor demonstration plant. With the publication of this guidance, we are unlocking a key step on the path to the deployment of Advanced Nuclear Technologies in the UK.



The UK has one of the safest and most robust nuclear regulatory regimes in the world. The Generic Design Assessment allows our independent nuclear regulators to assess the safety, security, and environmental implications of new reactor designs and to provide the confidence that these new designs are capable of meeting the UK's statutory regulatory requirements. I would also like to acknowledge the excellent work the UK's regulators have undertaken in building their own advanced nuclear regulatory capabilities and in modernising the GDA process to ensure the UK's readiness for Advanced Nuclear Technologies.

Opening GDA to Advanced Nuclear Technologies this year, as the UK prepares to host COP26, showcases continued UK leadership in tackling climate change and the important role that nuclear has in our future net zero energy mix.

# 1. Generic Design Assessment for Advanced Nuclear Technologies

## 1.1 Introduction

Generic Design Assessment (GDA) is a process carried out by the Office for Nuclear Regulation (ONR) and the Environment Agency (EA) (the Nuclear Regulators) to assess the safety, security, and environmental protection aspects of a Nuclear Power Plant (NPP) design that is intended to be deployed in Great Britain. Natural Resources Wales (NRW) are also likely to participate<sup>1</sup>.

GDA is intended to assess whether a proposed technology could be constructed, operated, and decommissioned in Great Britain while meeting the high standards for safety, security, and environmental protection. Successfully completing GDA culminates in the issue of a Design Acceptance Confirmation (DAC) from the ONR and a Statement of Design Acceptability (SoDA) from the EA.

GDA is a substantial process for both for the Requesting Party<sup>2</sup> (RP) and the Regulators. It involves in-depth assessment by technical experts across a number of areas including safety, environmental protection, and security. It takes around 4 years to complete fully.

Entry to GDA is controlled by the Department for Business, Energy, and Industrial Strategy (BEIS). This document sets out the process for RPs to apply for GDA Entry. The Entry process set out here is for Advanced Nuclear Technologies only.

## 1.2 Purpose of GDA

GDA is an upfront, non-site-specific assessment of a generic NPP design. It is a joint process between ONR and the EA who work together to assess NPP designs to ensure that they are safe, secure, and environmentally acceptable. The objective for GDA is to provide confidence that the proposed design is capable of being constructed, operated, and decommissioned in Great Britain in accordance with the standards of safety, security and environmental protection required.

For the RP, this offers a reduction in uncertainty and project risk regarding the design, safety, security, and environmental protection cases to be an enabler to future licensing, permitting, construction and regulatory activities. For the Regulators, GDA provides early influence on new

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<sup>1</sup> Whether NRW participates will be agreed between the Regulators and the Requesting Party prior to the start of GDA.

<sup>2</sup> The RP will normally be the vendor for a Nuclear Power Plant, although it may also be a partnership, for example, between a vendor and operator, or a consortium of companies. The term RP is therefore used throughout this document to identify the organisation(s) undertaking GDA, irrespective of its composition.

designs, when it is most effective, to help ensure that they meet regulatory requirements and expectations. It should also contribute to achieving sustainability goals.

GDA is not a mandatory process, however BEIS anticipates that it will usually be requested for new nuclear power stations intended for construction in Great Britain because of its advantages for both reactor vendors and potential site licensees. GDA's staged approach allows for a systematic development of the RP's safety, security, and environment cases, building confidence in the technology. The successful completion of one step and progression to the next enables a stepwise increase in confidence that a design would be acceptable in Great Britain.

It should be noted that GDA, Nuclear Site Licensing, the Development Consent Order process, and environmental permitting are all separate assessment processes – provision of an output from GDA does not guarantee that subsequent processes or applications will be successful.

## 1.3 Modernised GDA

The Regulators modernised the GDA process in 2020, considering lessons learned from previous GDAs and recognising the emergence of Advanced Nuclear Technologies. This has introduced new flexibilities into the GDA process that can enable assessment of innovative Advanced Nuclear Technologies.

The modernised GDA has 3 Steps for ONR and EA to conduct the assessment. The scope and content for each step is detailed in the Regulators' guidance. The 3 steps are:

- Step 1 initiates GDA and is where matters such as the scope and timescales are agreed, and ONR's and the Environment Agency's knowledge of the design and the RP's safety, security and environment cases increase. Importantly this step includes the RP identifying any immediate gaps in meeting regulatory expectations and proposing how these will be subsequently resolved. The outcome of Step 1 is a Step 1 Statement which sets out the agreed scope and expectations for the subsequent GDA steps.
- Step 2 is the fundamental assessment of the generic safety, security, and environment protection cases, to identify any potential 'show-stoppers' that may preclude deployment of the design. The outcome of Step 2 is a formal statement of the Regulators' findings – the GDA Step 2 Statement.
- Step 3 is the detailed assessment of the generic safety, security, and environment protection cases on a sampling basis. The outcome of Step 3 can be either DAC & SoDA as available in previous GDAs for NPPs, or a Step 3 Statement of Regulators' findings depending upon the GDA scope agreed in Step 1, or an interim DAC and interim SoDA.

Importantly, RPs may choose to exit from GDA at the end of Step 2, after receiving their GDA Step 2 Statement. This would be agreed in advance as part of the scope in Step 1. The RP can also ask to restart the GDA process from the point it stopped previously, dependant on the availability of regulatory resources and may also require approval from BEIS to restart.

## 1.4 GDA Entry Process for Advanced Nuclear Technologies

To be considered for entry into GDA, RPs for Advanced Nuclear Technologies (the collective term for Small and Advanced Modular Reactors) must submit a GDA Entry Application to BEIS. Full instructions and information required for the GDA Entry Application pack can be found in Sections 2 and 3.

GDA is an intensive and demanding process for both RPs and the Regulators, and so the GDA Entry process has been designed to ensure RPs are fully prepared for GDA and that the technology is suitably ready to warrant the deployment of Regulatory resource.

The opportunity to apply to enter GDA will remain open as a continuous, ongoing process. Regulatory resource is finite but BEIS anticipates that RPs with credible requests for entry will only come forward as and when they are ready, and therefore that resource will match demand. However, RPs will be required to give BEIS a notice of intention to submit GDA Entry documentation in advance. Additional engagement prior to this step is strongly encouraged and welcomed by BEIS.

If a situation arises where credible interest in entering GDA approaches the limit of available regulatory resource, BEIS reserves the right to request additional information and could set out a more competitive application and evaluation process. This could involve temporarily suspending the open and continuous GDA Entry process, potentially including for RPs who have already submitted an application but have not been informed of the outcome, and instead opening a time-limited window for applications.

This entry process is aimed at Advanced Nuclear Technologies only.



## 2. Information for Requesting Parties

### 2.1 Procedure for Submitting Applications

BEIS requires that RPs notify BEIS of their intention to apply in advance of submitting an Entry Application, to enable BEIS and the Regulators to prepare the appropriate resources for the evaluation process.

BEIS recommends that RPs assume a three-month notification period in their planning timetable and asks that notification is provided to that timescale where possible. Where three months' notice is not provided, an RP may still be required to wait for this period before BEIS is able to start the assessment of the application. BEIS will confirm receipt of that notification. RPs should notify BEIS at [GDAentry@beis.gov.uk](mailto:GDAentry@beis.gov.uk), and include:

- Full contact details for the RP
- The date when the complete GDA Entry Application will be submitted
- The reactor type and technology to be taken through GDA
- The targeted GDA steps being applied for and outcomes (e.g. GDA Steps 1, 2 and 3 to DAC and SoDA)

For any questions regarding the GDA Entry process, please contact the GDA Entry Team in BEIS ([GDAentry@beis.gov.uk](mailto:GDAentry@beis.gov.uk)).

BEIS will maintain a public list of RPs whose applications are currently being assessed on the gov.uk website.

### 2.2 Documents Required for GDA Entry Application

The Application must supply answers to all questions and all requested information as set out below, and in full detail at Section 3:

- RP Structure & Governance
- Financial Standing
- Intellectual Property Arrangements
- Technology Overview (maximum 10 pages)
- Readiness for GDA (maximum 40 pages)
  - Programme Plan
  - Resource Plan
  - Financial Plan
  - Security Plan

- Business Plan Summary (maximum 10 pages)
- Declaration 1: Declaration of Eligibility
- Declaration 2: Declaration of Application in Good Faith

RPs should send their complete GDA Entry Application to BEIS at [GDAentry@beis.gov.uk](mailto:GDAentry@beis.gov.uk). BEIS may summarily refuse any application which does not comply with requirements contained in and referred to in this guidance.

BEIS or the Regulators shall also have the right to disqualify RPs from the GDA Entry process or from GDA respectively if it becomes apparent there is any omission or misrepresentation in the RPs' response to any question within their GDA Entry Application. This could include disqualification from future applications as well.

## 2.3 Other Guidance

It is important that all RPs consult the Regulators' guidance prior to submission of their Application to GDA Entry. The guidance documents from the Regulators are:

- Joint Guidance on GDA Office for Nuclear Regulation and Environment Agency: NEW NUCLEAR POWER PLANTS: A Guide to the Regulatory Process
- ONR: New Nuclear Power Plants: Generic Design Assessment Guidance to Requesting Parties;
- Environment Agency (EA) and Natural Resources Wales (NRW) New Nuclear Power Plants: Generic Design Assessment Guidance to Requesting Parties.
- ONR Additional Technical Guidance
- EA Additional Technical Guidance (available on request)

The guidance can be found on the ONR ([link](#)) and EA ([link](#)) websites.

## 2.4 Indicative Timetable

The exact time for BEIS and the Regulators to evaluate each application may vary. However, BEIS anticipates the process following this approximate timetable:

- RPs submit a Notice of Intention to apply for GDA Entry to BEIS (three months before application)
- Application submitted, and BEIS begins the evaluation process
- RPs receive notification of their application result within three to four months.
- For successful applicants, this would be followed by a short period to agree Cost Recovery Agreements with the Regulators, before initiating the first stage of GDA.

## 2.5 Terms and Conditions applying to this GDA Entry Application Process

Applicants are not entitled to claim from the Department any costs or expenses that they may incur in preparing their application irrespective of application outcome. The Department reserves the right to amend the instructions for GDA Entry, suspend or to withdraw this GDA Entry opportunity, including for RPs who have already submitted an application but have not been informed of the outcome. The Department will not be liable for any costs incurred by RPs during any stage of the process. The Department reserves the right to refuse any application that contravenes UK energy, nuclear or security policies.

## 2.6 Consortium Bids

In the case of an application from a consortium, only one application covering all partners is required, but the consortium must make clear the proposed role that each partner will play in GDA and subsequently in the UK nuclear market should there be a successful outcome to GDA. BEIS expect the RP to indicate who in the consortium is authorised to be the lead contact, and the organisation and governance associated with that consortium, as set out in Section 3.

The consortium should also make clear how they will manage any Intellectual Property Rights or commercial information held by consortium members, and any resulting licensing agreements.

BEIS recognises that arrangements in relation to consortia may (within limits) be subject to future change. RPs should therefore apply setting out the arrangements as currently envisaged. Should the RP be successful in applying for GDA Entry, the RP should note that any future proposed change in relation to membership of the consortium, including if an RP or consortium member undergoes a change of ownership, must be notified to the Regulators and BEIS.

## 3. GDA Entry Application Pack

This section identifies for RPs the information to include and questions to answer as part of a GDA Entry Application<sup>3</sup>, to be submitted to [GDAentry@beis.gov.uk](mailto:GDAentry@beis.gov.uk). BEIS requests that for clarity, each of the following subsections is submitted as a separate, named document to [GDAentry@beis.gov.uk](mailto:GDAentry@beis.gov.uk).

### 3.1 RP Structure and Governance

BEIS requires this key information from the RP if a single entity, or from all RP members if the RP involves a consortium. The RP is not required to provide details for their entire supply chain. The RP should engage with BEIS if any confusion arises on this matter.

#### 1. Provide the name and details of the Requesting Party (RP)

For the RP (or for each member if the RP is a consortium):

Please provide the full name of the organisation. If registered in the UK, please provide the registered address and company registration number.

If incorporated in another jurisdiction, please provide a certified copy of the company's constitutional documents (e.g. charter, statute, memorandum, and articles of association or equivalent) with a certified translation in English if the original is in a language other than English. To the extent not already contained in the company's constitutional documents please also provide the country of incorporation, the registered address in the country of incorporation, the identity of the register in which the company is registered and the registration number in that register.

If the RP is a consortium, please outline the membership and roles of each member in the consortium. Please indicate who in the consortium is authorised to be the lead contact, and the organisational and governance arrangements associated with that consortium. Please include the proposed role that each partner will play in GDA and subsequently in the UK nuclear market should there be a successful outcome to GDA.

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<sup>3</sup> Information provided as part of this application, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018, and the Environmental Information Regulations 2004).

RPs **must** inform BEIS where information provided should be treated as confidential but should be aware BEIS cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by an IT system will not be regarded by BEIS as a confidentiality request.

BEIS will process personal data in accordance with all applicable data protection laws. See our privacy policy. Data and responses may be processed by a third party contracted by BEIS.

## 2. Outline the control and ownership structure of the RP

For the RP (or for each member if the RP is a consortium):

Please confirm which individuals hold the most senior positions and who ultimately exercises control and influence (i.e. the principal decision makers) within the organisation. Please provide names of all such individuals, as well as all executive and non-executive directors.

Please clearly state who has authority over the proposed design and associated design decisions.

Please provide details of the ownership structure of the RP in a chart (family tree) format or in writing, establishing beneficial owners (as defined below). The chart or description provided by the RP should include:

- The full name of all entities and individuals present in the upward group structure. This includes the names of all intermediary companies and nominees (if applicable) leading up to the ultimate beneficial owners, including country of registration and registration number (for non-UK entities).
- Details of voting control where this does not align to equity stake – for example, where different share classes exist, these should be stated together with associated voting control details.
- The full breakdown of all share capital, including all share classes (this should total 100% at each level of the structure).
- Subsidiary companies of the RP (as defined in section 1159 of the Companies Act 2006) that are pertinent to the request.

For these purposes “beneficial owners” are any person, entity, company or government body with a direct or indirect 5% or more share of the RP’s business assets, equity, or voting rights, or who are in a position to control or access the intellectual property of the RP (both IP that the RP currently has and that which will be developed during GDA).

RP must inform BEIS of any changes to the funding arrangements, senior personnel and corporate structures which occur during the course of GDA Entry, or if there is a change of control.

Consortia may also need to comply with relevant legislation, such as the National Security and Investment Bill (when enacted).

## 3. Outline the organisational structure of the RP

For the RP (or for each member if the RP is a consortium):

Detail the internal organisational structure of the RP requesting GDA identifying the key business units that will be involved in GDA. In particular, please identify which part of the RP will perform the function of a UK regulatory interface should the design enter GDA. Please also

identify expected number of Full Time Equivalents anticipated to be involved in the GDA process.

If the RP does not yet have UK Regulatory Interface Office, please demonstrate how this function will be developed as part of the GDA programme plan – see Readiness for GDA, Section 3.5.

#### 4. Provide a full postal address for the RP

Please provide details of the office address of the RP's lead contact for the GDA Entry application, if different to the registered addresses already provided

#### 5. Identify the duty holder(s)

For the RP (or for each member if the RP is a consortium):

Where applicable, please identify the duty holder in relation to The Nuclear Industries Security Regulations (NISR) 2003 (as amended), Regulation 22.

This regulation applies to any person who has possession or control of sensitive nuclear information “relating to, or capable of use in connection with, the enrichment of uranium; or information relating to activities for the purposes of planning, designing, or constructing or operating any proposed nuclear premises, any installation or other facility on nuclear premises; and deemed to be of value to an adversary planning a hostile act”.

See [here](#) for more information. Please provide the full name of the duty holder who will be responsible for Sensitive Nuclear Information (SNI) during GDA.

If the RP does not yet have a Duty Holder (because the RP does not yet control sensitive nuclear information), please demonstrate how this function will be developed in their GDA Programme and Security Plans – see Readiness for GDA.

#### 6. Provide contact details for key staff involved

Please provide contact details for key staff involved in this GDA Entry Application and, should the application be successful, the GDA process. This should include:

- A UK team which would be the main point of contact with the nuclear Regulators during GDA
- Details of the individual(s) within the RP that have decision making authority, should their design enter GDA
- Provide a central contact for queries
  - Provide a physical contact address, as well as e-mail and telephone contact details
  - This central contact is solely for queries to the RP about GDA Entry and will only be used by BEIS and Regulators

## 7. Summarise research collaborators and/or sub-contractors involved in development of the reactor proposed for GDA

Please provide the details of research organisations, institutions, or universities, and/or other sub-contractors that the RP is working with or intends to work with to develop the reactor design. In particular, please identify sub-contractors who may have access to Sensitive Nuclear Information or Intellectual Property regarding the reactor design. Details should include name, address, and a summary of the collaboration or contract scope.

## 3.2 Financial Standing

For the RP, or for only the lead member if the RP is a consortium:

Please provide the following information on the financial standing and size of the RP:

- Details of annual turnover
- Number of employees
- Latest two sets of statutory accounts or where the next financial year end has passed but the annual accounts have not yet been approved, the draft statutory accounts (or management accounts where the draft statutory accounts are not available)
- Latest management accounts for the current year if more than 4 months have passed since the year end

If an RP, or the lead member if a consortium, is unable to provide details of its annual turnover and latest two sets of statutory accounts (or draft statutory accounts), the following information must be provided:

- Management accounts for the latest accounting period (a month or quarter end will suffice if annual accounts are not available), to include a profit and loss statement, balance sheet and cashflow statement. These should have been approved by the Board and be in sufficient detail to identify the sources of funding referred to in the application and whether any funding has been paid up.
- Bank statement(s) for the same accounting period i.e. if the management accounts are to 31st December 2021, the bank statement for that month and including that date.

### 3.3 Intellectual Property Arrangements

Please provide information on how Intellectual Property (IP) will be managed by the RP. This should include the following:

- Overall IP Management Strategy.
- Details of access to, or a credible plan to gain access to, the necessary IP (whether registered or unregistered), technology and confidential information for the GDA stages applied for.
- Identification of any licensing schemes/terms required to enable relevant communications between parties involved in GDA, including the Nuclear Regulators.
- A list of IP owners and country of ownership of technology, confidential information, and IP (registered or unregistered) with respect to any licensing schemes/terms.
- Ownership of or the right of licence to the necessary IP rights such that the IP can be submitted as part of the GDA as well as being provided to BEIS and the Nuclear Regulators (including NRW where applicable) to be appropriately considered as part of the GDA. This should not have onerous or unduly restrictive terms being imposed on the Nuclear Regulators, save where required to protect IP rights.
- Suitable arrangements in place with all contributors to and parties involved in relation to the NPP which allow the disclosure of IP and confidential information to the Nuclear Regulators (including the NRW where applicable) to be appropriately considered as part of the GDA without onerous or unduly restrictive terms being imposed on the Nuclear Regulators Process, save where such terms are necessarily required to protect IP rights.

### 3.4 Technology Overview

Please outline details of the design being submitted by the RP to enter GDA, with a summary of the key design features. It is suggested that this section comes to no more than 10 pages in total. This should include:

- Name of design
- Technology (e.g. Light Water Reactor, High Temperature Gas Reactor etc)
- Status of design (e.g. full plant design, conceptual plant design etc)
- Evidence to support design status and progress
- Thermal and electrical output of one module
- Reactor fuel type and enrichment, coolant, moderator and any new or novel features
- Anticipated fuel cycle, including identification of the supply chain and approach to spent fuel management



The RP should also describe the design maturity of the technology being submitted, with supporting evidence, and indicate any either completed or ongoing regulatory engagement in the UK or elsewhere. This information will be further used to inform the viability of the Readiness Plans submitted under Section 3.2.

Please also outline the Scope of the GDA request being submitted by the RP

The Nuclear Regulators have introduced flexibilities into the GDA process such that RPs can apply for GDAs with different outcomes. Previously achieving a DAC and SoDA has been the RP's sole goal of GDA. In the modernised GDA, RPs may commence GDA with different end points. These are Step 2 or Step 3 Statements in addition to DAC and SoDA.

Please state which GDA outcome the RP intends to set as their target in this GDA Entry Application:

- GDA Steps 1, 2 and 3 to DAC and SoDA
- GDA Steps 1, 2 and 3 to a Step 3 Statement
- GDA Steps 1 and 2 to a Step 2 Statement
- GDA Step 3 to a Step 3 Statement or to DAC and SoDA (only if an RP has previously received a Step 2 Statement)

RPs should refer to the Regulators' Guidance and explain why they consider that the current status of their design and the extent and maturity of its safety, security and environment documentation are sufficient for the requested assessment. RPs should pay particular attention to explaining this if not applying for DAC and SoDA and should further explain why they are targeting their chosen outcome.

Please note that information regarding the RPs programme, resource, finance planning should be consistent with the requested level of assessment, e.g. if an RP were to request all GDA steps and intended to raise finance between steps, this should be reflected in their programme and finance plans. Alternatively, if an RP is only applying for a Step 2 Statement at this stage, there would be no need to demonstrate a programme plan for Step 3/DAC and SoDA.

All RPs should refer to the regulators' guidance for more information on GDA scope and the associated outputs. Complementary guidance from EA should also be considered.

## 3.5 Readiness for GDA

GDA is a rigorous and demanding process on RPs. BEIS and the Regulators require confidence that RPs will be able to complete their requested GDA; that they understand the process and the expectations of the Nuclear Regulators.

RPs are asked to share their plans to demonstrate their capability to proceed through the GDA. The purpose of this is to determine whether an RP has realistic Programme Management, Resource, Finance and Security plans to take their proposed technology through the

assessment process. As stated in Section 3.4, details and evidence of the RP's technology maturity level will be considered when evaluating into this section.

It is suggested that the RP's four readiness plans together come to no more than 40 pages in total.

### 3.5.1 Programme Plan

Provide a plan showing the RPs intended GDA Programme. The plan should:

- Identify intended GDA timescales and key workstreams commensurate with the RP application (i.e. for a full GDA or Step 1 & 2 only), noting that the timescales in the guidance to RPs are indicative.
- Identify key milestones within the respective Steps, including but not limited to the submission of Level 1 Safety, security and environmental submissions, submission of Readiness Review evidence packs etc.
- Identify plans to address gaps in items requested in sections 3.1 and 3.4 e.g. plan(s) to develop a UK Regulatory Interface Office; SNI Duty Holder function; UK licence agreements for 3rd party owned IP.
- Confirm that the RP will meet the Regulators' GDA requirements on setting up a public website, providing information to the public, and enabling a comments process.
- Consider key support documentation, e.g. Safety Assessment Principles (SAPs), Security Assessment Principles (SyAPs) etc
- Identify early risks to completing GDA e.g. access to information/critical documentation.
- Evaluate and mitigate, where possible, any risks to providing documentation on time, or other general risks to the conduct of the GDA.
- Identify any other key milestones, workstreams, dependencies, and risks, and outline the Project Portfolio Management and Quality Assurance governance arrangements.

### 3.5.2 Resource Plan

Provide a resourcing strategy showing how the RP intends to resource their intended GDA Programme. The strategy should:

- Identify the RPs overarching resourcing strategy for GDA e.g. internal 'vs' external resourcing
- Identify the RPs forecast resources requirements commensurate with their application and on a topic-by-topic basis, in particular access to Suitably Qualified and Experienced People (SQEP)
- Outline how the RP intends to deliver their resourcing strategy, including the ability to dynamically respond to change, including the level of personnel resource utilisation at each stage of GDA

- Outline how the RP intends to demonstrate to the Regulators that their current and future staff are SQEP
- Outline where the RP will gain access to and make use of resources providing advice in a UK regulatory context

### 3.5.3 Finance Plan

Provide a plan showing how the RP intends to finance the GDA. The plan should:

- Identify the overall financing strategy for GDA e.g. internal 'vs' external funding, including proposed funding routes, including equity or loans or other funding routes from overseas
- Outline the RPs forecast costs for GDA split by RP costs and Regulators costs commensurate with their application, noting the regulator costs are to be borne by the RP.
- Identify the governance mechanisms and timescales to secure additional funding.
- The detailed cashflow forecast that supports the narrative text provided in the application. This should be in sufficient detail to identify the assumed payment of GDA fees at various dates and the amounts and timing of further amounts forecast to be received to fund the process.
- If any funds received have repayment terms, interest accruals or dividend/distribution rights that could result in cash outflows during the GDA process, please ensure these are disclosed.

Please note it is not necessary for an RP to have access to all necessary funds at the start of GDA, but the RP should show a credible plan of how it will raise finance, include routes to access funding (where necessary) and the anticipated timeline to gain access to funding. RP's must inform BEIS of any changes to this plan during the GDA Entry process.

### 3.5.4 Security Plan

Provide a Security Plan of how the RP plans to comply with UK specific security requirements. RPs are advised to read the GDA Security Assessment Principles and consider how they plan to develop their security procedures.

- This must include information on how the RP will approach security, safeguards, and non-proliferation aspects
- This should include a plan on developing compliance with security relevant regulations
- The security plan should also answer the following questions regarding export control compliance,

1. Will any information, technology, software, or other relevant goods be exported outside of Great Britain by the RP as part of the GDA?
2. If so, are the items/information in the proposed export(s) found on the Nuclear Suppliers Group Trigger List therefor being subject to export control laws?
3. If there are items/information which would require export control licensing, identify the countries of origin of the relevant technologies (other than UK).
4. Has the RP contacted the Export Controls Joint Unit or BEIS Non-Proliferation Unit about the proposed export associated with the GDA application?
5. Has the RP started any export licence applications for the GDA project?
6. Does the RP have any existing export licences that cover any of the proposed exports?
7. How are issues related to Export Control currently managed by the RP?
8. Does the RP have an Export Control Manager or dedicated point of contact for export control?

## 3.6 Business Plan Summary

RPs are asked to summarise and explain their longer-term commercial plan. It is suggested that this section should be no more than 10 pages in total. The summary should include:

- How the requested GDA supports the RP to realise its Business Plan.
- How the RP plans to develop their proposed design to commercialisation or deployment in the UK:
  - For instance, if an RP intends to build commercial power plants, the RP should include information demonstrating how their design will be developed from its current position to commercial power plant deployment.
  - Alternatively, if the RP's plan is to develop a saleable product for others to build in the UK, the RP should include information demonstrating how they plan to achieve this.
- Any key challenges the RP sees to commercialisation and the RP's risk management approach to overcoming them.
- Support expected from other stakeholders (BEIS or otherwise) in enabling this Business Plan.
- Any additional supporting evidence to substantiate the Business Plan, including:
  - Evidence of design maturity, to support claims of proximity to market;
  - Evidence of customer Intent to support claims of potential market, interested buyers, operators, or financiers;
  - Evidence of supplier Intent to support claims of manufacturability

## 3.7 Declaration of Eligibility

RPs must meet certain eligibility criteria to apply for GDA, listed below. Please sign the Declaration of Eligibility form, found in Section 6, as part of the Application.

### Eligibility Criteria

**Constitution:** The RP (or the lead partner if a consortium) is a registered company.

**Offences:** Neither the RP (or any of the consortium partners), nor any of its/their directors or officers, have been convicted of any of the offences listed under regulation 57(1) of the Public Contracts Regulations 2015<sup>4</sup>. This also applies to any parent companies (as defined by section 1162 of the Companies Act 2006) and to directors and officers of those parent companies.

**Sanctions:** Neither the RP (or any of the consortium partners if a consortium), nor any of its/their directors or officers, are subject to United Nations, European Union or United Kingdom sanctions. This also applies to all entities and individuals in the upward group structure, directors, and officers of those companies.

**Solvency:** The RP (or any of the consortium partners if a consortium) is not in the situation described in Article 57(8)(b) of the Public Contracts Regulations 2015 (it is not the subject of insolvency or winding-up proceedings etc., or in any analogous situation arising from a similar procedure under the laws and regulations of any state). This also applies to any parent companies (as defined by section 1162 of the Companies Act 2006). This also applies to all entities and individuals in the upward group structure, directors and officers of those companies.

**Non-proliferation:** The RP (or each of the consortium partners if a consortium), and all entities in the upward group structure are associated with a country that has both signed and ratified the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and one of:

- a Voluntary Offer Agreement (VOA)
- or a Comprehensive Safeguards Agreement (CSA)
- or modified Small Quantities Protocol (mSQP),
- and an Additional Protocol (AP) with the International Atomic Energy Agency (IAEA). The AP should be universal, and supplementary to whichever of the three primary safeguards agreements the country has with the IAEA

The RP (or each of the consortium partners if a consortium), and all entities in the upward group structure are not associated with a country which is subject to United Nations or European Union sanctions due to infringements of the NPT, their CSA, or an associated

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<sup>4</sup> See: [http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi\\_20150102\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf)

Additional Protocol. In this context 'associated with' is defined as incorporated in, operating in, or owned (directly or indirectly) by nationals of this country.

**Intellectual Property:** The RP (or one of the consortium partners if a consortium) must have access to, or a credible plan to gain access to, the necessary Intellectual Property (IP) for the GDA applied for. By making this declaration the RP is confirming that the RP itself (or one of the consortium partners), its parent(s) or subsidiaries (as defined by section 1162 of the Companies Act 2006) own the IP which will be used during GDA and in respect of any 3rd party owned IP, has licences to access the IP in the UK.

**Export Controls:** Where technology, software or other items are subject to export controls, confirm that the RP holds an export licence to cover the GDA project, or has contacted the Export Controls Joint Unit or BEIS Non-Proliferation Unit to discuss the necessary export licence application.

**Sensitive Nuclear Information or Intellectual Property:** Where lead contractors or sub-contractors have access to Sensitive Nuclear Information or Intellectual Property regarding the reactor design, they have appropriate security measures in place to protect these. Further information is in the link below.

<http://www.onr.org.uk/cnss/regulation-of-sensitive-nuclear-information-list-n.htm>

## 3.8 Declaration of Good Faith

Please sign the Declaration of Good Faith form, found in Section 7, as part of the Application.

By applying to enter GDA the RP is assumed to be applying in good faith, and, as such, that the RP (or each of the member if the RP is a consortium) is:

1. **Aware** of the Regulators' contracting requirements (cost-recovery process) and that a full cost-recovery agreement will need to be in place before Step 1 of GDA.
2. **Willing to enter a cost-recovery agreement** and so accept responsibility for costs incurred by the Regulators as part of GDA, including costs incurred by the regulator if the RP were to withdraw prematurely from the agreed GDA process for any reason.
3. **Prepared** to be assessed under the ONR and EA principles and guidance, including the ONR's Safety Assessment Principles, and Security Assessment Principles, and the EA's Radioactive Substance Regulation Environmental Principles.
4. **Able** to make available to the Nuclear Regulators, in a timely manner, all necessary design, environmental, safety case, security and safeguards related information during GDA, including proprietary information owned by third parties.
5. **Aware** that a successful application to enter GDA does not guarantee that GDA will be completed successfully and/or that a Step 2 Statement, Step 3 Statement, DAC/SoDA will be issued.

An RP's application for GDA must include 2 signed declarations from company directors and/or a company secretary, where appropriate on behalf of the RP or if relevant, its parent(s) and

consortium partner(s). Declaration 1 is a Declaration that the RP, its parent(s) and partner(s) meet the eligibility criteria. Declaration 2 is a Declaration that the RP (or the consortium) and its partners are applying in good faith with respect to the Regulators' costs and ways of working during GDA and confirm that the application and any enclosures are true and correct to the best of the directors' knowledge and belief [after making due and careful enquiries].

In addition to the Declarations described in this section, BEIS reserves the right to exclude applications for GDA Entry on additional grounds relating to the corporate good standing of the RP and its directors, which are set out in Section 3.1, or on national security grounds.

## 4. Evaluation of GDA Entry Applications

The evaluation process will be conducted to ensure that RP applications are evaluated fairly and transparently, in accordance with outlined assessment criteria below.

### 4.1 Checks and Due Diligence:

The following checks and due diligence will be undertaken against all applications:

- **Completeness Check** – The application will be checked to ensure all sections have been completed. Incomplete applications may be rejected depending on what evidence is absent. BEIS may also ask an RP to provide any missing information, or to complete incomplete sections.
- **Financial Standing Check** – Applications and/or information provided in the application will be used to carry out financial due-diligence on the RP. Ministers will be advised of the outcome of this financial due diligence.
- **Declarations Check** – Completeness checks will confirm that all Declarations have been made. Declarations checks may also involve spot checks of applications against public records e.g. Companies House registrations.
- **National Security issues will also be considered**

The outcomes of the checks and due diligence will be used to advise ministers. Failure to meet any of the above checks may lead to rejection of an application.

### 4.2 Readiness for GDA Scored Assessment

Assessment of an RP's readiness to enter GDA will be done by scored evaluation, carried out by a panel of at least three people comprising staff with relevant expertise from BEIS and the Regulators, and chaired by BEIS.

The panel will agree a score between 1 and 5 for each of the four readiness plans, assessing the evidence presented against the RP's readiness to engage with the GDA process. RPs are asked to demonstrate realistic Programme, Resource, Finance and Security Plans for GDA, consistent with each other.

To progress to GDA, an application must score at least 3 (Satisfactory) for each of the four plans (Programme, Resource, Finance and Security):



Score	Description
1	Not Satisfactory: Application contains significant shortcomings and does not meet the required standard to give confidence of readiness for GDA
2	Partially Unsatisfactory: Application partially meets the required standard, with one or more moderate weaknesses or gaps leaving reservations regarding readiness for GDA
3	Satisfactory: Application mostly meets the required standard, with one or more minor weaknesses or gaps, giving confidence of readiness for GDA
4	Good: Application meets the required standard, with moderate levels of assurance, giving confidence of readiness for GDA
5	Excellent: Application fully meets the required standard with high levels of assurance, giving strong confidence of readiness for GDA

## 5. Decisions and Notification

BEIS Ministers are the decision-makers for the GDA Entry process. As set out in Section 4, BEIS Ministers will be advised of the outcomes of the scored “Readiness for GDA” assessment along with advice on regulatory capacity, national security, and other checks and due diligence referred to in the Guidance. Ministers will take account of all aspects of this advice when deciding whether to accept the application or not.

Once Ministers have made their decision, RPs will be notified of the outcome of their applications. Ministers will also write to the Regulators to notify them of the outcome. The Regulators will be asked to commence GDA with successful RPs.

After being notified, the Regulators will contact successful RPs to arrange cost-recovery agreements and, once agreed, to initiate Step 1.

The Regulators are independent of Government. As such, the Regulators will exercise their own discretion when scheduling the formal start of Step 1 once cost-recovery agreements have been signed. This is so the Regulators can make available the right staff for effective Step 1 kick-off and to manage logistics should multiple GDA applications be successful.

## 6. Declaration 1: Declaration of Eligibility

To: The Department for Business, Energy & Industrial Strategy

Having considered the Entry to Generic Design Assessment for Advanced Nuclear Technologies: Instructions and Guidance for Requesting Parties documentation and eligibility criteria for applying for GDA, we confirm that the information included in this response is true and correct to the best of our knowledge, and that we are eligible to apply for GDA.

.....

Signature (duly authorised on behalf of the RP (including any and all consortium members))

.....

Print name

.....

On behalf of (RP name)

.....

Date

## 7. Declaration 2: Application in Good Faith

To: The Department for Business, Energy & Industrial Strategy

1. Having considered the Entry to Generic Design Assessment for Advanced Nuclear Technologies: Instructions and Guidance for Requesting Parties documentation and all accompanying documents (including without limitation, the terms and conditions of the Regulators' Cost Recovery Agreements) we confirm that we,

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wish to enter GDA and be bound by all requirements of BEIS and the Regulators.

2. We agree that any insertion by us of any conditions qualifying this application or any unauthorised alteration to any of the Regulators' Cost Recovery Agreement terms and conditions made by us may result in the rejection of this application.
3. We agree that this application shall remain open to be accepted by the Department between date of submission and [period] following the close of the application window.
4. We understand that the Department is not bound to accept the highest scoring or any application it may receive.
5. We confirm that the information provided in this application is accurate and representative, with genuine intent to proceed through GDA, to the best of our knowledge and belief.

.....

Signature (duly authorised on behalf of the RP (including any and all consortium members))

.....

Print name

.....

On behalf of (organisation name)

.....

Date

# 8. Confidentiality

## 8.1 Privacy Notice

This notice sets out how BEIS will use the RP's personal data, and the RP's rights. It is made under Articles 13 and/or 14 of the UK General Data Protection Regulation (UK GDPR).

### **RP PERSONAL DATA**

We will process the following personal data:

Names and contact details of employees involved in preparing and submitting the application;  
Names and contact details of employees proposed to be involved in the GDA applied for;  
Names, contact details, age, qualifications, and experience of employees whose CVs are submitted as part of the application.

#### *Purpose*

BEIS are processing RP personal data for the purposes of this GDA Entry application exercise described within the remainder of this document, or in the event of legal challenge to such GDA Entry application exercise.

#### *Legal basis of processing*

The legal basis for processing RP personal data is that processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

#### *Recipients*

RP personal data will be shared by us with other Government Departments or public authorities where necessary as part of the GDA Entry application exercise. BEIS may share RP data if BEIS are required to do so by law, for example by court order or to prevent fraud or other crime.

#### *Retention*

All personal data within applications will be retained for a period of 15 years from the date of submission of the GDA Entry application.

### *RP Individual rights*

RPs:

- have the right to request information about how their personal data are processed, and to request a copy of that personal data.
- have the right to request that any inaccuracies in their personal data are rectified without delay.
- have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.
- have the right to request that their personal data are erased if there is no longer a justification for them to be processed.
- have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of their personal data is restricted.
- have the right to object to the processing of their personal data where it is processed for direct marketing purposes. have the right to object to the processing of their personal data.

### *International transfers*

RP personal data will not be processed outside the United Kingdom or European Economic Area (EEA)

### *Complaints*

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House, Water Lane  
Wilmslow, Cheshire  
SK9 5AF

Phone: 0303 123 1113      Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

### **Contact details**

The data controller for your personal data is the Department for Business, Energy & Industrial Strategy (BEIS).

You can contact the BEIS Data Protection Officer at: BEIS Data Protection Officer, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET. Email: [dataprotection@beis.gov.uk](mailto:dataprotection@beis.gov.uk).

## 9. Discretionary exclusions

In addition to the terms and conditions laid out in the guidance above, BEIS reserves the right to exclude an application for GDA on any of the following grounds:

### 9.1 Misrepresentations in their application

Where:

- An RP misrepresents their organisation or application
- An application includes misleading information
- An application is incomplete
- Evidence submitted is incomplete
- An RP does not agree to meet cost recovery requirements

### 9.2 Obligations in the field of environment, social and labour law

Where an RP has violated applicable obligations in the fields of environmental, social and labour law established by national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex 1 to the Directive (see copy below) as amended from time to time; including the following:

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.
- In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.



### 9.2.1 Annex 1: Extract from Public Procurement Directive 2014/24

#### **LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —**

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

## 9.3 Grave professional misconduct

Where an organisation or its directors have been found guilty of grave professional misconduct.

## 9.4 Distortion of competition

Where it comes to BEIS's attention that the RP, including the principal or partner organisations, or its directors have previously entered into agreements with other economic operators aimed at distorting competition.

## 9.5 Misrepresentation and undue influence

Where BEIS determines that the RP has influenced the decision-making process of the decision-making authority to obtain confidential information that may confer upon the organisation undue advantages in the application procedure, or to negligently provided

misleading information that may have a material influence on decisions concerning exclusion, selection or award.

## 9.6 Breach of tax or social security obligations

Where BEIS determines that the RP has breached obligations relating to the payment of taxes and/or social security contributions.

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This publication is available from: [www.gov.uk/government/publications/entry-to-the-generic-design-assessment-for-advanced-nuclear-reactors](http://www.gov.uk/government/publications/entry-to-the-generic-design-assessment-for-advanced-nuclear-reactors)

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