# Consultation on Draft Nuclear Safeguards Regulations - response form

The consultation is available at: <https://www.gov.uk/government/consultations/nuclear-safeguards-regulations>

The closing date for responses is **11.59pm on Friday 14th September**.

Please return completed forms to:

Nuclear Safeguards Consultation

Euratom Exit Team
Department for Business, Energy & Industrial Strategy,
3rd Floor, Area ‘Victoria 327’,
1 Victoria Street,
London, SW1H 0ET

Email: nuclearsafeguardsconsultation@beis.gov.uk

Please be aware that we intend to publish all responses to this consultation.

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the consultation document for further information.

If you want information, including personal data, that you provide to be treated as confidential, please explain to us below why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we shall take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

I want my response to be treated as confidential [ ]

Comments: Click here to enter text.

## Questions

Name:
Organisation (if applicable):
Address:

|  | Respondent type |
| --- | --- |
| [ ]  | Business representative organisation/trade body |
|[ ]  Central government |
|[ ]  Charity or social enterprise |
|[ ]  Individual |
|[ ]  Large business (over 250 staff) |
|[ ]  Legal representative |
|[ ]  Local government |
|[ ]  Medium business (50 to 250 staff) |
|[ ]  Micro business (up to 9 staff) |
|[ ]  Small business (10 to 49 staff) |
|[ ]  Trade union or staff association |
|[ ]  Other (please describe) |

Question 1 (Impact Assessment, Paragraphs 32-35)

## Do you have any comments or evidence to give us on the analysis set out in the impact assessment?

Comments: Click here to enter text.

Question 2 (Cost Recovery, Paragraphs 36-42)

## If the UK safeguards regime were to be funded by a cost recovery scheme, how would this affect your business?

[ ] This would greatly affect my business

[ ]  This would have some effect on my business

[ ]  This would have little effect on my business

[ ]  There would be no effect on my business

## If applicable, please give details in support of your answer to a.

Comments: Click here to enter text.

## Please give details on how a provision to enable an operator to recover costs of certain special services to the regulator would affect your business.

Comments: Click here to enter text.

Question 3 (Equalities Analysis, Paragraphs 43-44)

Do you have any evidence which suggests that the new regime would disproportionately affect those with protected characteristics or will not be fully effective for all target groups?

Comments: Click here to enter text.

Question 4 (Commencement, Paragraphs 46-50)

## Do you support the staggered approach to commencement, for the reasons set out in the consultation document?

[ ] Yes [ ] No

What, if any, changes would you propose, and why?

Comments: Click here to enter text.

Question 5 (Definitions, Paragraphs 51-56)

## How could the definitions set out in Regulation 2 be improved? Please make it clear which definition you are referring to and explain your reasoning. Please state whether you think any additional definitions should be added, and what these are.

Comments: Click here to enter text.

Question 6 (Basic Technical Characteristics, Paragraphs 59-63)

## How could regulation 3 on declaring to the Office for Nuclear Regulation the basic technical characteristics of a qualifying nuclear facility, or the forms set out in Part 1 of Schedule 1, be improved? Please make it clear specifically what you are referring to and explain your reasoning.

Comments: Click here to enter text.

Question 7 (Programme of Activities, Paragraphs 64-68)

## Is regulation 4, to submit an annual programme of activities to the Office for Nuclear Regulation for the upcoming year - and the form set out in Part 8 of Schedule 1 - adequate?

[ ] Yes [ ] No

If not, please make it clear precisely what you are referring to and give your reasoning.

Comments: Click here to enter text.

Question 8 (Particular Safeguard Provisions, Paragraphs 69-73)

## Acting on the basis of the technical characteristics, do you agree that regulation 5 on particular safeguard provisions facilitates more effective verification of a qualifying nuclear facility by the Office for Nuclear Regulation?

[ ] Yes [ ] No

If not, please give your reasoning.

Comments: Click here to enter text.

## What specific changes would you make to regulation 5 and why?

Comments: Click here to enter text.

Question 9 (Accountancy and Control of Qualifying Nuclear Material, Paragraphs 74-80)

## Do you agree that regulation 6, on maintaining a system of accountancy and control, which includes keeping accounting and operating records and providing reports to the Office for Nuclear Regulation, is clear?

[ ] Yes [ ] No

If not, please give your reasoning.

Comments: Click here to enter text.

## Will Schedule 2, which sets out the components of a system of accountancy and control plan, enable operators to fulfil the accountancy and control requirements?

[ ] Yes [ ] No

If not, please detail which aspect you are referring to and explain why.

Comments: Click here to enter text.

Question 10 (Accountancy and Control Plan, Paragraphs 81-87)

## Do you agree that regulations 7 to 9 on an accountancy and control plan will help the Office for Nuclear Regulation ensure compliance with the draft Nuclear Safeguards Regulations in a manner that is consistent with good regulatory practice?

[ ] Yes [ ] No

If not, please give specific reasons.

Comments: Click here to enter text.

## Do you agree that the timescales for submitting the first accountancy and control plan are reasonable?

[ ] Yes [ ] No

If not, please give your reasoning.

Comments: Click here to enter text.

Question 11 (Operating and Accounting Records, Paragraphs 88-96)

## Are regulations 10 to 12 for keeping and maintaining operating and accounting records and reports by operators clear and practical?

[ ] Yes [ ] No

If not, please detail how they could be improved.

Comments: Click here to enter text.

Question 12 (Initial Book Inventory, Paragraphs 97-100)

## Please give us specific comments on practical issues associated with applying regulation 13 and on using the form set out in Part 4 of Schedule 1.

Comments: Click here to enter text.

Question 13 (Inventory Change Report, Paragraphs 101-106)

## Do you agree that regulation 14 and the form set out in Part 2 of Schedule 1 clearly set out the requirements for inventory change reporting?

[ ] Yes [ ] No

If not, please give your reasoning and suggestions for improvements.

Comments: Click here to enter text.

Question 14 (Material Balance Report and Physical Inventory Listing, Paragraphs 107-108)

## Do you agree that regulation 15 on material balance report and physical inventory listing and the forms set out in Part 3 and 4 of Schedule 1 are clear?

[ ] Yes [ ] No

If not, please give your reasons and suggestions for improvements.

Comments: Click here to enter text.

Question 15 (Special Reports, Paragraphs 109-112)

## Do you agree that regulation 16, together with regulations 17 and 23, delivers the intended purpose of requiring operators to submit special reports to the Office for Nuclear Regulation in the circumstances described?

[ ] Yes [ ] No

If not, please give your reasoning.

Comments: Click here to enter text.

## Are there any other unusual occurrences that you believe should be captured by this regulation?

Comments: Click here to enter text.

**Question 16 (Reporting of Nuclear Transformations, Paragraphs 113-115)**

## Do you agree that regulation 18 is clear about how operators should describe the transformation of nuclear material in their reactors?

[ ] Yes [ ] No

If not, please say why and what improvements should be made?

Comments: Click here to enter text.

**Question 17 (Additional Obligations Arising from Relevant International Agreements, Paragraphs 116-123)**

## Do you agree that regulation 19 on relevant international agreements in relation to Nuclear Cooperation Agreements delivers its purpose of requiring the UK to account for qualifying nuclear material covered by these agreements?

[ ] Yes [ ] No

If not, please state why.

Comments: Click here to enter text.

**Question 18 (Weight Units and Categories of Qualifying Nuclear Materials, Paragraphs 124-127)**

## Do you agree that regulation 20 on weight units and categories of qualifying nuclear materials ensures a consistent approach to reporting across all operators?

[ ] Yes [ ] No

If not, please give your reasons and suggestions for improvements.

Comments: Click here to enter text.

**Question 19 (Exports and Imports, Paragraphs 128-142)**

## Do you agree that regulations 21 to 24 on exports, imports, loss or delay during transport and communication of change of date, together with the forms set out in Parts 5 and 6 of Schedule 1, are clear and effective?

[ ] Yes [ ] No

If not, please be specific about why and anything else which should be included.

Comments: Click here to enter text.

**Question 20 (Carriers and Temporary Storage Agents, Paragraphs 143-147)**

## Do you agree that regulations 25 and 26 on carriers and temporary storage agents, and intermediaries should be included in the domestic regulations?

[ ] Yes [ ] No

Please elaborate on the reasons for your answer.

Comments: Click here to enter text.

**Question 21 (Ores, Paragraphs 148-151)**

## Do you agree that regulations 27 and 28 on ores, and the form in part 7 of Schedule 1, should be included in the domestic regulations?

[ ] Yes [ ] No

Please elaborate on the reasons for your answer.

Comments: Click here to enter text.

**Question 22 (Waste, Paragraphs 152-156)**

## Do you agree that regulations 29 and 30 on waste - and the forms in parts 9 and 10 of Schedule 1 – are clear and effective?

[ ] Yes [ ] No

If not, please give your reasoning.

Comments: Click here to enter text.

**Question 23 (Qualifying Nuclear Facility with Limited Operation and an Exemption, Paragraphs 157-170)**

## Do you agree that regulations 31 and Form 11 provide an appropriate regime for operators of a qualifying nuclear facility with limited operation?

[ ] Yes [ ] No

If not, please state your reasons.

Comments: Click here to enter text.

## Do you agree that the meanings of reactor, critical facility, conversion plant, fabrication plant, reprocessing plant, isotope separation plant and storage installation, are technical terms which do not need to be defined in the Nuclear Safeguards Regulations?

[ ] Yes [ ] No

If not, what are your reasons?

Comments: Click here to enter text.

## Do you agree that the exemption set out in Regulation 32 is appropriate?

[ ] Yes [ ] No

If not, what are your reasons?

Comments: Click here to enter text.

**Question 24 (Civil Activities, Paragraphs 173-179)**

## Do you have any comments on regulations 33 and 34 - and the form at Part 12 of Schedule 1?

Comments: Click here to enter text.

**Question 25 (Communication, Paragraphs 180-183)**

## Do you have any suggestions about anything that should be added to regulation 35 on communication with the Office for Nuclear Regulation?

Comments: Click here to enter text.

**Question 26 (Safeguards Equipment, Paragraphs 184-188)**

## Do you agree that regulations 36 to 38 on installation of safeguards equipment for nuclear material accountancy and surveillance provides the Office for Nuclear Regulation with appropriate powers to gain independent confirmation of information generated by an operator through suitable safeguards equipment?

[ ] Yes [ ] No

If not, please explain why.

Comments: Click here to enter text.

**Question 27 (The Office for Nuclear Regulation, Paragraphs 189-194)**

## Do you have any comments on regulations 39 to 42 on the activities of the Office for Nuclear Regulation as the UK’s safeguards regulator?

Comments: Click here to enter text.

**Question 28 (Offences, Paragraphs 195-204)**

## Do you agree that regulation 43 delivers our aim of proportionality on offences?

[ ] Yes [ ] No

If not, please state what your reasons for this are.

Comments: Click here to enter text.

## What suggestions do you have to improve regulation 43 and what is your reasoning for this?

Comments: Click here to enter text.

**Question 29 (Definition of Fissionable Material, Paragraphs 205-208)**

## Do you agree with the proposed definition of “fissionable material” set out in regulation 44?

[ ] Yes [ ] No

If not, what suggestions do you have to improve it?

Comments: Click here to enter text.

**Question 30 (Definition of Relevant International Agreement, Paragraphs 209-220)**

## Is the proposed definition of “relevant international agreement” set out in regulation 45 clear?

[ ] Yes [ ] No

If not, what suggestions do you have to improve it?

Comments: Click here to enter text.

**Question 31 (Notification to the Secretary of State, Paragraphs 221-237)**

## Do you agree with the proposed method of implementing the provisions of “relevant international agreements” contained within Chapter XIV?

[ ] Yes [ ] No

If not, what suggestions do you have to improve it?

Comments: Click here to enter text.

## Do you have any comments on the proposed regulations 46 to 51?

Comments: Click here to enter text.

**Question 32 (General, Paragraphs 238-242)**

## Do you have any comments on the proposed regulations 52 to 56 and amendments set out in Part I of Schedule 3?

Comments: Click here to enter text.

**Question 33 (Transitional Provisions, Paragraph 243)**

## Do you have any comments on the proposed transitional arrangements?

Comments: Click here to enter text.

## How could the proposed transitional provisions for Schedule 4 be improved, with particular reference to practical examples?

Comments: Click here to enter text.

## Do you consider that transitional arrangements could impose burdens on industry?

[ ] Yes [ ] No

If so, please provide further information in support of your answer.

Comments: Click here to enter text.

**Question 34 (Transitional Provisions, Paragraph 244)**

## Do you have any comments on the review arrangements, set out in regulation 58?

Comments: Click here to enter text.

**Question 35**

## Do you have any further comments to make on the regulations, which have not been covered anywhere above?

Comments: Click here to enter text.

**Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.**

Please acknowledge this reply [ ]

At BEIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

[ ] Yes [ ] No