Department for Business, Energy & Industrial Strategy

Nuclear Safeguards Bill Fact Sheet
Summary Q&A

February 2018

Nuclear Safeguards Bill: Factsheet

Why do we need a Bill?

- The UK has committed, as a member of the International Atomic Energy Agency (IAEA) to have in place nuclear safeguards, which are processes that allow countries to show to the international community that civil nuclear material is only used for civil activities.
- The UK nuclear safeguards regime is currently provided primarily by the European Atomic Energy Community (Euratom).
- The EU and Euratom are uniquely legally joined so when we formally notified our intention to leave the EU we also commenced the process for leaving Euratom.
- The Bill enables the UK to set up a domestic safeguards regime to meet our international commitments on safeguards, and nuclear non-proliferation, standards.
- The new domestic nuclear safeguards regime will be equivalent in effectiveness and coverage to currently provided for by Euratom.
- The new regime will be run by the Office for Nuclear Regulation (ONR) which already regulates nuclear safety and nuclear security.

What will the Bill do?

- The measures in the Bill will amend the Energy Act 2013 to:
  - replace the ONR's existing nuclear safeguards purposes with a new nuclear safeguards purposes definition (the ONR will regulate the new nuclear safeguards regime using its existing relevant functions and powers);
  - create new powers for the Secretary of State, so he can put in place in regulations the detail of the domestic safeguards regime, such as accounting, reporting, control and inspection arrangements;
- The Bill will also create a limited power for the Secretary of State by regulations to amend the Nuclear Safeguards and Electricity (Finance) Act 1978, Nuclear Safeguards Act 2000 and the Nuclear Safeguards (Notification) Regulations 2004 so that references in legislation to existing international agreements can be updated once new international agreements have been reached.
- The UK has been a member of the IAEA since its formation in 1957 and will continue to apply civil nuclear safeguards in the UK.

What are nuclear safeguards?

- Nuclear safeguards include reporting on civil nuclear material holdings and development plans, international inspections of nuclear facilities and monitoring, including cameras in selected facilities.
- Nuclear safeguards are distinct from nuclear safety (the prevention of nuclear accidents) and nuclear security (physical protection measures), which are already regulated by the ONR.

What is Euratom?

- The European Atomic Energy Community (Euratom) is an international organisation established by the Euratom Treaty on 25 March 1957.
- The Euratom treaty is legally distinct from the European Union (EU) treaty, but has the same membership (which includes all 28 Member States), and makes use of the same institutions (the European Commission, Council and Courts of Justice).
- Euratom currently provides the basis for the regulation of civilian nuclear activity in the UK, including fuel supply, waste management and cooperation between nuclear states. It implements a system of safeguards, controls the supply of fissile materials within Euratom member states, guarantees high safety standards and funds international research into nuclear fission and fusion.

What countries have associate agreements with Euratom?

- Switzerland participates in the Euratom Research and Training Programme (2014 – 18) as an associated third state (through an "agreement for scientific and technological cooperation"). This arrangement only covers research and training and recognises a separate framework agreement for scientific and technical cooperation. It is also contingent on other matters such as free movement of people.
- Ukraine also recently associated to the Euratom Research and Training Programme (2014-18) through an agreement for scientific and technological cooperation. This agreement recognises the comprehensive Association Agreement between the EU / Euratom and Ukraine that includes provisions to facilitate cooperation across various sectors including civil nuclear.

What is the role of the Office for Nuclear Regulation (ONR)?

- The ONR will take on the role and responsibilities required to ensure the UK's new nuclear safeguards regime meets international safeguards, and nuclear non-proliferation, standards.
- The ONR is an independent regulator which was made a statutory public body through the Energy Act 2013. The 2013 Act sets out the role, functions and powers of the ONR.
- International oversight will be a key part of the future regime. The UK is seeking to conclude new agreements with the IAEA that follow the same principles as our current ones. This will ensure that the IAEA retains its right to inspect all civil nuclear facilities, and continue to receive all current safeguards reporting, ensuring that international verification of our safeguards activity continues to be robust.

What about medical radio isotopes?

- The UK's ability to import medical radioisotopes from Europe and the rest of the world will not be affected when Euratom arrangements no longer apply in the UK.
- As radioactive material, medical radioisotopes are captured by the Euratom Framework but Euratom places no restrictions on the export of medical radioisotopes to countries outside the EU.
- However, we acknowledge that future changes to customs and trading arrangements stemming from the UK's withdrawal from the EU and EU Customs Union have the potential to affect the import of medical radioisotopes from the EU.
- A cross-Departmental effort has already been underway since the summer of 2017 with relevant Departments to coordinate and deliver a unified approach towards ensuring continuity of supply for medical radioisotopes after EU exit.
- The Department of Health and Social Care organised a Stakeholder Roundtable on 8 December 2017 together with BEIS, DExEU, HMRC and NHS England which gathered the Royal College of Radiologists (RCR), British Nuclear Medicine Society (BNMS), British Medical Association (BMA), the UK Radio pharmacy Group and the Society and College of Radiographers.
- The Roundtable was a well-received opportunity for the Government and stakeholders to exchange views and deepen our collective understanding of the issues at hand.
- The Government will continue to engage with stakeholders and a follow up meeting is being planned to ensure that our stakeholders can continue to exchange views and feed their expertise into our ongoing work on this subject.

Will leaving Euratom undermine nuclear safety and security?

- Nuclear safety and security are top priorities for the Government and the United Kingdom's robust nuclear safety and security requirements will not be affected by withdrawal from Euratom.
- Euratom has no role in setting security standards or regulating or inspecting security arrangements in the United Kingdom civil nuclear sector.
- The United Kingdom complies fully with international standards and obligations in relation to nuclear safety and security, including the Convention on the Physical Protection of Nuclear Material and the Convention on Nuclear Safety. We will continue to do so irrespective of our future relationship with Eurtaom.
- The UK will continue to play a leading role in the development of international nuclear security and safety standards, including through the International Atomic Energy Agency.

Is the UK's nuclear research and development at risk?

- The UK is a world leader in the most promising nuclear fusion technologies and we are committed to maintaining this lead.
- As set out in our Written Ministerial Statement on 11 January, the Government intends to seek a close association to the Euratom Research and Training Programme including the Joint European Torus (JET) and the International Thermonuclear Experimental Reactor (ITER) projects.
- Maintaining and building on our world-leading fusion expertise and securing alternative routes to continue participation in the international fusion R&D projects (JET and ITER) will be a priority.

Will leaving Euratom jeopardise the UK's lead on fusion research?

- Our withdrawal from the Euratom Treaty will in no way diminish our nuclear ambitions and the UK's leading role in nuclear research.
- The Government has guaranteed its share of the funding for the Oxfordshire-based JET fusion reactor until 2020, and recently committed £86m for a National Fusion Technology Platform - demonstrating our commitment to continued collaboration.

What about freedom of movement and the UK's nuclear industry?

- The Government is clear that the UK remains open to the talent we need from Europe and the rest of the world, but managed properly so that our immigration system serves the national interest.
- Openness to international talent must remain one of this country's most distinctive assets.
- Linked to our openness to international talent, the Government will seek a reciprocal deal so that those with professional qualifications obtained before the date on which the UK leaves the EU will be able to use their qualifications in the UK and EU Member States in the same way.