

*These notes refer to the Energy Act 2013 (c.32)  
which received Royal Assent on 18 December 2013*

# ENERGY ACT 2013

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3: Nuclear Regulation**

#### *Chapter 2: Nuclear regulations*

#### *Section 76: Nuclear regulations: civil liability*

376. *Subsections (1) and (2)* of this section provide that breaches of duties imposed by nuclear regulations, and those provisions of the Nuclear Installations Act 1965, that are relevant statutory provisions (see section 82(2)(b)) will not give rise to a claim for breach of statutory duty, irrespective of whether such breach also constitutes an offence. However, nuclear regulations may provide otherwise.
377. Nuclear regulations may also make provision for defences and that any term in an agreement that seeks to exclude or restrict liability imposed by such regulations will be void (see *subsection (3)*). This section will not affect any right of action or defence that might otherwise exist (see *subsection (5)*).