

NUCLEAR SAFETY DIRECTORATE - BUSINESS MANAGEMENT SYSTEM		
Business Support ANNEX TO BMM DELEGATED AUTHORITIES		BMM - ANNEX 2
		ISSUE 003
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1. Purposes and Introduction

1.1 This procedure sets out the delegation of authorities for staff within NSD below Senior Civil Service level, to exercise the functions of the Executive. It complements and is consistent with General Administrative Procedure 7, (GAP 7), 'Procedure for authorising members, officers or servants of the Executive, to perform the functions of the Executive.'

2. Implementation Of Delegated Authorities

2.1 In 1996 the Executive authorised each of its members, and any of its staff in the Senior Civil Service (Band 0 or above), acting individually, to perform any of its functions on its behalf. The resolution also gave authorisation for any of its staff in the Senior Civil Service to authorise in writing any of its staff below that level, to perform functions on the Executive's behalf.

2.2 The particular function to be exercised must lie within the current responsibility of their Directorate, Inspectorate, Division, or Unit. If a particular function spans both policy and operational responsibilities, agreement should be sought on who should act as the lead body.

2.3 Once signed by the Chief Inspector and issued, this Annex to the Business Management Manual, provides the written means for delegating specific legislative Executive functions to the holders of specified posts within NSD. Those staff members must have the necessary expertise to perform the delegated authority.

2.4 In general, where an authority is delegated, the appropriate powers shall be exercised by the holder of the appropriate delegated authority as set down in this document. However, an authority delegated formally by a member of the SCS to appropriate Band 1 or Band 2 personnel may not then be further delegated.

3. Delegation of Authority under NIA

3.1 Authority To Sign Specifications

The holders for the time being of the posts of Superintending Nuclear Inspector, Band 1, and Principal Nuclear Inspector, Band 2 responsible

for inspection of defuelled reactor sites of the Nuclear Safety Directorate are authorised to perform on behalf of the Health and Safety Executive its power to issue a Specification under, respectively, Licence Condition 2(1), 2(2), 2(5), 4(3), 4(5), 6(3), 6(5), 7(1), 7(2), 10(2), 11(2), 11(5), 12(3), 13(1)(b), 13(1)(c), 13(9), 14(2), 14(4), 15(2), 16(4), 17(2), 17(4), 18(1), 18(2), 19(2), 19(4), 20(2), 20(4), 21(2), 21(4), 22(2), 22(4), 23(2), 23(4), 24(3), 24(5), 36(2), 25(3), 25(4), 28(2), 28(4), 29(1), 30(3), 32(2), 32(4), 32(5), 35(3), 35(5), 36(2) of a Nuclear Site Licence granted under the Nuclear Installations Act 1965.

3.2 Authority To Sign Agreement

The holders for the time being of the posts of Superintending Nuclear Inspector, Band 1, and Principal Nuclear Inspector, Band 2 responsible for inspection of defuelled reactor sites of the Nuclear Safety Directorate are authorised to perform on behalf of the Health and Safety Executive its power to issue an Agreement under, respectively, Licence Condition 23(6), 28(7), 30(2) of a Nuclear Site Licence granted under the Nuclear Installations Act 1965.

3.3 Authority To Sign Notification

The holders for the time being of the posts of Superintending Nuclear Inspector, Band 1, and Principal Nuclear Inspector, Band 2 responsible for inspection of defuelled reactor sites of the Nuclear Safety Directorate are authorised to perform on behalf of the Health and Safety Executive its power to issue a Notification under, respectively, Licence Condition 12(5), 13(5), 21(8) of a Nuclear Site Licence granted under the Nuclear Installations Act 1965.

3.4 Authority To Sign Agreements And Acknowledgements For Arrangements Made Under Licence Conditions

The holders for the time being of the posts of Superintending Nuclear Inspector, Band 1, and Principal Nuclear Inspector, Band 2 responsible for inspection of defuelled reactor sites of the Nuclear Safety Directorate are authorised to perform on behalf of the Health and Safety Executive its power to issue Agreements and Acknowledgements under arrangements made under Licence Condition 2(1), 4(1), 6(2), 7(1), 10(1), 11(1), 12(1), 14(1), 15(1), 17(1), 18(1), 19(1), 20(1), 21(1), 22(1), 24(4), 28(1), 32(1), 35(1), 36(1) of a Nuclear Site Licence granted under the Nuclear Installations Act 1965.

3.5 Authority to sign Directions or Consents during a nuclear emergency

The holder for the time being of the post of Superintending Nuclear Inspector Band 1, while carrying out the role of Director of NII's Emergency Response Room during an emergency, is at a time when the Chief Inspector or a Deputy Chief Inspector is not immediately

available and in consultation with such a SCS member, authorised to perform on behalf of the Health and Safety Executive its power to issue a Direction or Consent under appropriate Licence Conditions to secure the resolution of the emergency or the safety of other facilities.

4. Delegation of Authority under IRR 1999

4.1 Authority To Act Under IRR

The holder for the time being of the post of Superintending Inspector, Band 1 of the Nuclear Safety Directorate is authorised to perform on behalf of the Health and Safety Executive its functions under Regulations, 5(1), 5(2), 5(3), 6(2), 6(3), 21(3)(e), 21(3)(f), 22(7), 22(8), 37(1), 40(5), 41(4), and Schedule 4 (13)(c), 18(b), and 19 of the Ionising Radiations Regulations 1999.

4.2 Further Authority To Act Under IRR

The holder for the time being of the post of Principal Inspector, Band 2 of the Nuclear Safety Directorate is authorised to perform on behalf of the Health and Safety Executive its functions under Regulations, 5(1), 5(2), 5(3), 6(2), 6(3), 21(3)(e), 21(3)(f), 22(7), 22(8), 41(4), and Schedule 4 (13)(c), 18(b), and 19 of the Ionising Radiations Regulations 1999.

5. Delegations of Authority under REPPiR

5.1 Authority to act under REPPiR

The following persons are authorised to perform on behalf of the Health and Safety Executive its functions under Regulations 6(1), 6(2), 6(5), 7(6), 7(8), 9(1), 9(8), 9(12), 13(4), 14(1), 14(2), 14(3), 14(4), 16(1), 16(6), of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPiR):

- The holder for the time being of the post of Superintending Nuclear Inspector, Band 1 responsible for the regulation of nuclear submarine related sites in respect of those sites,
- The holder for the time being of the post of Superintending Nuclear Inspector, Band 1 responsible for the regulation of nuclear weapons related sites in respect of those sites,
- The holder for the time being of the post of Superintending Nuclear Inspector, Band 1 responsible for emergency arrangements and the Principal Nuclear Inspector, Band 2 responsible for managing NSD's emergency arrangements programme in respect of civil nuclear sites.

6. References

1. GAP 7- Procedures for authorising members, officers or servants of the Executive to perform functions of the Executive.