



Jersey

R&O – 37/2005

NUCLEAR SAFEGUARDS (NOTIFICATION) (JERSEY) ORDER 2005

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NUCLEAR SAFEGUARDS (NOTIFICATION) (JERSEY) ORDER 2005

*Made**13th May 2005**Coming into force**in accordance with Article 5*

THE POLICY AND RESOURCES COMMITTEE, in pursuance of section 3(1) of the Nuclear Safeguards Act 2000 of the United Kingdom as extended to Jersey by article 2 of the Nuclear Safeguards (Jersey) Order 2004,¹ orders as follows –

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“Act” means the Nuclear Safeguards Act 2000 of the United Kingdom as extended to Jersey by article 2 of the Nuclear Safeguards (Jersey) Order 2004;²

“high enriched uranium” means uranium containing 20% or more of the isotope uranium-235;

“nuclear fuel cycle-related research and development activities” means research and development activities that are specifically related to any process or system development aspect of –

- (a) the enrichment of nuclear material;
- (b) the reprocessing of nuclear fuel; or
- (c) the processing of intermediate or high level waste containing plutonium, high enriched uranium or uranium-233,

but does not mean activities related to theoretical or basic scientific research or to research and development on industrial radioisotope applications, medical, hydrological or agricultural applications, health or environmental effects or improved maintenance;

“nuclear material” means any source material (other than ore or ore residue) or any special fissionable material;

“processing of intermediate or high level waste” does not include –

- (a) repackaging of the waste for storage or disposal; or

- (b) conditioning of the waste not involving the separation of elements, for storage or disposal;

“source material” means uranium containing the mixture of isotopes occurring in nature, uranium depleted in the isotope 235, thorium, and any of the foregoing in the form of metal, alloy, chemical compound or concentrate;

“special fissionable material” means –

- (a) plutonium-239;
 - (b) uranium-233;
 - (c) uranium containing the isotopes 235 or 233 or both those isotopes in an amount so that the abundance ratio of the sum of those isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature; and
 - (d) any material containing one or more of the foregoing.
- (2) Expressions used in this Order shall, unless the contrary intention appears, have the same respective meanings as in the Act.

2 Requirement to notify the Committee

- (1) Any person who has carried out in Jersey –
 - (a) any of the activities specified in paragraph 1 of the Schedule; or
 - (b) any nuclear fuel cycle-related research and development activities,must notify the Committee in accordance with paragraph (2).
- (2) The person must notify the Committee –
 - (a) not later than 2 months after the commencement of this Order in respect of activities carried out at any time during the period of 6 months prior to such commencement; and
 - (b) on or before 15th January in each year in respect of activities carried out at any time during the previous calendar year.

3 Form of notification to the Committee

- (1) A person required to notify the Committee under Article 2 must do so by giving a notice to the Committee containing particulars of the person’s name, proper address (within the meaning of section 10(3) of the Act), each activity which the person has carried out during the relevant period and the address of each place at or from which he or she has carried out each such activity.
- (2) A person who has given particulars to the Committee under paragraph (1) must, within 14 days of any change in any of those particulars, give to the Committee notice of the new particulars.
- (3) Any notice to be given by a person under paragraph (1) or (2) must be in writing and sent by post or delivered to the Committee at the Committee’s offices at Cyril Le Marquand House, The Parade, St. Helier, JE4 8QT.

4 Amendments consequential upon move to Ministerial government

- (1) In Article 1 after the definition “high enriched uranium” there shall be inserted the following definition –
“ ‘Minister’ means the Chief Minister;”.
- (2) In Articles 2 and 3, and in the headings to those Articles, for the word “Committee” in each place where it occurs there shall be substituted the word “Minister”.
- (3) In Article 3(3) for the words “Committee’s offices” there shall be substituted the words “Minister’s offices”.

5 Citation and commencement

- (1) This Order may be cited as the Nuclear Safeguards (Jersey) Order 2005.
- (2) This Order, apart from Article 4, shall come into force 7 days after it is made.
- (3) Subject to paragraph (4), Article 4 shall come into force, in respect of any provision of this Order that it amends, on the same day as that provision.
- (4) If a provision of this Order that is to be amended by Article 4 is in force on the commencement of Article 42(3) of the States of Jersey Law 2005, Article 4 shall come into force, in respect of that provision, on the same day as Article 42(3).

M.N. DE LA HAYE

Greffier of the States.

SCHEDULE

(Article 2(1))

ACTIVITIES REFERRED TO IN ARTICLE 2(1)**1 Activities**

The activities referred to in Article 2(1) are –

- (a) the manufacture of centrifuge rotor tubes or the assembly of gas centrifuges;
- (b) the manufacture of diffusion barriers;
- (c) the manufacture or assembly of laser-based systems;
- (d) the manufacture or assembly of electromagnetic isotope separators;
- (e) the manufacture or assembly of columns or extraction equipment;
- (f) the manufacture of aerodynamic separation nozzles or vortex tubes;
- (g) the manufacture or assembly of uranium plasma generation systems;
- (h) the manufacture of zirconium tubes;
- (i) the manufacture or upgrading of heavy water or deuterium;
- (j) the manufacture of nuclear grade graphite;
- (k) the manufacture of flasks for irradiated fuel;
- (l) the manufacture of reactor control rods;
- (m) the manufacture of criticality safe tanks and vessels;
- (n) the manufacture of irradiated fuel element chopping machines; and
- (o) the construction of hot cells.

2 Interpretation

- (1) In paragraph 1 –

“aerodynamic separation nozzles or vortex tubes” means separation nozzles and vortex tubes as described respectively in entries 5.5.1 and 5.5.2;

“centrifuge rotor tubes” means thin-walled cylinders as described in entry 5.1.1(b);

“columns or extraction equipment” means those items as described in entries 5.6.1, 5.6.2, 5.6.3, 5.6.5, 5.6.6, 5.6.7 and 5.6.8;

“criticality safe tanks and vessels” means those items as described in entries 3.2 and 3.4;

“diffusion barriers” means thin, porous filters as described in entry 5.3.1(a);

“electromagnetic isotope separators” means those items referred to in entry 5.9.1 containing ion sources as described in entry 5.9.1(a);

“flask for irradiated fuel” means a vessel for the transportation and/or storage of irradiated fuel which provides chemical, thermal and radiological protection, and dissipates decay heat during handling, transportation and storage;

“gas centrifuges” means centrifuges as described in the Introductory Note to entry 5.1;

“heavy water or deuterium” means deuterium, heavy water (deuterium oxide) and any other deuterium compound in which the ratio of deuterium to hydrogen atoms exceeds 1:5000;

“hot cells” means a cell or interconnected cells totalling at least 6m³ in volume with shielding equal to or greater than the equivalent of 0.5m of concrete, with a density of 3.2g/cm³ or greater, outfitted with equipment for remote operations;

“irradiated fuel element chopping machines” means equipment as described in entry 3.1;

“laser-based systems” means systems incorporating those items described in entry 5.7;

“nuclear grade graphite” means graphite having a purity level better than 5 parts per million boron equivalent and with a density greater than 1.50g/cm³;

“reactor control rods” means rods as described in entry 1.4;

“uranium plasma generation systems” means systems for the generation of uranium plasma as described in entry 5.8.3;

“zirconium tubes” means tubes as described in entry 1.6.

- (2) The numbered entries referred to in sub-paragraph (1) are the entries so numbered in Annex II to the Additional Protocol.

¹ *Recueil des Lois, Volume 2004, page 721.*

² *Recueil des Lois, Volume 2004, page 721.*