
Committee Stage: Thursday 18 November 2021

Nuclear Energy (Financing) Bill (Amendment Paper)

This document lists all amendments tabled to the Nuclear Energy (Financing) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

★ New Amendments.

New amendments: NC1 to NC3

Matthew Pennycook
Dr Alan Whitehead
Alan Brown

1

Clause 1, page 1, line 15, at end insert—

“(6) “Owned by a foreign power” means owned by a company controlled by a foreign state and operating for investment purposes.”

Member's explanatory statement

This amendment is a definition of “foreign power” set out in Amendment 2.

Matthew Pennycook
Dr Alan Whitehead
Alan Brown

2

Clause 2, page 2, line 14, at end insert—

“(c) the nuclear company is not wholly or in part owned by a foreign power.”

Member's explanatory statement

This amendment prevents the Secretary of State designating a nuclear company owned or part-owned by the agents of a foreign power.

Dr Alan Whitehead
Matthew Pennycook

3

Clause 2, page 2, line 14, at end insert—

“(c) the Secretary of State is of the opinion that the nuclear company is able to complete the nuclear project.”

Member’s explanatory statement

This amendment requires the Secretary of State to give a view that a designated nuclear company is able to complete the project for which it is designated.

Dr Alan Whitehead
Matthew Pennycook

4

Clause 3, page 2, line 37, at end insert—

“(5) Prior to consulting persons under subsection (3)(g), the Secretary of State must publish a statement setting out why it is relevant to consult those persons.”

Member’s explanatory statement

This amendment requires the Secretary of State to indicate the relevance of the people he is consulting on the designation of a nuclear company.

Dr Alan Whitehead
Matthew Pennycook

5

Clause 4, page 3, line 24, leave out “5” and insert “4”

Member’s explanatory statement

This amendment shortens the maximum time allowed by the Secretary of State for the designation period of a nuclear company.

Dr Alan Whitehead
Matthew Pennycook

6

Clause 4, page 3, line 33, leave out "5" and insert "4"

Member's explanatory statement

This amendment shortens the maximum time allowed by the Secretary of State for the designation period of a nuclear company.

Dr Alan Whitehead
Matthew Pennycook

7

Clause 5, page 4, line 16, leave out "either" and insert "any"

Member's explanatory statement

This amendment is consequential on Amendments 2 and 3.

Dr Alan Whitehead
Matthew Pennycook

8

Clause 6, page 5, line 3, at end insert—

"(2A) Prior to exercising the power under subsection (1), the Secretary of State must publish a statement setting out how the exercising of the power will facilitate investment in the design, construction and commissioning of nuclear energy generation projects."

Member's explanatory statement

This amendment requires the Secretary of State to justify the exercise of a power to modify the electricity generation license of a nuclear company.

Dr Alan Whitehead
Matthew Pennycook

9

Clause 6, page 5, line 13, at end insert—

“(ba) the interests of existing and future consumers of electricity in relation to their prospects of recouping their contribution at the conclusion of the construction phase of the project;”

Member’s explanatory statement

This amendment requires the Secretary of State to have regard to the interests of electricity consumers in recovering the value of their contribution to the construction of a nuclear power plant.

Dr Alan Whitehead
Matthew Pennycook

11

Clause 7, page 7, line 8, at end insert—

“(3A) When exercising the power in subsection (1), the Secretary of State must not cause the excess of expenditure being incurred over the allowable revenue cap to lead to further charges upon revenue collection contracts.”

Member’s explanatory statement

This amendment prevents the Secretary of State from allowing the levy of further consumer charges should an increase in allowable revenue be agreed following increases in costs or timescale of a nuclear project.

Dr Alan Whitehead
Matthew Pennycook

12

Clause 7, page 7, line 8, at end insert—

“(3A) When exercising the power in subsection (1), the Secretary of State must publish a statement setting out how an adjustment in the company’s allowed revenue is to be made without relying on revenue collection contracts.”

Member’s explanatory statement

This amendment requires the Secretary of State to set out how an adjustment to allowed revenue, following an increase in costs or time, is to be provided for by means other than additional customer levies.

Dr Alan Whitehead
Matthew Pennycook

10

Clause 7, page 7, line 17, after "operations" insert "and have generated power for placement onto the National Grid"

Member's explanatory statement

This amendment amends the definition of the completion of construction of the nuclear project to include initial generation of power.

Dr Alan Whitehead
Matthew Pennycook

13

Clause 8, page 8, line 11, leave out from "power" to end of line

Member's explanatory statement

This amendment strengthens the requirement on the Secretary of State to publish details of license modifications.

Dr Alan Whitehead
Matthew Pennycook

19

Clause 10, page 9, line 7, after "enabling" insert "the"

Member's explanatory statement

This amendment corrects a grammatical error.

Dr Alan Whitehead
Matthew Pennycook

14

Clause 17, page 14, line 31, leave out "may" and insert "must"

Dr Alan Whitehead 15
Matthew Pennycook

Clause 19, page 16, line 11, at end insert—

“(4A) Revenue regulations may make provision to prevent electricity suppliers from recovering the costs of paying a revenue collection counterparty from customers who qualify for the Warm Home Discount Scheme.”

Member’s explanatory statement

This amendment would mean that electricity bill payers who qualify for Warm Homes Discount scheme would not be liable for levies on their bills that pay into the RAB revenue collection fund.

Dr Alan Whitehead 16
Matthew Pennycook

Clause 19, page 17, line 2, at end insert—

“(10) Persistent non-payment of sums owed to the counterparty by an electricity supplier may be referred to OFGEM, which may in such circumstances place the electricity supplier’s licence under review.”

Member’s explanatory statement

This amendment would allow cases of persistent non-payment of sums owed to the counterparty by an electricity supplier to be referred to OFGEM.

Dr Alan Whitehead 17
Matthew Pennycook

Clause 21, page 17, line 34, leave out from “are” to end of line and insert “not to be paid into the Consolidated Fund unless there is no other alternative.”

Member’s explanatory statement

This amendment would require the Government to consider alternatives to the absorption into the consolidated fund of sums held by a revenue collection counterparty on behalf of energy bill payers.

Dr Alan Whitehead
Matthew Pennycook

18

Clause 32, page 24, line 24, at end insert—

“(5A) In the event that a relevant licensee nuclear company cannot be rescued as a going concern, or if a transfer of the undertaking to a wholly owned subsidiary does not result in the establishment of a going concern, the Secretary of State must establish a Government-owned company into which the assets, liabilities and undertakings of the relevant licensee nuclear company may be transferred in order to allow electricity supply to be commenced or continued at the nuclear installation in respect of which the relevant nuclear licensee holds a nuclear licence.”

Member’s explanatory statement

Where a failed company cannot be rescued as a going concern or successfully have its assets transferred to a subsidiary, this amendment would require the Government to establish a Government-owned company to allow operations to continue.

Alan Brown
Kirsty Blackman

NC1

★ To move the following Clause—

“Report on expected costs

- (1) Prior to exercising the power under section 6 (1), the Secretary of State must lay a report before Parliament.
- (2) The report must set out—
 - (a) the expected overall capital cost of the prospective projects;
 - (b) the expected up-front cost of the prospective projects.”

Member’s explanatory statement

This new clause would require the Secretary of State to set out (a) the overall capital cost; and (b) the expected up-front cost of the prospective projects prior to exercising the power under Clause 6 (1).

Alan Brown
Kirsty Blackman

NC2

★ To move the following Clause—

“Report on agreed strike rate

- (1) When granting an electricity generation licence to a nuclear company in relation to a nuclear energy generation project, the Secretary of State must lay a report before Parliament.
- (2) The report under subsection (1) must set out—

- (a) whether the Government has offered the nuclear company a guaranteed strike price for the sale of electricity onto the National Grid;
- (b) the strike price included in any such arrangement;
- (c) the duration in years of any such arrangement.”

Member’s explanatory statement

In respect of new nuclear projects, this new clause would require the Secretary of State to publish details of any agreement reached offering a guaranteed strike price for the sale of electricity onto the National Grid.

Alan Brown
Kirsty Blackman

NC3

★ To move the following Clause—

“Report on decommissioning costs

- (1) When granting an electricity generation licence to a nuclear company in relation to a nuclear generation project, the Secretary of State must lay a report before Parliament.
- (2) The report under subsection (1) must set out—
 - (a) how decommissioning costs will be met, including any role played by—
 - (i) revenue collection contracts;
 - (ii) strike rates; and
 - (iii) consumer risk.
 - (b) how this would change if the nuclear company were to become insolvent.”

Member’s explanatory statement

In respect of new nuclear projects, this new clause would require the Secretary of State to publish details of how decommissioning costs will be met, including in the event of the nuclear company becoming insolvent.

Order of the House

[3 November 2021]

That the following provisions shall apply to the Nuclear Energy (Financing) Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on 30 November 2021.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to conclusion at the moment of interruption on that day.
6. Standing Order No.83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the Committee

[16 November 2021]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 16 November) meet—
- (a) at 2.00 pm on Tuesday 16 November;
 - (b) at 11.30 am and 2.00 pm on Thursday 18 November;
 - (c) at 2.00 pm on Tuesday 23 November;
 - (d) at 11.30 am and 2.00 pm on Thursday 25 November;
 - (e) at 9.25 am on Tuesday 30 November;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 16 November	Until no later than 10.25 am	Sizewell C Company; Westinghouse Electric Company; GE Hitachi Nuclear Energy
Tuesday 16 November	Until no later than 11.25 am	Prospect; Unite The Union; GMB
Tuesday 16 November	Until no later than 2.30 pm	Citizens Advice
Tuesday 16 November	Until no later than 3.30 pm	Atkins Global; Doosan Babcock Ltd; Jacobs Engineering Group Inc.; Rolls-Royce Holdings plc
Tuesday 16 November	Until no later than 4.15 pm	The Confederation of British Industry; The Nuclear Industry Association; Energy Industries Council

Date	Time	Witness
Tuesday 16 November	Until no later than 5.00 pm	Mycale Schneider, Convening Lead Author, The World Nuclear Industry Status Report; Professor Stephen Thomas, Professor of Energy Policy, University of Greenwich; Greenpeace UK

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 42, the Schedule, Clauses 43 to 45, new Clauses, new Schedules, remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 11.25am on Tuesday 30 November.
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