
STATUTORY INSTRUMENTS

2002 No. 1093

The Radioactive Material (Road Transport) Regulations 2002

PART II

**SAVINGS AND TRANSITORY PROVISIONS FOR CERTAIN
MATTERS UNDER EARLIER INTERNATIONAL REGULATIONS**

General

9.—(1) In this Part—

“IAEA 1973” means the 1973 or the 1973 (As Amended) Editions of the Regulations for the Safe Transport of Radioactive Material published by The International Atomic Energy Agency, Vienna, (1973 Safety Series No. 6 and 1979 Safety Series No. 6); and

“IAEA 1985” means the 1985 or the 1985 (As Amended 1990) Editions of the Regulations for the Safe Transport of Radioactive Material published by The International Atomic Energy Agency, Vienna, (1990 Safety Series No. 6 (as amended 1990)).

Packages not requiring competent authority approval of design under IAEA 1985

10.—(1) This regulation has effect in relation to the following types of packages—

- (a) Excepted packages;
- (b) Industrial packages of Type IP-1;
- (c) Industrial Packages of Type IP-2;
- (d) Industrial Packages of Type IP-3; and
- (e) Type A packages.

(2) A package within paragraph (1) that did not require approval of the package design by a competent authority and which meets the requirements of IAEA 1985 may continue to be used for the transport of radioactive material if, in relation to that package—

- (a) all the requirements of the quality assurance programme set out in regulation 18 (quality and compliance assurance programmes; etc) are met; and
- (b) the activity limits and material restrictions contained in Part V (activity limits and material restrictions) are fulfilled.

(3) Any modification to the packaging must be made in accordance with, and meet all the requirements of, these Regulations, unless—

- (a) the modification is made in order to, and does, improve the safety of the packaging,
- (b) the packaging is manufactured before 31 December 2003, and
- (c) the modification is made in accordance with, and meets all the requirements of, IAEA 1985.

(4) A package within paragraph (2) may be prepared for the transport of radioactive material at any time before 31 December 2003 in accordance with the requirements of IAEA 1985, but on

or after 1 January 2004 all such packages must be prepared for transport in accordance with these Regulations.

Packages approved under IAEA 1973

11.—(1) This regulation has effect in relation to packagings that have been manufactured to a package design approved by a competent authority in accordance with IAEA 1973.

(2) Such packagings of which the construction began before the 1st January 1996 may continue to be used for the transport of radioactive material if, in relation to that packaging—

- (a) the package design has received multilateral approval;
- (b) all the applicable requirements of the quality assurance programme set out in regulation 18 (quality and compliance assurance programmes etc) are met;
- (c) the activity limits and material restrictions contained in Part V (activity limits and material restrictions) are fulfilled.

(3) For the purposes of—

- (a) paragraph (1), an approval certificate that a package design meets the requirements of IAEA 1973 shall be in the form issued by a competent authority certifying that the design meets the requirements of IAEA 1973, irrespective of any period of limitation on the certificate, and
- (b) paragraph (2)(a), an approval certificate that a package design meets the requirements of IAEA 1973 shall be in the form issued by the Secretary of State certifying that the design meets the requirements of IAEA 1973.

(4) If any changes are made to the design of a packaging or in the nature or quantity of the authorised radioactive contents of a packaging that, in the opinion of the Secretary of State, would significantly affect safety, those changes must meet all the requirements of these Regulations.

(5) Before use, the packaging must be marked with a serial number in accordance with paragraph 5 of Schedule 6.

Packages approved under IAEA 1985

12.—(1) This regulation has effect in relation to packagings that have been manufactured to a package design approved by a competent authority in accordance with IAEA 1985.

(2) Such packaging may continue to be used for the transport of radioactive material until 31st December 2003 if in relation to that packaging—

- (a) all the requirements of the quality and compliance assurance programme etc set out in regulation 18 (quality and compliance assurance programme etc) are met;
- (b) the activity limits and the material restrictions contained in Part V (activity limits and material restrictions) are fulfilled.

(3) For the purposes of paragraph (1), an approval certificate that a package design meets the requirements of IAEA 1985 shall be in the form issued by a competent authority certifying that the design meets the requirements of IAEA 1985 irrespective of any period of limitation on the certificate.

(4) The packaging may continue to be used in the transport of radioactive material on or after 1st January 2004 if, in addition to the conditions mentioned in paragraph (2) being satisfied in relation to that package, there has been multilateral approval of the package design.

(5) For the purposes of paragraph (4), an approval certificate that a package design meets the requirements of IAEA 1985 shall be in the form issued by the Secretary of State certifying that the design meets the requirements of IAEA 1985.

(6) If any changes are made to the design of a packaging or in the nature or quantity of the authorised radioactive contents of a packaging that, in the opinion of the Secretary of State, would significantly affect safety, those changes must meet all the requirements of these Regulations.

(7) The manufacture of all packaging commencing on or after 1 January 2007 must meet the requirement of these Regulations in full.

(8) For the purpose of paragraph (7), the manufacture of a packaging shall not be regarded as having commenced on or after 1st January 2007 if all the components which that packaging needs in order to completely enclose the radioactive material to be contained in it have already been delivered to the place of manufacture before that date.

Special form radioactive material approved under IAEA 1973 or IAEA 1985

13.—(1) This regulation has effect in relation to any special form radioactive material that has been manufactured to a design approved by a competent authority in accordance with either IAEA 1973 or IAEA 1985.

(2) Such special form radioactive material may continue to be transported if, in relation to that material, all the applicable requirements of the quality assurance programme set out in regulation 18 (quality and compliance assurance programmes; etc) are met.

(3) All special form radioactive material manufactured on or after 1 January 2004 must meet the requirements of these Regulations in full.

(4) For the purpose of paragraph (3), the manufacture of special form radioactive material shall not be regarded as having commenced on or after 1 January 2004 if all the components which that special form radioactive material needs have already been delivered to the place of manufacture before that date.