
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 116

The Radioactive Substances (Modification of Enactments) Regulations (Northern Ireland) 2018

PART 2

Radioactive Contaminated Land

Amendment of the Radioactive Contaminated Land Regulations (Northern Ireland) 2006

6.—(1) The Radioactive Contaminated Land Regulations (Northern Ireland) 2006⁽¹⁾ are amended in accordance with regulations 2 and 3—

(2) In regulation 2 (interpretation)—

(a) for the definition of “the Department” substitute—

““the Department” means the Department of Agriculture, Environment and Rural Affairs;”;

(b) for the definition of “the Directive” substitute—

““the Directive” means Council [Directive 2013/59/EURATOM](#) laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom;”;

(c) for the definition of “exposure” substitute—

““exposure” means the act of exposing or condition of being exposed to ionising radiation emitted outside the body (external exposure) or within the body (internal exposure);”;

(d) in the definition of “harm” for “a radiological emergency” substitute “an emergency”;

(e) in the definition of “land contaminated by a nuclear occurrence”—

(i) in sub-paragraph (a) after “section 7,” insert “7B,”; and

(ii) in sub-paragraph (b) after “so caused if,” substitute—

“in section 7(1A)(b) or (1C)(b) of that Act, the words “other than licensee” or, in section 10(1)(b) of that Act, the words “other than the operator” had not been enacted;”;

(iii) after sub-paragraph (b) insert—

“(ba) damage caused by preventative measures taken after a breach of duty imposed by section 7, 7B, 8, 9 or 10 of the 1965 Act in respect of which a claim for compensation may be made if section 11H(4) of that Act had not been enacted; or”;

- (iv) in sub-paragraph c(i) after “16(1)” insert —
 - “, (1ZA), (1ZB), (2), (3B) or 3(C)”;
 - (f) for the definition of “lasting exposure” after sub-paragraph (b)(iii) substitute—
 - “where the estimation of an effective dose is undertaken in accordance with Article 13 of the Directive;”;
 - (g) in the definition for “substance” for “radiological emergency” substitute “an emergency”.
- (3) In regulation 3 (application of regulations in the implementation of Articles 48 and 53 of the Directive)—
- (a) in the heading delete “Articles 48 and 53 of”;
 - (b) in paragraph (2)—
 - (i) in sub-paragraph (b) after “arrangements are made” insert—
 - “, including the establishment and implementation of strategies in accordance with Article 101 and Article 102 of the Directive,”;
 - (ii) at the end of sub-paragraph (d) omit “.” and substitute “;”;
 - (iii) following sub-paragraph (d) insert—
 - “(e) affected members of the public are identified; and
 - (f) assessment of the means available to the individuals identified under section (e) for controlling their own exposure is made.”;
 - (c) in paragraph (3), sub-paragraph (c) after “duration” insert—
 - “if the magnitude of individual doses, the likelihood of exposure and the number of individuals exposed are kept as low as reasonably achievable taking into account the current state of technical knowledge and economic and societal factors.”.