

This draft Statutory Instrument supersedes the draft of the same title which was laid before Parliament on 13th December 2018 and published on 17th December 2018 (ISBN 978-0-11-117665-8). It is being issued free of charge to all known recipients of that draft Statutory Instrument.

Draft Regulations laid before Parliament under section 113(2)(a) of the Energy Act 2013, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2019 No.

RADIOACTIVE SUBSTANCES

The Carriage of Dangerous Goods (Amendment) Regulations 2019

Made - - - - *******

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972⁽¹⁾ (“the 1972 Act”), sections 15(1), (1B), (2) and (4) of, and paragraphs 1(1), (2) and (4), 3, 9, 13 and 14 of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽²⁾ (“the 1974 Act”) and sections 74, 75 and 113 of, and paragraphs 1, 6 and 16 of Schedule 6 to the Energy Act 2013 (“the 2013 Act”)⁽³⁾.

The Secretary of State is a Minister designated⁽⁴⁾ for the purposes of section 2(2) of the 1972 Act in relation to measures relating to the environment.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Secretary of State that it is expedient for references to 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⁽⁵⁾ to be construed as references to that Directive as amended from time to time.

The Secretary of State, in accordance with section 74(7)(a) and (c) of the 2013 Act, has consulted the Office for Nuclear Regulation and such other persons as the Secretary of State considers appropriate about regulations 4, and 6 to 9 of and the Schedule to these Regulations.

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- (1) 1972 c. 68. Section 2 was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).
- (2) 1974 c. 37. Section 15(1) was substituted by paragraph 6 of Schedule 15 to the Employment Protection Act 1975 (c. 71) and amended by S.I. 2002/794. Section 15(1B) was inserted by and (2) and (3)(c) amended by paragraph 5 of Schedule 12 to the Energy Act 2013 (c. 32). Section 15(4)(a) was amended by S.I. 2008/960. Further amendments have been made to section 15, but none are relevant to this instrument. Amendments have been made to Schedule 3 to the Health and Safety at Work Act 1974, but none are relevant to this instrument.
- (3) 2013 c. 32.
- (4) S.I. 2008/301.
- (5) OJ No L13, 17.01.2014 p.1.

The Secretary of State makes regulation 5 independently of any proposals made by the Health and Safety Executive, as provided by section 50(1)(b) of the 1974 Act, having consulted, in accordance with section 50(1AA)(6) of that Act, the Executive, the Office for Nuclear Regulation, and such other bodies as appeared to the Secretary of State to be appropriate.

In accordance with paragraph 2A of Schedule 2(7) to the European Communities Act 1972, section 82(3A)(8) of the Health and Safety at Work Act 1974 and section 113(2)(a) of the Energy Act 2013, a draft of these Regulations was laid before, and approved by a resolution of, each House of Parliament.

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- (6) Section 50(1AA) was substituted for section (1) by [S.I. 2008/960](#) and was amended by Schedule 12 to the Energy Act 2013. Other amendments have been made to section 50, but none are relevant for the purposes of this instrument.
- (7) Paragraph 2A was inserted by section 29 of the Legislative and Regulatory Reform Act 2009 ([c. 51](#)). Other amendments have been made to Schedule 2, but none are relevant for the purposes of this instrument.
- (8) Section 82(3A) was inserted by Schedule 12 to the Energy Act 2013. Other amendments have been made to Section 82, but none are relevant for the purposes of this instrument.