



# Radioactive Substances Act 1993

## CHAPTER 12

### RADIOACTIVE SUBSTANCES ACT 1993

#### *Preliminary*

- 1 Meaning of “radioactive material”.
- 2 Meaning of “radioactive waste”.
- 3 Meaning of “mobile radioactive apparatus”.

#### *Inspectors and chief inspector*

- 4 Inspectors and chief inspector appointed by Secretary of State.
- 5 Appointment of inspectors by Minister of Agriculture, Fisheries and Food.

#### *Registration relating to use of radioactive material and mobile radioactive apparatus*

- 6 Prohibition of use of radioactive material without registration.
- 7 Registration of users of radioactive material.
- 8 Exemptions from requirement for environmental permit
- 9 Prohibition of use of mobile radioactive apparatus without registration.
- 10 Registration of mobile radioactive apparatus.
- 11 Exemptions from requirement for environmental permit for mobile radioactive apparatus
- 12 Cancellation and variation of registration.

#### *Authorisation of disposal and accumulation of radioactive waste*

- 13 Disposal of radioactive waste.
- 14 Accumulation of radioactive waste.
- 15
- 16 Grant of authorisations.
- 16A Transfer of authorisations

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- 17 Revocation and variation of authorisations.
- 17A Review of authorisations
- 18 Functions of public and local authorities in relation to authorisations under s. 13.

*Further obligations relating to registration or authorisation*

- 19 Duty to display documents.
- 20 Retention and production of site or disposal records.

*Enforcement notices and prohibition notices*

- 21 Enforcement notices.
- 22 Prohibition notices.

*Powers of Secretary of State in relation to applications etc.*

- 23 Power of Secretary of State to give directions to appropriate Agency.
- 24 Power of Secretary of State to require certain applications to be determined by him.
- 25 Power of Secretary of State to restrict knowledge of applications etc.

*Appeals*

- 26 Registrations, authorisations and notices: appeals from decisions of appropriate Agency.
- 27 Procedure on appeals under s. 26.
- 28 Representations in relation to authorisations and notices where appropriate Minister is concerned.

*Further powers of Secretary of State in relation to radioactive waste*

- 29 Provision of facilities for disposal or accumulation of radioactive waste.
- 30 Power of Secretary of State to dispose of radioactive waste.
- 30A Recovery and disposal of orphan sources

*Rights of entry*

- 31 Rights of entry and inspection.

*Offences*

- 32 Offences relating to registration or authorisation.
- 33 Offences relating to ss. 19 and 20.
- 34 Disclosure of trade secrets.
- 34A Offences of making false or misleading statements or false entries.
- 35 Obstruction.
- 36 Offences by bodies corporate.
- 37 Offence due to another's fault.
- 38 Restriction on prosecutions.

*Public access to documents and records*

- 39 Public access to documents and records.

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### *Operation of other statutory provisions*

- 40 Radioactivity to be disregarded for purposes of certain statutory provisions.

#### *General*

- 41 Service of documents.  
42 Application of Act to Crown.  
43 Fees and charges.  
44 Regulations and orders: Great Britain.  
45 Regulations and orders: Northern Ireland.  
46 Effect of Act on other rights and duties.  
47 General interpretation provisions.  
48 Index of defined expressions.  
49 Consequential amendments and transitional and transitory provisions.  
50 Repeals.  
51 Short title, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — Specified elements

#### SCHEDULE 2 — Exercise of rights of entry and inspection

- 1 A person entering upon any premises in the exercise of...  
2 Where it is shown to the satisfaction of a justice...  
3 A justice of the peace shall not grant a warrant...  
4 Every warrant granted under this Schedule shall remain in force...  
5 Any person who, in the exercise of a power conferred...  
6 Before a person carries out any test on any premises,...  
7 Any power of entry conferred by this Act shall, if...  
8 Any power of entry, or of carrying out tests or...  
9 In this Schedule any reference to a case of emergency...  
10 This Schedule shall have effect in relation to Scotland with...

#### SCHEDULE 3 — Enactments, other than local enactments, to which s. 40 applies

##### Part I — ENGLAND AND WALES

- 1 Sections 48, 81, 82, 141, 259 and 261 of the...  
2 Section 16 of the Clean Air Act 1993.  
3 fgdfgn  
4 Section 4 of the Salmon and Freshwater Fisheries Act 1975....  
5 Section 59 of the Building Act 1984.  
6 The Planning (Hazardous Substances) Act 1990.  
7 Part III of the Environmental Protection Act 1990.  
8 Sections 72, 111 and 113(6) and Chapter III of Part...  
9 Sections 82, 84, 85, 86, 87(1), 88(2), 92, 93, 99,...  
10 Section 18 of the Water Act 1945 so far as...  
10A Section 155 of the Marine and Coastal Access Act 2009....  
10B The Environmental Permitting Regulations , insofar as they relate to...

##### Part II — SCOTLAND

- 11 Sections . . . 32, 41, 42 and 116 of...  
12 Section 16 of the Clean Air Act 1993.  
13 The Sewerage (Scotland) Act 1968.

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- 14 The Planning (Hazardous Substances) (Scotland) Act 1997 .
- 15 Section 201 of the Local Government (Scotland) Act 1973.
- 16 Sections 30A, 30B, 30D, 41 to 42B and 56(1) to...
- 17 Sections 70, 71 and 75 of the Water (Scotland) Act...
- 17A Part III of the Environmental Protection Act 1990.  
Part III — NORTHERN IRELAND
- 18 Sections 50, 51, 58, 107 and 129 of the Public...
- 19 Section 26 of the Public Health Acts Amendment Act 1890....
- 20 Sections 35, 46, 49 and 51 of the Public Health...
- 21 Sections 26, 47 and 124 of the Fisheries Act (Northern...
- 22 Articles 5, 7, 9 7A , 14, 16 and 30...
- 23 Article 34 of the MI Water and Sewerage Services (Northern Ireland)...
- 24 The Clean Air (Northern Ireland) Order 1981.
- 25 The Pollution Control (Special Waste) Regulations (Northern Ireland) 1981.

#### SCHEDULE 4 — Consequential amendments

##### *The Continental Shelf Act 1964 (c. 29)*

- 1 In section 7 of the Continental Shelf Act 1964, for...

##### *The Nuclear Installations Act 1965 (c. 57)*

- 2 In section 4(1)(d) of the Nuclear Installations Act 1965, for...

##### *The Control of Pollution Act 1974 (c. 40)*

- 3 In section 56(6) of the Control of Pollution Act 1974,...

##### *The Pollution Control and Local Government (Northern Ireland) Order 1978 (S.I. 1978/1049 (N.I. 19))*

- 4 In article 36(4) of the Pollution Control and Local Government...

##### *The Atomic Energy (Miscellaneous Provisions) Act 1981 (c. 48)*

- 5 In section 4(1) of the Atomic Energy (Miscellaneous Provisions) Act...

##### *The Environmental Protection Act 1990 (c. 43)*

- 6 In section 28(2) of the Environmental Protection Act 1990, for...
- 7 In section 78 of that Act, for “Radioactive Substances Act...
- 8 In section 142(7) of that Act, for “the Radioactive Substances...
- 9 In section 156 of that Act, for “Radioactive Substances Act...

##### *The Atomic Weapons Establishment Act 1991 (c. 46)*

- 10 After paragraph 10 of the Schedule to the Atomic Weapons...

##### *The Water Resources Act 1991 (c. 57)*

- 11 In section 98 of the Water Resources Act 1991—

#### SCHEDULE 5 — Transitional and transitory provisions

##### Part I — GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

- 1 The substitution of this Act for the enactments repealed by...

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- 2 Any reference, whether express or implied, in this Act or...
- 3 Any document made, served or issued after the commencement of...
- 4 Paragraphs 2 and 3 have effect without prejudice to the...
- 5 The power to amend or revoke the subordinate legislation reproduced...
- 6 Subsection (1) of section 80 of the Health and Safety...
- 7 In the application of paragraph 6 to Northern Ireland<sup>^</sup>
  - Part II — TRANSITORY MODIFICATIONS OF SCHEDULE 3
  - 8 (1) If— (a) no date has been appointed before the...
  - 9 (1) If— (a) no date has been appointed before the...
  - 10 (1) If— (a) no date has been appointed before the...
  - 11 Until the commencement of the repeal by Part II of...
  - 12 Until the commencement of the repeal by Part II of...

#### SCHEDULE 6 — Repeals and revocations

##### Part I — ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM

Note: Except as provided in Part II of this Schedule,...

##### Part II — REPEALS IN RADIOACTIVE SUBSTANCES ACT 1948 EXTENDING TO NORTHERN IRELAND

Note: These repeals extend to Northern Ireland only.

##### Part III — NORTHERN IRELAND LEGISLATION

##### Part IV — SUBORDINATE LEGISLATION

#### — TABLE OF DERIVATIONS

Notes:

1. The following abbreviations are used in this Table:—
2. The Table does not show the effect of the...

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 8(4)(5) repealed by S.R. 2011/290 reg. 8
- s. 8(4)(5) repealed by S.S.I. 2011/207 reg. 8
- s. 10 11 excluded by S.R. 2017/229 reg. 31(2)(a)
- s. 15(1) repealed by S.R. 2011/290 reg. 4(1)
- s. 15(1) repealed by S.S.I. 2011/207 reg. 4(1)
- s. 15(2) word substituted by S.R. 2011/290 reg. 4(2)(a)
- s. 15(2) word substituted by S.R. 2011/290 reg. 4(2)(b)
- s. 15(2) word substituted by S.R. 2011/290 reg. 4(2)(c)
- s. 15(2) word substituted by S.S.I. 2011/207 reg. 4(2)(a)
- s. 15(2) word substituted by S.S.I. 2011/207 reg. 4(2)(b)
- s. 15(2) word substituted by S.S.I. 2011/207 reg. 4(2)(c)
- s. 16(4A) words omitted by 2013 c. 32 Sch. 12 para. 67(a)
- s. 16(4A)(a) words substituted by 2013 c. 32 Sch. 12 para. 67(b)
- s. 17(2A) words omitted by 2013 c. 32 Sch. 12 para. 68(a)
- s. 17(2A)(a) words substituted by 2013 c. 32 Sch. 12 para. 68(b)
- s. 40(3) words inserted by 2014 asp 3 sch. 3 para. 42(2)(a)
- s. 40(3) words inserted by 2014 asp 3 sch. 3 para. 42(2)(b)(i)
- s. 40(3) words inserted by 2014 asp 3 sch. 3 para. 42(2)(b)(ii)
- s. 47(1) words inserted by S.R. 2011/290 reg. 5(1)
- s. 47(1) words inserted by S.S.I. 2011/207 reg. 5(1)
- s. 48 words inserted by S.R. 2011/290 reg. 6(a)
- s. 48 words inserted by S.R. 2011/290 reg. 6(b)
- s. 48 words inserted by S.R. 2011/290 reg. 6(d)
- s. 48 words inserted by S.R. 2011/290 reg. 6(e)
- s. 48 words inserted by S.S.I. 2011/207 reg. 6(a)
- s. 48 words inserted by S.S.I. 2011/207 reg. 6(b)
- s. 48 words inserted by S.S.I. 2011/207 reg. 6(d)
- s. 48 words inserted by S.S.I. 2011/207 reg. 6(e)
- s. 48 words substituted by S.R. 2011/290 reg. 6(c)
- s. 48 words substituted by S.S.I. 2011/207 reg. 6(c)
- Sch. 3 para. 11 repealed by 2014 asp 3 sch. 3 para. 27(a)
- Sch. 3 Pt. 3 para. 18 substituted by 2011 c. 23 (N.I.) Sch. 3 para. 13(a)
- Sch. 3 para. 16 word substituted by 2014 asp 3 sch. 3 para. 27(b)(ii)
- Sch. 3 para. 16 words repealed by 2014 asp 3 sch. 3 para. 27(b)(i)
- Sch. 4 para. 6 repealed by 1999 c. 24 Sch. 3
- Sch. 4 para. 2 repealed by 2013 c. 32 Sch. 12 para. 30

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by 2014 c. 20 Sch. 1 para. 5
- Act repealed in part by S.I. 2011/2043 reg. 17
- Act repealed in part by S.I. 2016/1154 reg. 72

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1A-1J substituted for s. 1 2 by S.R. 2011/290 reg. 3
- s. 1A-1H 1J substituted for s. 1 2 by S.S.I. 2011/207 reg. 3
- s. 16(4B) inserted by 2015 asp 1 sch. para. 5(2)
- s. 17(2B) inserted by 2015 asp 1 sch. para. 5(3)
- s. 25(3B) inserted by 2015 asp 1 sch. para. 5(4)

- s. 46(b)(i) words in s. 46(b) renumbered as s. 46(b)(i) by 2014 asp 3 sch. 3 para. 42(3)(a)
- s. 46(b)(ii) inserted by 2014 asp 3 sch. 3 para. 42(3)(b)
- s. 47(5B)(5C) inserted by S.R. 2011/290 reg. 5(2)
- s. 47(5B)(5C) inserted by S.S.I. 2011/207 reg. 5(2)
- Sch. 1A substituted by S.R. 2011/290 Sch.
- Sch. 1A substituted for Sch. 1 by S.S.I. 2011/207 reg. 7 Sch.
- Sch. 3 Pt. 3 para. 26 added by 2011 c. 23 (N.I.) Sch. 3 para. 13(b)

**Commencement Orders yet to be applied to the Radioactive Substances Act 1993**

Commencement Orders bringing legislation that affects this Act into force:

- S.R. 2012/13 art. 2(1) Sch. 2 commences (2011 c. 23 (N.I.))