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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which extend to the United Kingdom, implement Council Directive 92/3/Euratom on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community (“the Directive”). The Regulations provide for a system of authorisation and approval for the shipment of radioactive waste.

Regulations 6 and 10 prohibit shipment of radioactive waste from, to or through the United Kingdom except under an authorisation granted by the chief inspector designated for the purpose (being one of the chief inspectors appointed under section 4 of the Radioactive Substances Act 1993) or, where the authorisation is to be granted by the competent authorities of another Member State, except in accordance with both such an authorisation and an approval for transit given by the chief inspector.

Regulations 7 and 11 provide for the granting of authorisations, and the giving of approvals, by the chief inspector, regulation 16 confers power upon the Secretary of State to give directions as to how individual applications for such authorisations or approvals are to be dealt with, and regulation 17 provides for appeals from decisions of the chief inspector. Regulation 8(1) restricts the authorisation of shipments to certain destinations and third countries, and regulation 8(3) prevents the authorisation of shipments from outside the Community to a destination in the United Kingdom where the sender has not agreed to take back the waste in the event of either the shipment not being completed or the terms of the authorisation being breached. Where waste is being exported from the United Kingdom, regulation 8(2) obliges the sender to take the waste back in certain circumstances, and regulation 14 requires the chief inspector to enforce such obligations.

Regulations 12 and 13 relate to reshipment operations.

Regulation 15 requires any shipment of radioactive waste whilst within the United Kingdom to be accompanied by the necessary approvals and authorisations required by these Regulations or the Directive, and provides for the consignee of a shipment to the United Kingdom to advise the chief inspector of receipt of the shipment. In the case of a shipment to a country outside the Community which began in, or entered the Community via, the United Kingdom, regulation 9(2) requires the responsible person in the United Kingdom to inform the chief inspector of the arrival of the shipment at its destination.

Regulation 18 provides for offences.

Forms for applications required by these Regulations can be obtained from Her Majesty’s Inspectorate of Pollution, (The Transfrontier Shipment of Radioactive Waste Regulations 1993), Romney House, 43 Marsham Street, London SW1P 3EB or Her Majesty’s Industrial Pollution Inspectorate, Scottish Office Environment Department, 27 Perth Street, Edinburgh EH3 5RB or Radiochemical and Alkali Inspectorate, Department of the Environment for Northern Ireland, Calvert House, 23 Castle Place, Belfast BT1 1FY.