
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations implement as respects Great Britain Title IX, Section 1 (Intervention in cases of radiological emergency) of Council Directive 96/29/Euratom (OJNo. L159, 29.6.96, p.1) laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation and impose requirements for that purpose on operators of premises where radioactive substances are present (in quantities exceeding specified thresholds). They also impose requirements on carriers transporting radioactive substances (in quantities exceeding specified thresholds) by rail or conveying them through public places, with the exception of carriers conveying radioactive substances by rail, road, inland waterway, sea or air or by means of a pipeline or similar means.

The competent authority for the purposes of the Regulations is the Health and Safety Executive (“the Executive”).

The Regulations—

- (a) impose a duty on the operator and carrier to make an assessment as to hazard identification and risk evaluation and, where the assessment reveals a radiation risk, to take all reasonably practicable steps to prevent a radiation accident or limit the consequences should such an accident occur (regulation 4);
- (b) impose a duty on the operator and carrier to send the Executive a report of an assessment containing specified matters at specified times and empower the Executive to require a detailed assessment of such further particulars as it may reasonably require (regulation 6 and Schedules 5 and 6);
- (c) impose a duty on the operator and carrier to make a further assessment following a major change to the work with ionising radiation or within 3 years of the date of the last assessment, unless there has been no change of circumstances which would affect the last report of the assessment, and send the Executive a report of that further assessment (regulations 5 and 6);
- (d) where an assessment reveals a reasonably foreseeable radiation emergency arising, impose a duty on the operator or carrier (as the case may be) and, in the case of an operator, the local authority in whose area the premises in question are situated, to prepare emergency plans (regulations 7, 8 and 9 and Schedules 7 and 8);
- (e) require operators, carriers and local authorities to review, revise and test emergency plans at suitable intervals not exceeding 3 years (regulation 10);
- (f) make provision as to consultation and co-operation by operators, carriers, employers and local authorities (regulation 11);
- (g) make provision as to charging by local authorities for performing their functions under the Regulations in relation to emergency plans (regulation 12);
- (h) in the event of the occurrence of a radiation emergency or of an event which could reasonably be expected to lead to such an emergency, make provision as to the implementation of emergency plans, and, in the event of the occurrence of a radiation emergency, the making of both provisional and final assessments as to the circumstances and consequences of the emergency (regulation 13);

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Radiation (Emergency Preparedness and Public Information) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (i) where an emergency plan provides for the possibility of an employee receiving an emergency exposure, impose a duty on the employer to undertake specified arrangements for employees who may be subject to exposures, such as dose assessments, medical surveillance and the determination of appropriate dose levels, and impose further duties on employers in the event that an emergency plan is implemented (regulation 14);
- (j) impose requirements on operators and carriers, where an operator or carrier carries out work with ionising radiation which could give rise to a reasonably foreseeable radiation emergency, and on local authorities, where there has been a radiation emergency in their area, to supply specified information to the public (regulations 16 and 17 and Schedules 9 and 10);
- (k) empower the Secretary of State for Defence to issue certificates of exemption to persons from specified classes in the interests of national security (regulation 18);
- (l) make certain amendments to the Fire Certificates (Special Premises) Regulations 1976, the Ionising Radiations Regulations 1985, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 and the Ionising Radiations Regulations 1999 and, subject to savings, revoke the Public Information for Radiation Emergencies Regulations 1992 (regulations 21 and 22); and
- (m) contain transitional provisions (regulation 20).

A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Adviser's Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the library of each House of Parliament.

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Changes and effects yet to be applied to :

- Sch. 2 Pt. 1 column 3 word substituted by S.I. 2002/2099 Sch. 4 para. 8
- Sch. 2 Pt. 2 para. 2 words substituted by S.I. 2002/2099 Sch. 4 para. 9
- Sch. 4 Pt. 1 Note 3 word substituted by S.I. 2002/2099 Sch. 4 para. 10
- Sch. 5 para. (h) words omitted by S.I. 2007/1573 Sch. 8
- Sch. 11 para. 2-9 omitted by S.I. 2017/1075 Sch. 9 para. 5(6)
- Sch. 11 para. 10 revoked by S.I. 2013/1471 reg. 18(1) Sch. 4 Table 1
- Regulations revoked by S.I. 2019/703 reg. 27
- defn(s) appl by S.I. 2005/2042 reg 12(e)
- reg. 2(1) words inserted by S.I. 2002/2099 Sch. 4 para. 3(b)
- reg. 2(1) words omitted by S.I. 2002/2099 Sch. 4 para. 3(a)
- reg. 2(1) words omitted by S.I. 2007/1573 Sch. 8
- reg. 2(1) words substituted by S.I. 2002/2469 Sch. 1 para. 95
- reg. 2(1) words substituted by S.I. 2004/568 Sch. 13 para. 11(2)
- reg. 2(1) words substituted by S.I. 2013/235 Sch. 2 para. 47(2)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(a)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(b)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(c)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(d)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(e)
- reg. 2(1) words substituted by S.I. 2017/1075 Sch. 9 para. 5(2)(f)
- reg. 2(1) words substituted by S.I. 2018/269 Sch. para. 6(2)
- reg. 2(2)(a) and word omitted by S.I. 2007/1573 Sch. 8
- reg. 3(1) words substituted by S.I. 2002/2099 Sch. 4 para. 4(a)
- reg. 3(1)(b) omitted by S.I. 2007/1573 Sch. 8
- reg. 3(1)(c) words substituted by S.I. 2007/1573 Sch. 8
- reg. 3(3) words substituted by S.I. 2007/1573 Sch. 8
- reg. 3(4) words substituted by S.I. 2002/2099 Sch. 4 para. 4(b)
- reg. 3(4)(c) substituted by S.I. 2004/568 Sch. 13 para. 11(3)(a)
- reg. 3(4)(c) substituted by S.I. 2007/1573 Sch. 8
- reg. 3(4)(d) substituted by S.I. 2002/2099 Sch. 4 para. 4(c)
- reg. 3(4)(d) substituted by S.I. 2004/568 Sch. 13 para. 11(3)(b)
- reg. 3(4)(d) substituted by S.I. 2007/1573 Sch. 8
- reg. 3(4)(e) substituted by S.I. 2004/568 Sch. 13 para. 11(3)(c)
- reg. 3(4)(e) substituted by S.I. 2007/1573 Sch. 8
- reg. 3(4)(f) substituted by S.I. 2004/568 Sch. 13 para. 11(3)(d)
- reg. 3(4)(f) substituted by S.I. 2007/1573 Sch. 8
- reg. 4(3) words substituted by S.I. 2017/1075 Sch. 9 para. 5(3)
- reg. 7(7)(b) words substituted by S.I. 2017/1075 Sch. 9 para. 5(4)
- reg. 8(4) omitted by S.I. 2007/1573 Sch. 8
- reg. 8(7)(a) words omitted by S.I. 2007/1573 Sch. 8
- reg. 8(8)(b) words substituted by S.I. 2017/1075 Sch. 9 para. 5(4)
- reg. 13(3)(a)(i) words inserted by S.I. 2013/235 Sch. 2 para. 47(6)(a)
- reg. 13(3)(a)(i)(ii) words inserted by S.I. 2018/378 Sch. para. 20(d)
- reg. 13(3)(a)(ii) words omitted by S.I. 2007/1573 Sch. 8
- reg. 13(3)(a)(ii) words substituted by S.I. 2013/235 Sch. 2 para. 47(6)(b)
- reg. 15 words substituted by S.I. 2017/1075 Sch. 9 para. 5(5)
- reg. 18(3) words substituted by S.I. 2002/2099 Sch. 4 para. 5
- reg. 19 words substituted by S.I. 2002/2099 Sch. 4 para. 6

- reg. 22 revoked by [S.I. 2002/2099 Sch. 4 para. 7](#)

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

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

- reg. 2(9A) added by [S.I. 2005/2560 reg. 2\(3\)](#)
- reg. 3(6) added by [S.I. 2004/568 Sch. 13 para. 11\(3\)\(e\)](#)
- reg. 3(6) substituted by [S.I. 2007/1573 Sch. 8](#)
- reg. 7(6)(aa)(ab) substituted for word by [S.I. 2013/235 Sch. 2 para. 47\(3\)](#)
- reg. 7(6)(ab) words inserted by [S.I. 2018/378 Sch. para. 20\(d\)](#)
- reg. 8(7)(aa) substituted for word by [S.I. 2013/235 Sch. 2 para. 47\(4\)](#)
- reg. 8(7)(aa) words inserted by [S.I. 2018/378 Sch. para. 20\(d\)](#)
- reg. 9(12)(aa)(ab) substituted for word by [S.I. 2013/235 Sch. 2 para. 47\(5\)](#)
- reg. 9(12)(ab) words inserted by [S.I. 2018/378 Sch. para. 20\(d\)](#)
- reg. 18A inserted by [S.I. 2006/557 Sch. para. 10](#)
- reg. 18A heading words substituted by [S.I. 2015/1682 Sch. para. 10\(f\)](#)
- reg. 18A words substituted by [S.I. 2015/1682 Sch. para. 10\(f\)\(i\)](#)
- reg. 18A(2)(aa) inserted by [S.I. 2014/469 Sch. 3 para. 105\(2\)](#)
- reg. 18B inserted by [S.I. 2014/469 Sch. 3 para. 105\(3\)](#)
- reg. 18B(2)(b) words substituted by [S.I. 2015/1682 Sch. para. 10\(f\)\(ii\)](#)