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STATUTORY INSTRUMENTS

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**2005 No. 2686**

**The High-activity Sealed Radioactive Sources  
and Orphan Sources Regulations 2005**

**Exercise of powers of the appropriate Agency**

5.—(1) Paragraph (2) applies with regard to the exercise of the powers of the appropriate Agency concerning the prevention of unauthorised access to, or loss or theft of—

- (a) high-activity sources; or
- (b) other sealed sources which, in the opinion of the appropriate Agency, are of a similar level of potential hazard to high-activity sources;

including matters relating to the security of sites where such material is held.

(2) The appropriate Agency may exercise its powers under any enactment in relation to the matters referred to in paragraph (1) notwithstanding that the control of pollution is not the primary or only purpose for which the powers are exercised.

(3) For the purposes of paragraph (2), “any enactment” includes any Act of the Scottish Parliament or any subordinate legislation made under such an Act.