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STATUTORY INSTRUMENTS

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**2017 No. 1075**

**The Ionising Radiations Regulations 2017**

**PART 7**

**DUTIES OF EMPLOYEES AND MISCELLANEOUS**

**Exemption certificates**

**38.**—(1) Subject to paragraph (2), the appropriate authority may, by a certificate in writing, exempt—

- (a) any person or class of persons;
- (b) any premises or class of premises; or
- (c) any equipment, apparatus or substance or class of equipment, apparatus or substance,

from any requirement or prohibition imposed by these Regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked by a certificate in writing at any time.

(2) The appropriate authority must not grant an exemption unless, having regard to the circumstances of the case and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

it is satisfied that—

- (c) the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it; and
- (d) compliance with the fundamental radiation protection provisions underlying regulations 9(1) and (2)(a), 12, 13(1), 17(1) and (3), 20(1), 21(1), 22(1), 25(2) and 33(1) will be achieved.

(3) In this regulation, “appropriate authority” means—

- (a) in connection with the application of this regulation in relation to, or in relation to any activity carried out on, any nuclear premises, the ONR;
- (b) otherwise, the Executive.