
EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Regulations implement as respects Northern Ireland Title IX, Section 1 (Intervention in cases of radiological emergency) of Council Directive 96/29/Euratom (O.J. No. 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 for Northern Ireland (“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 Executive, to prepare, or in the case of the Executive, to arrange the preparation of, emergency plans (*regulations 7, 8 and 9 and Schedules 7 and 8*);
- (e) require operators, carriers and the Executive 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 the Executive (*regulation 11*);
- (g) make provision as to charging by the Executive for performing its 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*);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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 the Executive, 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 Ionising Radiations Regulations (Northern Ireland) 1985, the Fire Certificates (Special Premises) Regulations (Northern Ireland) 1991, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997 and the Ionising Radiations Regulations (Northern Ireland) 2000 and, subject to savings, revoke the Public Information for Radiation Emergencies Regulations (Northern Ireland) 1992 (*regulations 21 and 22*); and
- (m) contain transitional provisions (*regulation 20*).

In Great Britain, the corresponding Regulations are the Radiation (Emergency Preparedness and Public Information) Regulations 2001 ([S.I. 2001/2975](#)). The Great Britain Health and Safety Executive has prepared a regulatory impact assessment in relation to those Regulations and a copy of that assessment together with a Northern Ireland Supplement prepared by the Health and Safety Executive for Northern Ireland is held at the offices of that Executive at 83 Ladas Drive, Belfast BT6 9FR from where a copy may be obtained on request.

A person who contravenes the Regulations is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978 and is liable, on summary conviction, to a fine not exceeding the statutory maximum (currently £5,000) or, on conviction on indictment, to a fine.