
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Radioactive Substances Act 1993 (“the Act”) in order to align it more closely with the structure and terminology used in the Basic Safety Standards Directive⁽¹⁾.

Regulation 3 substitutes new sections 1A to 1J in place of the current sections 1 and 2 of the Act. These new provisions define the substances and articles which are classified as “radioactive material” or “radioactive waste” under the Act, and which are subject to the controls contained in later sections of the Act. Regulation 7 introduces a new Schedule 1A, which is substituted for the current Schedule 1 to the Act and supplements new sections 1A to 1D.

Regulation 4(1) repeals section 15(1) of the Act, which contains an exemption relating to clocks and watches. Other exemptions are contained in exemption orders made under section 15(2), and it is intended that this exemption will be subsumed in an updated exemption order under that subsection. Regulation 4(2)(a) contains an amendment which is consequential on the repeal of section 15(1), while regulation 4(2)(b) and (c) adjust the terminology in section 15(2) to ensure that the Act consistently refers to “exemption” rather than to both “exemption” and “exclusion”. Regulation 5 inserts new interpretive provisions into the Act which relate to terms used in the new provisions inserted by these Regulations, while regulation 6 makes consequential additions to the index of defined expressions in section 48 of the Act.

Regulation 8 repeals section 8(4) and (5) of the Act, which also contain provision relating to the exemption of clocks and watches. Regulation 9 contains transitional provisions.

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from Scottish Government Environmental Quality Division, Area 1-H North, Victoria Quay, Edinburgh EH6 6QQ.

(1) Council Directive 96/29/Euratom laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation. O.J. L 159, 29.6.1996, p. 1.