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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and replaces a series of exemption orders made under the Radioactive Substances Act 1993 (“the Act”) and its predecessor (the Radioactive Substances Act 1960<sup>(1)</sup>) in order to rationalise the current system of exemptions and align this more closely with the structure and terminology used in the Basic Safety Standards Directive<sup>(2)</sup>.

Part 1 contains interpretative provisions and gives effect to Schedules 1 and 2. Special interpretative provisions are included in respect of waste arising from naturally occurring radioactive materials (NORM waste).

Part 2 confers exemptions from the requirement to register under section 7 of the Act (use of radioactive material) and from the requirement to be authorised under section 14 of the Act (accumulation of radioactive waste). Special provision in relation to NORM waste is contained in article 9.

Part 3 confers exemptions from the requirement to register under section 10 of the Act (use etc. of mobile radioactive apparatus).

Parts 4 to 7 create exemptions from the requirement to be authorised under section 13 of the Act in relation to the disposal of radioactive waste. Part 4 deals with disposal of solid radioactive waste, Part 5 with aqueous waste, Part 6 with gaseous waste and Part 7 with NORM waste.

The conditions to which the new exemptions are subject are set out in the relevant Parts. Where those conditions include a requirement to comply with “the relevant standard conditions”, those conditions are set out in Schedule 2.

Previous exemption orders are revoked by article 25 and Schedule 3. Part 8 contains transitional provisions in respect of holders of exemptions and exclusions created by any of the orders listed in that Schedule. Such operators will have a period of six months in which to apply for any registration or authorisation which they may now require if they do not qualify for exemption under this Order, and will continue to be protected pending any appeal.

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.

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<sup>(1)</sup> 8 & 9 Eliz. 2 c.34.

<sup>(2)</sup> 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.)