
STATUTORY INSTRUMENTS

1992 No. 2997

HEALTH AND SAFETY

**The Public Information for Radiation
Emergencies Regulations 1992**

Made - - - - 26th November 1992
Laid before Parliament 7th December 1992
Coming into force - - 1st January 1993

The Secretary of State, being the Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to informing the public about health protection measures to be taken in the event of a radiological emergency, in exercise of the powers conferred on her by the said section 2 and by sections 15(1) and (2), and 82(3)(a) of, and paragraphs 13(2) of Schedule 3 to the Health and Safety at Work etc. Act 1974⁽³⁾ (“the 1974 Act”) and of all other powers enabling her in that behalf, and for the purpose of giving effect without modifications to proposals submitted to her by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Information for Radiation Emergencies Regulations 1992 and shall come into force on 1st January 1993.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“contamination” means the contamination by any radioactive substance of any surface (including any surface of the body or clothing) or any part of absorbent objects or materials or the contamination of liquids or gases by any radioactive substance;

“the Directive” means Council Directive No. 89/618/Euratom on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency;

(1) S.I. 1991/2289.

(2) 1972 c. 68.

(3) 1974 c. 37; sections 15 and 50 were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 6 and 16 respectively.

“the Executive” means the Health and Safety Executive;

“external radiation” means, in relation to a person, ionising radiation coming from outside the body of that person;

“first tier local authority” means—

- (a) in relation to England and Wales, a county council, the London Fire and Civil Defence Authority, a metropolitan county fire and civil defence authority or the Council of the Isles of Scilly, and
- (b) in relation to Scotland, a regional or islands council;

“internal radiation” means, in relation to a person, ionising radiation coming from inside the body of that person;

“ionising radiation” means gamma rays, X-rays or corpuscular radiations which are capable of producing ions either directly or indirectly;

“member of the public” means any person not being—

- (a) a person for the time being present upon premises where a radiation emergency is reasonably foreseeable or where a radiation emergency has actually occurred; or
- (b) a person engaged in an activity of or associated with the response to the radiation emergency;

“radiation emergency” means any occurrence which is likely to result in any member of the public being exposed to ionising radiation arising from that occurrence in excess of any of the doses set out in Schedule 1 to these Regulations and for this purpose any health protection measure to be taken during the 24 hours immediately following the occurrence shall be disregarded;

“second tier local authority” means—

- (a) in relation to England and Wales, a district council, a London borough council, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple, or the Under-Treasurer of the Middle Temple or the Council of the Isles of Scilly, and
- (b) in relation to Scotland, an islands or district council.

Employer or self-employed person to supply prior information

3.—(1) It shall be the duty of an employer or a self-employed person who conducts an undertaking from which a radiation emergency is reasonably foreseeable—

- (a) to ensure that members of the public who are likely to be in an area in which, in the opinion of the Executive (having regard to any existing plans prepared by virtue of regulation 27 of the Ionising Radiations Regulations 1985⁽⁴⁾), they are liable to be affected by a radiation emergency arising from the undertaking of that employer or self-employed person, are supplied, in an appropriate manner, without their having to request it, with at least the information specified in Schedule 2 to these Regulations; and
- (b) to make that information publicly available.

(2) In preparing the information required to be supplied in accordance with paragraph (1) above, the employer or self-employed person shall consult each first tier local authority and second tier local authority in the area referred to in that paragraph, any authority likely to fall within paragraph 5 of Schedule 2 to these Regulations and such other persons who seem to him to be appropriate, but the employer or self-employed person shall remain responsible for the accuracy, completeness and form of the information so supplied.

(4) S.I. 1985/1333.

(3) Without prejudice to his duty under paragraph (1) above, the employer or selfemployed person shall endeavour to enter into an agreement with each second tier local authority in the area referred to in that paragraph for that authority to disseminate the information required to be supplied in accordance with that paragraph to the members of the public mentioned in it.

(4) The employer or self-employed person shall ensure that the information supplied in accordance with paragraph (1) above is updated at regular intervals but, in any case, not less than once in three years and whenever significant changes to the emergency measures, action and authorities referred to in paragraphs 3, 4 and 5 of Schedule 2 to these Regulations take place; when information is updated under this paragraph, it shall be supplied again in accordance with paragraph (1) above and made publicly available.

(5) Where on the coming into force of these Regulations an employer or selfemployed person is conducting an existing undertaking from which a radiation emergency is reasonably foreseeable, it shall be sufficient compliance with paragraph (1) above if that employer or self-employed person supplies the required information and makes it publicly available within six months of the coming into force of these Regulations.

Arrangements for the supply of information to members of the public actually affected

4.—(1) It shall be the duty of a first tier local authority to prepare and keep up to date arrangements to supply, in the event of a radiation emergency, information of and advice on the facts of the emergency, of the steps to be taken and, as appropriate, of the health protection measures applicable.

(2) The arrangements prepared and kept up to date under paragraph (1) above shall provide for the information to be supplied at regular intervals in an appropriate manner, without delay, and without their having to request it, to members of the public who are in that local authority's area and who are actually affected by the radiation emergency.

(3) In preparing those arrangements, and keeping them up to date, the first tier local authority shall consult any authority likely to be responsible for implementing the relevant measures referred to in Schedule 3 to these Regulations and such other persons as appear to it to be appropriate.

(4) The information and advice to be supplied in accordance with arrangements prepared and kept up to date under paragraph (1) above shall, if relevant to the type of radiation emergency, include that specified in Schedule 3 to these Regulations and shall in any event, mention the authority or authorities responsible for implementing the relevant measures referred to in that Schedule.

(5) For the purposes of paragraph (2) above, the members of the public referred to in that paragraph as actually affected are those whose co-operation is sought to put into effect any steps or health protection measures referred to in paragraph (1) above.

(6) It shall be sufficient compliance with paragraph (1) above if a first tier local authority prepares the required arrangements within six months of the coming into force of these Regulations.

Modifications relating to the Ministry of Defence etc.

5. The requirements of regulation 3 shall not have effect to the extent that in any particular case they would, in the opinion of the Secretary of State for Defence, be against the interests of national security.

Enforcement and offences

6. In so far as any provision of regulations 3 and 4 of these Regulations is made under section 2(2) of the European Communities Act 1972, the enforcement and offences provisions of the 1974 Act shall apply to that provision as if that provision had been made under section 15 of the 1974 Act.

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Signed by order of the Secretary of State.

26th November 1992

Patrick McLoughlin
Parliamentary Under Secretary of State,
Department of Employment

SCHEDULE 1

Regulation 2

DOSES OF IONISING RADIATION APPLICABLE TO THE DEFINITION OF RADIATION EMERGENCY

PART I

DOSE FOR THE WHOLE BODY

1. The dose for the whole body resulting from exposure to the whole or part of the body, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the effective dose equivalent from external radiation and the committed effective dose equivalent from that year's intake of radio-nuclides, shall in the period of one year immediately following the occurrence be 5 mSv.

PART II

DOSE FOR INDIVIDUAL ORGANS AND TISSUES

2. Without prejudice to Part I of this Schedule, the dose for individual organs or tissues, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the dose equivalent from external radiation, the dose equivalent from contamination and the committed dose equivalent from that year's intake of radio-nuclides averaged throughout any individual organ or tissue (other than the lens of the eye) or any body extremity or over any area of skin, shall in the period of one year immediately following the occurrence be 50 mSv.

3. In assessing the dose quantity to skin whether from contamination or external radiation, the area of skin over which the dose quantity is averaged shall be appropriate to the circumstances but in any event shall not exceed 100 cm².

PART III

DOSE FOR THE LENS OF THE EYE

4. The dose for the lens of the eye resulting from exposure to ionising radiation, being the average dose equivalent from external and internal radiation delivered between 2.5 mm and 3.5 mm behind the surface of the eye, shall in the period of one year immediately following the occurrence be 15 mSv.

SCHEDULE 2

Regulation 3(1)

(PARAGRAPHS 1—4 OF WHICH SET OUT THE PROVISIONS OF ANNEX I TO THE DIRECTIVE) PRIOR INFORMATION TO BE SUPPLIED AND MADE PUBLICLY AVAILABLE

1. Basic facts about radioactivity and its effects on persons and on the environment.
2. The various types of radiation emergency covered and their consequences for the general public and the environment.

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3. Emergency measures envisaged to alert, protect and assist the general public in the event of a radiation emergency.
4. Appropriate information on action to be taken by the general public in the event of a radiation emergency.
5. The authority or authorities responsible for implementing the emergency measures and action referred to in paragraphs 3 and 4 above.

SCHEDULE 3

Regulation 4(4)

(WHICH SETS OUT, AMONG OTHERS, THE
PROVISIONS OF ANNEX II TO THE DIRECTIVE)
INFORMATION TO BE SUPPLIED IN THE EVENT OF A RADIATION EMERGENCY

1. Information on the type of emergency which has occurred, and, where possible, its characteristics, for example, its origin, extent and probable development.
2. Advice on health protection measures, which, depending on the type of emergency, might include—
 - (a) any restrictions on the consumption of certain foodstuffs and water supply likely to be contaminated;
 - (b) any basic rules on hygiene and decontamination;
 - (c) any recommendation to stay indoors;
 - (d) the distribution and use of protective substances;
 - (e) any evacuation arrangements;
 - (f) special warnings for certain population groups.
3. Any announcements recommending co-operation with instructions or requests by the competent authorities.
4. Where an occurrence which is likely to give rise to a release of radioactivity or ionising radiation has happened but no release has yet taken place, the information and advice should include the following—
 - (a) an invitation to tune in to radio or television;
 - (b) preparatory advice to establishments with particular collective responsibilities;
 - (c) recommendations to occupational groups particularly affected.
5. If time permits, information setting out the basic facts about radioactivity and its effects on persons and on the environment.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations give effect as respects Great Britain (except to the extent specified below) to Council Directive 89/618/Euratom (OJ No. L357, 7.12.89, p.31) on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency (“the Directive”).

2. These Regulations do not impose requirements with respect to information of persons who might be involved in the organisation of emergency assistance in the event of a radiological emergency (Article 7 of the Directive).

3. Employers or self-employed persons whose undertakings give rise to a reasonably foreseeable risk of a radiation emergency (as defined) are required to supply the information referred to in Schedule 2 to these Regulations (“Schedule 2 information”) to all members of the public who are in an area in which they are liable to be affected by such an emergency. The area to which the regulation applies is to be determined by the Health and Safety Executive. Information supplied under this regulation must also be made publicly available (regulation 3(1)).

4. In preparing Schedule 2 information, employers or self-employed persons are required to consult relevant local authorities and other appropriate persons (regulation 3(2)) and are required to try to enter into an agreement with the local authority referred to in regulation 3(3) for that authority to distribute the information to members of the public (regulation 3(3)).

5. Schedule 2 information must be updated at regular intervals but not less than once in three years and whenever significant changes occur; updated information must be supplied again and made publicly available (regulation 3(4)).

6. There is a transitional provision for the compliance with regulation 3 by existing undertakings (regulation 3(5)).

7. A first tier local authority (as defined) is required to prepare and keep up to date arrangements to supply information and advice in the event of a radiation emergency (regulation 4(1)).

8. The arrangements prepared under regulation 4(1) are required to provide for information to be supplied at regular intervals and in an appropriate manner to members of the public actually affected by the radiation emergency (regulation 4(2)). A member of the public actually affected is defined in regulation 4(5).

9. In preparing the arrangements referred to in paragraph 7 above, the first tier local authority is required to consult any other authority likely to be responsible for implementing any measures referred to in Schedule 3 to these Regulations, and any other appropriate person (regulation 4(3)).

10. The information and advice referred to in paragraph 7 above shall, where relevant to the type of radiation emergency, include that referred to in Schedule 3 to these Regulations and must mention any authority or authorities responsible for implementing the measures referred to in that Schedule (regulation 4(4)).

11. There is a transitional provision for the compliance with regulation 4 by the first tier local authorities (regulation 4(6)).

12. The Secretary of State for Defence may disapply regulation 3 of these Regulations in any particular case in the interests of national security (regulation 5).

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13. Any provision of these Regulations made under the European Communities Act 1972 is enforceable as if it were a health and safety regulation made under the Health and Safety at Work etc. Act 1974 (regulation 6).