
STATUTORY INSTRUMENTS

1999 No. 3232

The Ionising Radiations Regulations 1999

PART V

CLASSIFICATION AND MONITORING OF PERSONS

Estimated doses and special entries

22.—(1) Where a dosimeter or other device is used to make any individual measurement under regulation 21(2) and that dosimeter or device is lost, damaged or destroyed or it is not practicable to assess the dose received by a classified person over any period, the employer shall make an adequate investigation of the circumstances of the case with a view to estimating the dose received by that person during that period and either—

- (a) in a case where there is adequate information to estimate the dose received by that person, shall send to the approved dosimetry service an adequate summary of the information used to estimate that dose and shall arrange for the approved dosimetry service to enter the estimated dose in the dose record of that person; or
- (b) in a case where there is inadequate information to estimate the dose received by the classified person, shall arrange for the approved dosimetry service to enter a notional dose in the dose record of that person which shall be the proportion of the total annual dose limit for the relevant period,

and in either case the employer shall take reasonable steps to inform the classified person of that entry and arrange for the approved dosimetry service to identify the entry in the dose record as an estimated dose or a notional dose as the case may be.

(2) The employer shall, at the request of the classified person (or a person formerly employed by that employer as a classified person) to whom the investigation made under paragraph (1) relates and on reasonable notice being given, make available to that person a copy of the summary sent to the approved dosimetry service under sub-paragraph (a) of paragraph (1).

(3) Subject to paragraphs (5) and (8), where an employer has reasonable cause to believe that the dose received by a classified person is much greater or much less than that shown in the relevant entry of the dose record, he shall make an adequate investigation of the circumstances of the exposure of that person to ionising radiation and, if that investigation confirms his belief, the employer shall, where there is adequate information to estimate the dose received by the employee—

- (a) send to the approved dosimetry service an adequate summary of the information used to estimate that dose;
- (b) arrange for the approved dosimetry service to enter that estimated dose in the dose record of that person and for the approved dosimetry service to identify the estimated dose in the dose record as a special entry; and
- (c) notify the classified person accordingly.

(4) The employer shall make a report of any investigation carried out under paragraph (3) and shall preserve a copy of that report for a period of 2 years from the date it was made.

(5) Paragraph (3) shall not apply—

- (a) in respect of a classified person subject only to an annual dose limit, more than 12 months after the original entry was made in the record; and
- (b) in any other case, more than 5 years after the original entry was made in the record.

(6) Where a classified person is aggrieved by a decision to replace a recorded dose by an estimated dose pursuant to paragraph (3) he may, by an application in writing to the Executive made within 3 months of the date on which he was notified of the decision, apply for that decision to be reviewed.

(7) Where the Executive concludes (whether as a result of a review carried out pursuant to paragraph (6) or otherwise) that—

- (a) there is reasonable cause to believe the investigation carried out pursuant to paragraph (3) was inadequate; or
- (b) a reasonable estimated dose has not been established,

the employer shall, if so directed by the Executive, re-instate the original entry in the dose record.

(8) The employer shall not, without the consent of the Executive, require the approved dosimetry service to enter an estimated dose in the dose record in any case where—

- (a) the cumulative recorded effective dose is 20mSv or more in one calendar year; or
- (b) the cumulative recorded equivalent dose for the calendar year exceeds a relevant dose limit.