
STATUTORY INSTRUMENTS

1999 No. 3232

The Ionising Radiations Regulations 1999

PART V

CLASSIFICATION AND MONITORING OF PERSONS

Medical surveillance

24.—(1) This regulation shall apply in relation to—

- (a) classified persons and persons whom an employer intends to designate as classified persons;
- (b) employees who have received an overexposure and are not classified persons;
- (c) employees who are engaged in work with ionising radiation subject to conditions imposed by an appointed doctor or employment medical adviser under paragraph (6).

(2) The employer shall ensure that each of his employees to whom this regulation relates is under adequate medical surveillance by an appointed doctor or employment medical adviser for the purpose of determining the fitness of each employee for the work with ionising radiation which he is to carry out.

(3) The employer shall ensure that a health record, containing the particulars referred to in Schedule 7, in respect of each of his employees to whom this regulation relates is made and maintained and that that record or a copy thereof is kept until the person to whom the record relates has or would have attained the age of 75 years but in any event for at least 50 years from the date of the last entry made in it.

(4) Subject to paragraph (5), the employer shall ensure that there is a valid entry in the health record of each of his employees to whom this regulation relates (other than employees who have received an overexposure and who are not classified persons) made by an appointed doctor or employment medical adviser and an entry in the health record shall be valid—

- (a) for 12 months from the date it was made or treated as made by virtue of paragraph (5);
- (b) for such shorter period as is specified in the entry by the appointed doctor or employment medical adviser; or
- (c) until cancelled by an appointed doctor or employment medical adviser by a further entry in the record.

(5) For the purposes of paragraph (4)(a), a further entry in the health record of the same employee shall, where made not less than 11 months nor more than 13 months after the start of the current period of validity, be treated as if made at the end of that period.

(6) Where the appointed doctor or employment medical adviser has certified in the health record of an employee to whom this regulation relates that in his professional opinion that employee should not be engaged in work with ionising radiation or that he should only be so engaged under conditions he has specified in the health record, the employer shall not permit that employee to be engaged in the work with ionising radiation except in accordance with the conditions, if any, so specified.

(7) Where, for the purpose of carrying out his functions under these Regulations, an appointed doctor or employment medical adviser requires to inspect any workplace, the employer shall permit him to do so.

(8) The employer shall make available to the appointed doctor or employment medical adviser the summary of the dose record kept by the employer pursuant to regulation 21(7) and such other records kept for the purposes of these Regulations as the appointed doctor or employment medical adviser may reasonably require.

(9) Where an employee is aggrieved by a decision recorded in the health record by an appointed doctor or employment medical adviser 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 in accordance with a procedure approved for the purposes of this paragraph by the Health and Safety Commission, and the result of that review shall be notified to the employee and entered in his health record in accordance with the approved procedure.