
STATUTORY INSTRUMENTS

1999 No. 3232

The Ionising Radiations Regulations 1999

PART VII

DUTIES OF EMPLOYEES AND MISCELLANEOUS

Modifications relating to the Ministry of Defence etc.

40.—(1) In this regulation, any reference to—

- (a) “visiting forces” is a reference to visiting forces within the meaning of any provision of Part 1 of the Visiting Forces Act 1952(1); and
- (b) “headquarters or organisation” is a reference to a headquarters or organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964(2).

(2) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt—

- (a) Her Majesty’s Forces;
- (b) visiting forces;
- (c) any member of a visiting force working in or attached to any headquarters or organisation; or
- (d) any person engaged in work with ionising radiation for, or on behalf of, the Secretary of State for Defence,

from all or any of the requirements or prohibitions imposed by these Regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by a certificate in writing, except that, where any such exemption is granted, suitable arrangements shall be made for the assessment and recording of doses of ionising radiation received by persons to whom the exemption relates.

(3) Sub-paragraph (i) of regulation 21(3) shall not apply in relation to a practice carried out—

- (a) by or on behalf of the Secretary of State for Defence;
- (b) by a visiting force; or
- (c) by any member of a visiting force in or attached to any headquarters or organisation.

(4) Regulations 5 and 6 shall not apply in relation to work carried out by visiting forces or any headquarters or organisation on premises under the control of such visiting force, headquarters or organisation, as the case may be, or on premises under the control of the Secretary of State for Defence.

(5) The requirements of regulation 6 to notify the particulars specified in sub-paragraphs (d) and (e) of Schedule 2 or any of the particulars specified in Schedule 3 shall not have effect in any

(1) 1952 c. 67.
(2) 1964 c. 5.

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case where the Secretary of State for Defence decides that to do so would be against the interests of national security or where suitable alternative arrangements have been agreed with the Executive.

(6) Regulation 6(4) shall not apply to an employer in relation to work with ionising radiation undertaken for or on behalf of the Secretary of State for Defence, visiting forces or any headquarters or organisation.

(7) Regulations 22(6), (7) and (8) and regulation 24(9) shall not apply in relation to visiting forces or any member of a visiting force working in or attached to any headquarters or organisation.

(8) In regulation 25(1) the requirement to notify the Executive of a suspected overexposure and the results of the consequent investigation and assessment shall not apply in relation to the exposure of—

- (a) a member of a visiting force; or
- (b) a member of a visiting force working in or attached to a headquarters or organisation.

Commencement Information

II Reg. 40 in force at 1.1.2000, see [reg. 1\(a\)](#)

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Changes and effects yet to be applied to :

- Regulations modified by [S.I. 2016/1154 Sch. 23 Pt. 5 para. 7\(1\)](#)
- Regulations revoked by [S.I. 2017/1075 reg. 42\(2\)](#)
- reg. 40(5) words substituted by [S.I. 2014/469 Sch. 3 para. 100](#)
- reg. 40(8) words substituted by [S.I. 2014/469 Sch. 3 para. 100](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 1A inserted by [S.I. 2013/755 Sch. 4 para. 113\(3\)](#)
- reg. 4(4) inserted by [S.I. 2014/3248 Sch. 5 para. 10\(b\)](#)
- reg. 5(8) inserted by [S.I. 2014/469 Sch. 3 para. 101\(3\)](#)
- reg. 6(10) inserted by [S.I. 2014/469 Sch. 3 para. 102\(3\)](#)
- reg. 14(a)(b) modified by [S.I. 2005/2686 reg. 19](#)
- reg. 22(9) inserted by [S.I. 2014/469 Sch. 3 para. 103\(3\)](#)
- reg. 25(4) inserted by [S.I. 2014/469 Sch. 3 para. 104\(3\)](#)
- reg. 35A inserted by [S.I. 2001/2975 Sch. 11 para. 5](#)