
STATUTORY INSTRUMENTS

2001 No. 2975

The Radiation (Emergency Preparedness and Public Information) Regulations 2001

Interpretation

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

“the 1996 Regulations” means the Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996(1);

“the 1999 Regulations” means the Ionising Radiations Regulations 1999(2);

“the Agency” in relation to premises or transport or a plan relating to premises or transport—

(a) in England and Wales, means the Environment Agency,

(b) in Scotland, means the Scottish Environment Protection Agency;

“approved dosimetry service” means an approved dosimetry service within the meaning of the 1999 Regulations and which is approved for the purpose of regulation 14 of these Regulations;

“carrier” shall be construed in accordance with paragraph (2);

“carrier’s emergency plan” shall be construed in accordance with regulation 8;

“consignor” means an employer carrying out work with ionising radiation who presents to a carrier for transport by rail a consignment of any radioactive substance;

“dose assessment” means the dose assessment made and recorded by an approved dosimetry service in accordance with regulation 21 of the 1999 Regulations;

“dose record” means the record made and maintained in respect of an employee by the approved dosimetry service in accordance with regulation 21 of the 1999 Regulations;

“emergency exposure” means an exposure of an employee engaged in an activity of or associated with the response to a radiation emergency or potential radiation emergency in order to bring help to endangered persons, prevent exposure of a large number of persons or save a valuable installation or goods, whereby one of the individual dose limits referred to in paragraphs 1 or 2 of Part I of Schedule 4 to the 1999 Regulations could be exceeded;

“emergency services” means—

(a) those police, fire and ambulance services who are likely to be required to respond to a radiation emergency which has occurred at the premises of an operator or at the location of a radiation emergency during the course of the transport of a radioactive substance, and

(b) where appropriate, Her Majesty’s Coastguard;

“the Executive” means the Health and Safety Executive;

“health authority” means, in relation to England and Wales, a health authority established under section 8 of the National Health Service Act 1977(3) and, in relation to Scotland, a health board established under section 2 of the National Health Service (Scotland) Act 1978(4);

(1) S.I. 1996/2090, amended by S.I. 1999/303.

(2) S.I. 1999/3232.

(3) 1977 c. 49; section 8 was substituted by the Health Authorities Act 1995 (c. 17), section 1(1).

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“installation” means a unit in which the radioactive substances present are, or are intended to be, produced, used, handled or stored, and it includes—

- (a) equipment, structures, pipework, machinery and tools,
 - (b) railway sidings, docks and unloading quays serving the unit, and
 - (c) jetties, warehouses or similar structures, whether floating or not,
- which are necessary for the operation of the unit;

“intervention” means a human activity that prevents or decreases the exposure of persons to radiation from a radiation emergency or from an event which could lead to a radiation emergency, by acting on the sources of radiation, the paths by which such radiation may be transmitted to persons and on persons themselves;

“ionising radiation” means the transfer of energy in the form of particles or electromagnetic waves of a wavelength of 100 nanometres or less or a frequency of 3×10^{15} hertz or more capable of producing ions directly or indirectly;

“licensed site” means a site in respect of which a nuclear site licence has been granted and is in force;

“licensee” means the person to whom a nuclear site licence has been granted;

“local authority” means—

- (a) subject to sub-paragraphs (b) and (c) below, in relation to—
 - (i) London, the London Fire and Emergency Planning Authority,
 - (ii) an area where there is a fire and civil defence authority, that authority,
 - (iii) the Isles of Scilly, the Council of the Isles of Scilly,
 - (iv) an area in the rest of England, the county council for that area or, where there is no county council for that area, the district council for that area,
 - (v) an area in Scotland, the council for the local government area, and
 - (vi) an area in Wales, the county council or the county borough council for that area;
- (b) for the purposes of regulation 16(2), in relation to—
 - (i) London, the London Fire and Emergency Planning Authority, and, in the City of London, the Common Council for the City of London, or, in an area in the rest of London, the London Borough Council for that area,
 - (ii) any other area where there is a fire and civil defence authority, that authority and the district council for that area,
 - (iii) the Isles of Scilly, the Council of the Isles of Scilly,
 - (iv) an area in the rest of England, the county council, if any, for that area and the district council, if any, for that area,
 - (v) an area in Scotland, the council for the local government area, and
 - (vi) an area in Wales, the county council or the county borough council for that area;
- (c) for the purposes of regulation 16(3), in relation to—
 - (i) the City of London, the Common Council for the City of London,
 - (ii) an area in the rest of London, the London Borough Council for that area,
 - (iii) the Isles of Scilly, the Council of the Isle of Scilly,

(4) 1978 c. 29; section 2 was amended by the Health and Social Services and Social Security Adjustments Act 1983 (c. 41), Schedule 7.

- (iv) an area in the rest of England, the district council for that area or, where there is no district council for that area, the county council for that area,
- (v) an area in Scotland, the council for the local government area, and
- (vi) an area in Wales, the county council or the county borough council for that area;

“medical surveillance” means medical surveillance carried out in accordance with regulation 24 of the 1999 Regulations;

“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 a radiation emergency;

“non-dispersible source” means a sealed source or a radioactive substance which in either case by virtue of its physical and chemical form cannot cause a radiation emergency in any reasonably foreseeable event but it does not include any radioactive substance inside a nuclear reactor or any nuclear fuel element;

“nuclear site licence” has the meaning assigned to it by section 1(1) of the Nuclear Installations Act 1965(5);

“off-site emergency plan” shall be construed in accordance with regulation 9;

“operator” shall be construed in accordance with paragraph (3);

“operator’s emergency plan” shall be construed in accordance with regulation 7;

“premises” means—

- (a) the whole area under the control of the same person where radioactive substances are present in one or more installations, and for this purpose two or more areas under the control of the same person and separated only by a road, railway or inland waterway shall be treated as one whole area, or
- (b) where radioactive substances are present on a licensed site, that licensed site,

and, where a radioactive substance forms an integral part of a vessel and is used in connection with the operation of that vessel, it includes that vessel when it is at fixed point moorings or alongside berths, save that such vessel shall be deemed to be separate premises only where such moorings or berths do not form part of a licensed site or part of premises under the control of the Secretary of State for Defence;

“radiation accident” means an accident where immediate action would be required to prevent or reduce the exposure to ionising radiation of employees or any other persons and includes a radiation emergency;

“radiation emergency” means any event (other than a pre-existing situation) which is likely to result in any member of the public being exposed to ionising radiation arising from that event in excess of any of the doses set out in Schedule 1 and for this purpose any health protection measure to be taken during the 24 hours immediately following the event shall be disregarded;

“radioactive substance” means any substance which contains one or more radionuclides whose activity cannot be disregarded for the purposes of radiation protection;

“sealed source” means a source containing any radioactive substance whose structure is such as to prevent, under normal conditions of use, any dispersion of radioactive substances into the environment;

“transport” means—

(5) 1965 c. 57; section 1 was amended by S.I. 1974/2056 and S.I. 1990/1918.

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- (a) carriage of a radioactive substance by rail in or on a vehicle and a radioactive substance shall be deemed as being transported from the time that it is loaded onto the vehicle for the purpose of transporting it until it is unloaded from that vehicle;
- (b) transferring or conveying a radioactive substance through any public place otherwise than—
 - (i) by rail, road, inland waterway, sea or air; or
 - (ii) by means of a pipeline or similar means;

“vehicle” means a railroad car or railway wagon, and for the purposes of these Regulations each car or wagon forming part of a larger vehicle shall be treated as a separate vehicle;

“work with ionising radiation” means work involving the production, processing, handling, use, holding, storage, transport by rail or disposal of radioactive substances which can increase the exposure of persons to radiation from an artificial source, or from a radioactive substance containing naturally occurring radionuclides which are processed for their radioactive, fissile or fertile properties.

- (2) In these Regulations, any reference to a carrier is a reference to—
 - (a) an employer undertaking the transport by rail of any radioactive substance, and includes both a carrier for hire or reward and a carrier on own account, and
 - (b) an employer transferring or conveying a radioactive substance through any public place otherwise than by rail, road, inland waterway, sea or air or by means of a pipeline or similar means.
- (3) In these Regulations, any reference to an operator is a reference to—
 - (a) in relation to any premises other than a licensed site, the person who is, in the course of a trade, business or other undertaking carried on by him, in control of the operation of premises, and
 - (b) in relation to a licensed site, the licensee,

and any duty imposed by these Regulations on the operator shall extend only in relation to those premises.

- (4) In these Regulations, unless the context otherwise requires, any reference to—
 - (a) an employer includes a reference to a self-employed person and any duty imposed by these Regulations on an employer in respect of his employee shall extend to a self-employed person in respect of himself;
 - (b) exposure to ionising radiation is a reference to exposure to ionising radiation arising from work with ionising radiation.
- (5) Any reference in these Regulations to—
 - (a) a numbered regulation or Schedule is a reference to the regulation in or Schedule to these Regulations so numbered; and
 - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears.

Commencement Information

II Reg. 2 in force at 20.9.2001, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2019/703](#) reg. 27
- defn(s) appl by [S.I. 2005/2042](#) reg 12(e)
- reg. 2(1) words inserted by [S.I. 2002/2099](#) Sch. 4 para. 3(b)
- reg. 2(1) words omitted by [S.I. 2002/2099](#) Sch. 4 para. 3(a)
- reg. 2(1) words omitted by [S.I. 2007/1573](#) Sch. 8
- reg. 2(1) words substituted by [S.I. 2002/2469](#) Sch. 1 para. 95
- reg. 2(1) words substituted by [S.I. 2004/568](#) Sch. 13 para. 11(2)
- reg. 2(1) words substituted by [S.I. 2013/235](#) Sch. 2 para. 47(2)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(a)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(b)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(c)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(d)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(e)
- reg. 2(1) words substituted by [S.I. 2017/1075](#) Sch. 9 para. 5(2)(f)
- reg. 2(1) words substituted by [S.I. 2018/269](#) Sch. para. 6(2)
- reg. 2(2)(a) and word omitted by [S.I. 2007/1573](#) Sch. 8

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):

- reg. 2(9A) added by [S.I. 2005/2560](#) reg. 2(3)
- reg. 3(6) added by [S.I. 2004/568](#) Sch. 13 para. 11(3)(e)
- reg. 3(6) substituted by [S.I. 2007/1573](#) Sch. 8
- reg. 7(6)(aa)(ab) substituted for word by [S.I. 2013/235](#) Sch. 2 para. 47(3)
- reg. 7(6)(ab) words inserted by [S.I. 2018/378](#) Sch. para. 20(d)
- reg. 8(7)(aa) substituted for word by [S.I. 2013/235](#) Sch. 2 para. 47(4)
- reg. 8(7)(aa) words inserted by [S.I. 2018/378](#) Sch. para. 20(d)
- reg. 9(12)(aa)(ab) substituted for word by [S.I. 2013/235](#) Sch. 2 para. 47(5)
- reg. 9(12)(ab) words inserted by [S.I. 2018/378](#) Sch. para. 20(d)
- reg. 18A inserted by [S.I. 2006/557](#) Sch. para. 10
- reg. 18A heading words substituted by [S.I. 2015/1682](#) Sch. para. 10(f)
- reg. 18A words substituted by [S.I. 2015/1682](#) Sch. para. 10(f)(i)
- reg. 18A(2)(aa) inserted by [S.I. 2014/469](#) Sch. 3 para. 105(2)
- reg. 18B inserted by [S.I. 2014/469](#) Sch. 3 para. 105(3)
- reg. 18B(2)(b) words substituted by [S.I. 2015/1682](#) Sch. para. 10(f)(ii)