

SCHEDULE 9

Regulation 42

Modifications

The Employment Act 1989

1. In Schedule 1 to the Employment Act 1989(1), omit “Paragraphs 5 and 11 of Schedule 4 to the Ionising Radiations Regulations 1999 [SI 1999/3232]”.

The Employment Rights Act 1996

2. In section 64(3) of the Employment Rights Act 1996(2), for “Regulation 24 of the Ionising Radiations Regulations 1999 [SI 1999/3232]” substitute “Regulation 25 of the Ionising Radiations Regulation 2017 [SI 2017/1075]”.

The Personal Protective Equipment at Work Regulations 1992

3. In regulation 3(3)(b) of the Personal Protective Equipment at Work Regulations 1992(3), for “the Ionising Radiations Regulations 1999 [SI 1999/3232]” substitute “the Ionising Radiations Regulations 2017 [SI 2017/1075]”.

The Health and Safety (Enforcing Authority) Regulations 1998

4.—(1) The Health and Safety (Enforcing Authority) Regulations 1998(4) are amended as follows.

(2) In regulation 2(1), in the definition of “ionising radiation”, for “the Ionising Radiations Regulations 1999 [SI 1999/3232]” substitute “the Ionising Radiations Regulations 2017 [SI 2017/1075]”.

(3) In regulation 4A (the Office for Nuclear Regulation)—

(a) in paragraph (2), for sub-paragraph (a) substitute—

“(a) the provisions of the Ionising Radiations Regulations 2017 in so far as they apply—

(i) in relation to the civil transport of radioactive material by road, railway or inland waterway; and

(ii) to premises which are or are on a nuclear warship site;

(aa) the provisions of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 in so far as they apply to premises which are or are on a nuclear warship site;”

(b) for paragraph (3) substitute—

“(3) For the purposes of—

(a) paragraph (2)(a)—

(i) “civil transport” means transport otherwise than for the purposes of the department of the Secretary of State with responsibility for defence;

(ii) “radioactive material” has the same meaning as given in regulation 2(1) of the Ionising Radiations Regulations 2017 [S.I. 2017/1075];

(1) 1989 c. 38, amended by S.I. 1999/3232; there is other amending legislation but none is relevant.

(2) 1996 c. 18, amended by S.I. 1999/3232; there is other amending legislation but none is relevant.

(3) S.I. 1992/2966, amended by S.I. 1999/3232; there are other amending instruments but none is relevant.

(4) S.I. 1998/494; relevant amending instruments are S.I. 1999/3232 and S.I. 2014/469.

Status: This is the original version (as it was originally made).

- (iii) the transport of material begins with any preparatory process (such as packaging) and continues until the material has been unloaded at its destination;
 - (b) paragraphs (2)(a) and (aa) “premises” includes a nuclear powered warship during any period it is berthed or anchored at a nuclear warship site.”
- (4) In Schedule 2—
- (a) in paragraph 4(d), for “Schedule 1 of the Ionising Radiations Regulations 1999 [SI 1999/3232]” substitute “Schedule 1 to the Ionising Radiations Regulations 2017 [SI 2017/1075]”;
 - (b) in paragraph 5, for “the Ionising Radiations Regulations 1999 [SI 1999/3232]” substitute “the Ionising Radiations Regulations 2017 [SI 2017/1075]”.

The Radiation (Emergency Preparedness and Public Information) Regulations 2001

5.—(1) The Radiation (Emergency Preparedness and Public Information) Regulations 2001⁽⁵⁾ are amended as follows.

- (2) In regulation 2(1)—
- (a) for the definition of “the 1999 Regulations” substitute—
““the 2017 Regulations” means the Ionising Radiations Regulations 2017;”;
 - (b) in the definition of “approved dosimetry service”, for “the 1999 Regulations” substitute “the 2017 Regulations”;
 - (c) in the definition of “dose assessment”, for “regulation 21 of the 1999 Regulations” substitute “regulation 22 of the 2017 Regulations”;
 - (d) in the definition of “dose record”, for “regulation 21 of the 1999 Regulations” substitute “regulation 22 of the 2017 Regulations”;
 - (e) in the definition of “emergency exposure”, for “Schedule 4 to the 1999 Regulations” substitute “Schedule 3 to the 2017 Regulations”;
 - (f) in the definition of “medical surveillance”, for “regulation 24 of the 1999 Regulations” substitute “regulation 25 of the 2017 Regulations”.
- (3) In regulation 4(3), for “regulation 7 (Prior risk assessment etc) of the 1999 Regulations” substitute “regulation 8 (Radiation risk assessments) of the 2017 Regulations”.
- (4) In regulations 7(7)(b) and 8(8)(b), for “regulation 21 of the 1999 Regulations” substitute “regulation 22 of the 2017 Regulations” in each case.
- (5) In regulation 15, for “regulation 11 of the 1999 Regulations” substitute “regulation 12 of the 2017 Regulations”.
- (6) In Schedule 11 omit paragraphs 2 to 9.

The High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005

6. In the High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005⁽⁶⁾, omit regulation 19.

⁽⁵⁾ S.I. 2001/2975, to which there are amendments not relevant to these Regulations.

⁽⁶⁾ S.I. 2005/2686; revoked in relation to England and Wales by S.I. 2010/675.

The Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006

7.—(1) The Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006(7) are amended as follows.

(2) In regulation 3 (enforcing authority)—

(a) after paragraph (4) insert—

“(4A) The Office of Rail and Road has no responsibility for the enforcement of the Ionising Radiations Regulations 2017.”

(b) in paragraph (5)—

(i) for “regulation 93(4)” substitute “regulation 32(4)”;

(ii) for “2007 (defence and enforcement)” substitute “2009 (enforcement)”.

The Legislative Reform (Health and Safety Executive) Order 2008

8. In Schedule 3 to the Legislative Reform (Health and Safety Executive) Order 2008(8) omit the entry relating to the Ionising Radiations Regulations 1999.

The REACH Enforcement Regulations 2008

9. In Part 3 of Schedule 3 to the REACH Enforcement Regulations 2008(9)—

(a) in paragraph 1(g)(i), for “the Ionising Radiations Regulations 1999” substitute “the Ionising Radiations Regulations 2017”;

(b) in paragraph 3, for “the Ionising Radiations Regulations” substitute “the Ionising Radiations Regulations 2017”.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009

10.—(1) Schedule 2 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009(10) is amended as follows.

(2) In paragraph 3(1)—

(a) for “regulation 20 of the Ionising Radiations Regulations 1999 (“the 1999 Regulations”)” substitute “regulation 21 of the Ionising Radiations Regulations 2017 (“the 2017 Regulations”)”;

(b) for “regulations 21 to 26 of the 1999 Regulations” substitute “regulations 22 to 27 of the 2017 Regulations”.

(3) In paragraph 3(2), for “paragraph 1, 2, 6, 7 or 8 of Schedule 4 (Dose Limits) to the 1999 Regulations” substitute “paragraphs 1, 2, 5, 6 or 7 of Schedule 3 (Dose limits) to the 2017 Regulations”.

(4) In paragraph 3(3), for “Schedule 4 to the 1999 Regulations” substitute “Schedule 3 to the 2017 Regulations”.

(5) In paragraph 4(2)(c), for “Schedule 4 to the Ionising Radiations Regulations 1999” substitute “Schedule 3 to the Ionising Radiations Regulations 2017”.

(7) [S.I. 2006/557](#); relevant amending instruments are [S.I. 2007/1573](#), [S.I. 2014/469](#) and [S.I. 2015/1682](#).

(8) [S.I. 2008/960](#), to which there are amendments not relevant to these Regulations.

(9) [S.I. 2008/2852](#), to which there are amendments not relevant to these Regulations.

(10) [S.I. 2009/1348](#), to which there are amendments not relevant to these Regulations.

The Environmental Permitting (England and Wales) Regulations 2010

11. In Part 2 of Schedule 26 to the Environmental Permitting (England and Wales) Regulations 2010(11), omit paragraph 15 (Ionising Radiations Regulations 1999).

The Natural Resources Body for Wales (Functions) Order 2013

12. In Schedule 4 to the Natural Resources Body for Wales (Functions) Order 2013(12), omit paragraph 113 (Ionising Radiations Regulations 1999).

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

13.—(1) The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013(13) are amended as follows.

(2) In regulation 14(6)(e), for “the Ionising Radiations Regulations 1999” substitute “the Ionising Radiations Regulations 2017”.

(3) In Schedule 4, Table 1, omit the entry relating to the Ionising Radiations Regulations 1999.

The Construction (Design and Management) Regulations 2015

14. In paragraph 3 of Schedule 3 to the Construction (Design and Management) Regulations 2015(14), for “regulation 16 of the Ionising Radiations Regulations 1999” substitute “regulation 17 of the Ionising Radiations Regulations 2017”.

The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

15.—(1) The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015(15) are amended as follows.

(2) In Part 2 of Schedule 2—

(a) in column 1, for “Ionising Radiations Regulations 1999” substitute “Ionising Radiations Regulations 2017”;

(b) in column 2, for the corresponding entry, for “Authorisation under regulation 5 (authorisation of specified practices)” substitute “Registration under regulation 6 (registration of certain practices) in relation to the use of electrical equipment intended to produce x-rays for the purpose of research or the exposure of persons for medical treatment, and consent under regulation 7 (consent to carry out specified practices) in relation to the practices specified in regulation 7(1)(d), (e) and (f)”.

The Health and Safety and Nuclear (Fees) Regulations 2016

16.—(1) The Health and Safety and Nuclear (Fees) Regulations 2016(16) are amended as follows.

(2) In regulation 2(1), for the definition of “the 1999 Regulations” substitute—

““the 2017 Regulations” means the Ionising Radiations Regulations 2017 [[SI 2017/1075](#)];”

(3) In the heading of regulation 8, for “the Ionising Radiation Regulations 1999” substitute “the Ionising Radiations Regulations 2017”.

(11) [S.I. 2010/675](#), to which there are amendments not relevant to these Regulations.

(12) [S.I. 2013/755](#), to which there are amendments not relevant to these Regulations.

(13) [S.I. 2013/1471](#), to which there are amendments not relevant to these Regulations.

(14) [S.I. 2015/51](#), to which there are amendments not relevant to these Regulations.

(15) [S.I. 2015/462](#), to which there are amendments not relevant to these Regulations.

(16) [S.I. 2016/253](#), to which there are amendments not relevant to these Regulations.

- (4) In regulation 8—
- (a) in paragraph (2)—
- (i) for “1(c)(i) or 1(d)(i)” substitute “1(d)(i) or 1(e)(i)”;
- (ii) for “1999” substitute “2017”;
- (b) after paragraph (2) insert—
- “(2A) A fee is payable to the appropriate authority (within the relevant meaning given in the 2017 Regulations) on each application for registration or for a consent to carry out specified practices for the purposes of the 2017 Regulations.”
- (c) in paragraph (3), for “paragraph (1) or (2)” substitute “paragraph (1), (2) or (2A)”;
- (d) in paragraph (7), for “this regulation” substitute “paragraph (1), (2) or (4)”;
- (e) in paragraph (9), for “regulation 21(3)(e) of the 1999 Regulations” substitute “regulation 22(3)(e) of the 2017 Regulations”.
- (5) In Schedule 4, in relation to entry (a)—
- (a) for “The 1999 Regulations” substitute “The 2017 Regulations”;
- (b) for “SI 1999/3232” substitute “SI 2017/1075”.
- (6) In the heading of Schedule 6, for “1999” substitute “2017”.
- (7) In Schedule 6, in column 1 of Table 1—
- (a) for “regulation 35 of the 1999 Regulations”, in both places in which it occurs, substitute “regulation 36 of the 2017 Regulations”;
- (b) in the entry for “Original type approval of apparatus”—
- (i) for “paragraph 1(c)(i) or 1(d)(i) of Schedule 1 to the 1999 Regulations” substitute “paragraph 1(d)(i) or 1(e)(i) of Schedule 1 to the 2017 Regulations”;
- (ii) for “regulation 6” substitute “regulation 5”;
- (c) in the entry for “Amendment of an original approval of dosimetry services”, in addition to the amendment made by sub-paragraph (a) above, for “paragraph 1(c)(i) or 1(d)(i)” substitute “paragraph 1(d)(i) or 1(e)(i)”;
- (d) after the entry referred in sub-paragraph (c) above, insert—
- “Application for registration or for consent to carry out a specified practice pursuant to regulations 6 and 7 of the 2017 Regulations”.
- (8) In Schedule 6, in column 2 of Table 1, in relation to the entry inserted by paragraph (7)(d), insert “£25”.
- (9) In Schedule 6, in column 1 of Table 2, for “regulation 35 of the 1999 Regulations”, in both places in which it occurs, substitute “regulation 36 of the 2017 Regulations”.
- (10) In Schedule 6, in column 3 of Table 3, for “regulation 21(3)(e) of the 1999 Regulations” substitute “regulation 22(3)(e) of the 2017 Regulations”.

The Environmental Permitting (England and Wales) Regulations 2016

17. In Part 5 of Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2016(17), omit paragraph 7.