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STATUTORY INSTRUMENTS

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**2018 No. 430**

**The Justification of Practices Involving Ionising  
Radiation (Amendment) Regulations 2018**

**Amendment of regulation 6 (justifying authority)**

- 7.—(1) Regulation 6 is amended as follows.
- (2) In paragraph (1)(d) for “National Assembly for Wales” substitute “Welsh Ministers”.
- (3) After paragraph (1) insert—
- “(1A) A person must not exercise functions under these Regulations in relation to a practice, except those listed in paragraph (1B), unless that person is functionally separate from all other persons concerned with the promotion or utilisation of that practice.
- (1B) The functions referred to in paragraph (1A) are those of—
- (a) receiving applications under regulation 13(1);
- (b) maintaining the register under regulation 19(1);
- (c) making the register available to the public under regulation 19(3);
- (d) carrying out reviews and publishing reports under regulation 28.”
- (4) In paragraph (2)—
- (a) in the words before sub-paragraph (a)—
- (i) at the beginning, for “The” substitute “In addition to the limitation in paragraph (1A), the”;
- (ii) after “shall be” insert “further”;
- (b) in sub-paragraph (b), after devolved competence, insert “, within the meaning of section 54 of the Scotland Act 1998(1)”;
- (c) in sub-paragraph (d)—
- (i) for “National Assembly for Wales” substitute “Welsh Ministers”;
- (ii) for “functions under these Regulations” to the end substitute “justifying the class or type of practice involved falls within devolved competence, within the meaning of section 58A of the Government of Wales Act 2006(2)”.
- (5) In paragraph (3)(a) for “National Assembly for Wales” substitute “Welsh Ministers”.
- (6) In paragraph (4)—
- (a) omit sub-paragraph (a);
- (b) in sub-paragraph (g) for “section 155 of the Government of Wales Act 1998” substitute “section 158 of the Government of Wales Act 2006”;
- (c) after sub-paragraph (g) insert—

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(1) 1998 c. 46, to which there are amendments not relevant to these Regulations.

(2) 2006 c. 32. Section 58A is inserted by section 19(1) of the Wales Act 2017 (c. 4). Section 19(1) is commenced by regulation 3 of the Wales Act 2017 (Commencement No. 4) Regulations 2017 (S.I. 2017/1179) and comes into force on 1st April 2018.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (h) “the Welsh Ministers” has the meaning prescribed by section 45 of the Government of Wales Act 2006”.