



# Radioactive Substances Act 1993

## CHAPTER 12

### RADIOACTIVE SUBSTANCES ACT 1993

#### *Preliminary*

- 1 Meaning of “radioactive material”.
- 1A Meaning of “radioactive material” and “radioactive waste”
- 1B NORM industrial activities
- 1C Processed radionuclides of natural terrestrial or cosmic origin
- 1D Radionuclides not of natural terrestrial or cosmic origin
- 1DA Dilution to reduce concentration of radioactivity: Northern Ireland
- 1E Radionuclides with a short half-life
- 1F Radionuclides not of natural terrestrial or cosmic origin in background radioactivity
- 1G Contaminated substances or articles
- 1GA Historic radium contamination: Northern Ireland
- 1H Substances or articles after disposal
- 1J Variation of tables in Schedule 1A
- 2 Meaning of “radioactive waste”.
- 3 Meaning of “mobile radioactive apparatus”.

#### *Inspectors and chief inspector*

- 4 Inspectors and chief inspector appointed by Secretary of State.
- 5 Appointment of inspectors by Minister of Agriculture, Fisheries and Food.

#### *Registration relating to use of radioactive material and mobile radioactive apparatus*

- 6 Prohibition of use of radioactive material without registration.
- 7 Registration of users of radioactive material.
- 8 Exemptions from registration under s. 7.

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- 9 Prohibition of use of mobile radioactive apparatus without registration.
- 10 Registration of mobile radioactive apparatus.
- 11 Exemptions from registration under s. 10.
- 12 Cancellation and variation of registration.

*Authorisation of disposal and accumulation of radioactive waste*

- 13 Disposal of radioactive waste.
- 14 Accumulation of radioactive waste.
- 14A Radioactive waste: requirements to be imposed on persons authorised to dispose of and accumulate radioactive waste: Northern Ireland
  - 15 Further exemptions from ss. 13 and 14.
  - 16 Grant of authorisations.
  - 16A Transfer of authorisations
  - 17 Revocation and variation of authorisations.
  - 17A Review of authorisations and inspection of premises authorised in this Act
- 18 Functions of public and local authorities in relation to authorisations under s. 13.

*Further obligations relating to registration or authorisation*

- 19 Duty to display documents.
- 20 Retention and production of site or disposal records.

*Enforcement notices and prohibition notices*

- 21 Enforcement notices.
- 22 Prohibition notices.

*Powers of Secretary of State in relation to applications etc.*

- 23 Power of Secretary of State to give directions to chief inspector.
- 24 Power of Secretary of State to require certain applications to be determined by him.
- 25 Power of Secretary of State to restrict knowledge of applications etc.

*Appeals*

- 26 Registrations, authorisations and notices: appeals from decisions of chief inspector.
- 27 Procedure on appeals under s. 26.
- 28 Representations in relation to authorisations and notices where appropriate Minister is concerned.

*Further powers of Secretary of State in relation to radioactive waste*

- 29 Provision of facilities for disposal or accumulation of radioactive waste.
- 30 Power of Secretary of State to dispose of radioactive waste.
- 30A Recovery and disposal of orphan sources

*Rights of entry*

- 31 Rights of entry and inspection.

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### *Offences*

- 32 Offences relating to registration or authorisation.
- 33 Offences relating to ss. 19 and 20.
- 34 Disclosure of trade secrets.
- 34A Offences of making false or misleading statements or false entries.
- 35 Obstruction.
- 36 Offences by bodies corporate.
- 37 Offence due to another's fault.
- 38 Restriction on prosecutions.

### *Public access to documents and records*

- 39 Public access to documents and records.

### *Operation of other statutory provisions*

- 40 Radioactivity to be disregarded for purposes of certain statutory provisions.

### *General*

- 41 Service of documents.
- 42 Application of Act to Crown.
- 43 Fees and charges.
- 44 Regulations and orders: Great Britain.
- 45 Regulations and orders: Northern Ireland.
- 46 Effect of Act on other rights and duties.
- 47 General interpretation provisions.
- 48 Index of defined expressions.
- 49 Consequential amendments and transitional and transitory provisions.
- 50 Repeals.
- 51 Short title, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — Specified elements

### SCHEDULE 1A — Tables of NORM industrial activities, radionuclides and summation rules

### SCHEDULE 2 — Exercise of rights of entry and inspection

- 1 A person entering upon any premises in the exercise of...
- 2 Where it is shown to the satisfaction of a justice...
- 3 A justice of the peace shall not grant a warrant...
- 4 Every warrant granted under this Schedule shall remain in force...
- 5 Any person who, in the exercise of a power conferred...
- 6 Before a person carries out any test on any premises,...
- 7 Any power of entry conferred by this Act shall, if...
- 8 Any power of entry, or of carrying out tests or...
- 9 In this Schedule any reference to a case of emergency...
- 10 This Schedule shall have effect in relation to Scotland with...

### SCHEDULE 3 — Enactments, other than local enactments, to which s. 40 applies

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Part I — ENGLAND AND WALES

- 1 Sections 48, 81, 82, 141, 259 and 261 of the...
- 2 Section 16 of the Clean Air Act 1993.
- 3 . . . . .
- 4 Section 4 of the Salmon and Freshwater Fisheries Act 1975....
- 5 Section 59 of the Building Act 1984.
- 6 The Planning (Hazardous Substances) Act 1990.
- 7 Part III of the Environmental Protection Act 1990.
- 8 Sections 72, 111 and 113(6) and Chapter III of Part...
- 9 Sections 82, 84, 85, 86, 87(1), 88(2), 92, 93,...
- 10 Section 18 of the Water Act 1945 so far as...
- 10A Section 155 of the Marine and Coastal Access Act 2009....
- 10B The Environmental Permitting Regulations, insofar as they relate to...

Part II — SCOTLAND

- 11 Sections . . . 32, 41, 42 and 116 of...
- 12 Section 16 of the Clean Air Act 1993.
- 13 The Sewerage (Scotland) Act 1968.
- 14 The Planning (Hazardous Substances) (Scotland) Act 1997 .
- 15 Section 201 of the Local Government (Scotland) Act 1973.
- 16 Sections 30A, 30B, 30D, 41 to 42B and 56(1)...
- 17 Sections 70, 71 and 75 of the Water (Scotland) Act...
- 17A Part III of the Environmental Protection Act 1990.

Part III — NORTHERN IRELAND

- 18 Sections 50, 51 and 58 of the Public Health (Ireland)...
- 19 Section 26 of the Public Health Acts Amendment Act 1890....
- 20 Sections 35, 46, 49 and 51 of the Public Health...
- 21 Sections 26, 47 and 124 of the Fisheries Act (Northern...
- 22 Articles 5, 7, 9 7A, 14, 16 and 30...
- 23 Articles 112, 168 and 170(5) and Chapter III of Part...
- 24 The Clean Air (Northern Ireland) Order 1981.
- 25 The Pollution Control (Special Waste) Regulations (Northern Ireland) 1981.
- 26 Part 7 of the Clean Neighbourhoods and Environment Act (Northern...

SCHEDULE 4 — Consequential amendments

*The Continental Shelf Act 1964 (c. 29)*

- 1 In section 7 of the Continental Shelf Act 1964, for...

*The Nuclear Installations Act 1965 (c. 57)*

- 2 In section 4(1)(d) of the Nuclear Installations Act 1965, for...

*The Control of Pollution Act 1974 (c. 40)*

- 3 In section 56(6) of the Control of Pollution Act 1974,...

*The Pollution Control and Local Government (Northern Ireland) Order 1978 (S.I. 1978/1049 (N.I. 19))*

- 4 In article 36(4) of the Pollution Control and Local Government...

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*The Atomic Energy (Miscellaneous Provisions) Act 1981 (c. 48)*

- 5 In section 4(1) of the Atomic Energy (Miscellaneous Provisions) Act...

*The Environmental Protection Act 1990 (c. 43)*

- 6 In section 28(2) of the Environmental Protection Act 1990, for...  
7 In section 78 of that Act, for “Radioactive Substances Act...  
8 In section 142(7) of that Act, for “the Radioactive Substances...  
9 In section 156 of that Act, for “Radioactive Substances Act...

*The Atomic Weapons Establishment Act 1991 (c. 46)*

- 10 After paragraph 10 of the Schedule to the Atomic Weapons...

*The Water Resources Act 1991 (c. 57)*

- 11 In section 98 of the Water Resources Act 1991—

SCHEDULE 5 — Transitional and transitory provisions

Part I — GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

- 1 The substitution of this Act for the enactments repealed by...  
2 Any reference, whether express or implied, in this Act or...  
3 Any document made, served or issued after the commencement of...  
4 Paragraphs 2 and 3 have effect without prejudice to the...  
5 The power to amend or revoke the subordinate legislation reproduced...  
6 Subsection (1) of section 80 of the Health and Safety...  
7 In the application of paragraph 6 to Northern Ireland<sup>^</sup>

Part II — TRANSITORY MODIFICATIONS OF SCHEDULE 3

- 8 (1) If— (a) no date has been appointed before the...  
9 (1) If— (a) no date has been appointed before the...  
10 (1) If— (a) no date has been appointed before the...  
11 Until the commencement of the repeal by Part II of...  
12 Until the commencement of the repeal by Part II of...

SCHEDULE 6 — Repeals and revocations

Part I — ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM

Part II — REPEALS IN RADIOACTIVE SUBSTANCES ACT 1948 EXTENDING  
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Part III — NORTHERN IRELAND LEGISLATION

Part IV — SUBORDINATE LEGISLATION

— TABLE OF DERIVATIONS

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**Changes and effects yet to be applied to :**

- s. 34A heading words inserted by [2022 c. 35 s. 14\(2\)](#)
- s. 34A(2) words substituted by [2022 c. 35 s. 14\(4\)](#)
- Sch. 1 repealed by [S.S.I. 2018/219 Sch. 7 para. 1](#)
- Sch. 2 repealed by [S.S.I. 2018/219 Sch. 7 para. 1](#)

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

- Act modified by [2014 c. 20 Sch. 1 para. 5](#)
- Act saving for effects of S.I. 2016/1154, reg. 72 by [S.S.I. 2018/219 Sch. 5 para. 346](#)

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

- s. 34A(1A)-(1C) inserted by [2022 c. 35 s. 14\(3\)](#)