
STATUTORY INSTRUMENTS

2017 No. 1075

The Ionising Radiations Regulations 2017

PART 2

GENERAL PRINCIPLES AND PROCEDURES

Registration of certain practices

6.—(1) For the purposes of this regulation, all practices are registrable practices except those listed in paragraph (2).

(2) The following practices are not registrable practices—

- (a) a practice solely involving work with ionising radiation to which Schedule 1 applies;
- (b) a specified practice (within the meaning of regulation 7(1));
- (c) the operation or decommissioning of any nuclear installation;
- (d) the operation, decommissioning or closure of any facility for the long-term storage or disposal of radioactive waste (including facilities managing radioactive waste for this purpose) where such facility is situated on a site licensed under section 1 of the Nuclear Installations Act 1965;
- (e) any practice involving radioactive material where the amount of the radioactive material does not exceed 1,000kg and the activity concentration value of the radioactive substance in that material does not exceed the value specified in column 4 of Part 1 of Schedule 7 (for artificial radionuclides and naturally occurring radionuclides which are processed for their radioactive, fissile or fertile properties) or column 4 of Part 2 of Schedule 7 (for naturally occurring radionuclides which are not processed for their radioactive, fissile or fertile properties);
- (f) any practice involving radioactive material where the amount of the radioactive material exceeds 1,000kg and the activity concentration value of the radioactive substance in that material does not exceed the value in column 2 of Part 1 of Schedule 7 (for artificial radionuclides and naturally occurring radionuclides which are processed for their radioactive, fissile or fertile properties) or column 2 of Part 2 of Schedule 7 (for naturally occurring radionuclides which are not processed for their radioactive, fissile or fertile properties).

(3) Subject to paragraph 5 of Schedule 8 (which relates to transitional provisions), an employer must not carry out a registrable practice unless that employer has applied for, and has been issued with, a registration in connection with the practice by the appropriate authority.

(4) An employer applying for a registration under paragraph (3) must provide—

- (a) such information regarding the practice as is required by the registration procedure approved by the appropriate authority from time to time; and
- (b) upon notice in writing by the appropriate authority, such other information relating to the practice as the appropriate authority may reasonably require in connection with the registration.

(5) A registration under paragraph (3) may be issued subject to conditions (which may include a limit of time) and may be revoked in writing at any time.

(6) Where an employer has registered a practice in accordance with this regulation and subsequently ceases to carry out that practice, or makes a material change to the practice which would affect the particulars provided to the appropriate authority in connection with the registration, the employer must immediately notify the appropriate authority of that cessation or material change.

(7) An employer who is aggrieved by—

- (a) a decision of the appropriate authority refusing to issue a registration under paragraph (3) or revoking a registration under paragraph (5); or
- (b) the terms of any conditions attached to a registration under paragraph (5),

may appeal to the Secretary of State.

(8) Sub-sections (2) to (6) of section 44 of the 1974 Act apply for the purposes of paragraph (7) as they apply to an appeal under section 44(1) of that Act.

(9) The Health and Safety Licensing Appeals (Hearings Procedure) Rules 1974(1), as respects England and Wales, and the Health and Safety Licensing Appeals (Hearings Procedure) (Scotland) Rules 1974(2), as respects Scotland, apply to an appeal under paragraph (7) as they apply to an appeal under sub-section (1) of section 44 of the 1974 Act, but with the modification that references to a licensing authority are to be read as references to the appropriate authority.

(10) In this regulation—

“appropriate authority” means—

- (a) in relation to practices carried out exclusively or primarily on nuclear premises, the ONR;
- (b) otherwise, the Executive;

“nuclear installation” has the meaning given by regulation 26(1) of the Nuclear Installations Act 1965.

(1) S.I. 1974/2040.

(2) S.I. 1974/2068.