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STATUTORY INSTRUMENTS

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**2017 No. 1075**

**The Ionising Radiations Regulations 2017**

**PART 2**

**GENERAL PRINCIPLES AND PROCEDURES**

**Consent to carry out specified practices**

7.—(1) In this regulation a “specified practice” means any of the following practices—

- (a) the deliberate administration of radioactive substances to persons and, in so far as the radiation protection of persons is concerned, animals for the purpose of medical or veterinary diagnosis, treatment or research;
- (b) the exploitation and closure of uranium mines;
- (c) the deliberate addition of radioactive substances in the production or manufacture of consumer products or other products, including medicinal products;
- (d) the operation of an accelerator (except when operated as part of a practice within subparagraph (e) or (f) below and except an electron microscope);
- (e) industrial radiography;
- (f) industrial irradiation;
- (g) any practice involving a high-activity sealed source (other than one within subparagraph (e) or (f) above);
- (h) 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) but not any such facility situated on a site licensed under section 1 of the Nuclear Installations Act 1965;
- (i) practices discharging significant amounts of radioactive material with airborne or liquid effluent into the environment.

(2) Subject to paragraph 6 of Schedule 8 (which relates to transitional provisions), an employer must not carry out a specified practice unless that employer has applied for, and has been granted, a consent to carry out the practice by the appropriate authority.

(3) An employer applying for a consent under paragraph (2) must provide—

- (a) such of the information set out in Schedule 2 as the appropriate authority may specify from time to time as necessary to determine an application for consent; 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 application for consent.

(4) A consent under paragraph (2) may be granted subject to conditions (which may include a limit of time) and may be revoked in writing at any time.

(5) Where an employer has been granted consent under this regulation to carry out a practice 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 application for consent, the employer must immediately notify the appropriate authority of that cessation or material change.

(6) An employer who is aggrieved by—

(a) a decision of the appropriate authority refusing to grant a consent under paragraph (2) or revoking a consent under paragraph (4); or

(b) the terms of any conditions attached to a consent under paragraph (4),

may appeal to the Secretary of State.

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

(8) The Health and Safety Licensing Appeals (Hearings Procedure) Rules 1974, as respects England and Wales, and the Health and Safety Licensing Appeals (Hearings Procedure) (Scotland) Rules 1974, as respects Scotland, apply to an appeal under paragraph (6) 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.

(9) In this regulation “appropriate authority” has the meaning given in regulation 6(10).