
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 345

**The Radioactive Contaminated Land
Regulations (Northern Ireland) 2006**

Scope

7. Nothing in these Regulations shall apply to land which is causing or likely to cause lasting exposure by reason of the presence in, on or under that land of any substances, in so far as by reason of that presence damage to any property occurs being —

- (a) damage caused in breach of any duty imposed by section 7, 8, 9 or 10 of the 1965 Act, or deemed to be so caused by section 12 (2) of that Act;
- (b) damage which would have been so caused if, in section 7(1)(a) or (b) of the 1965 Act, the words “other than the licensee” or in section 10(1) of that Act, the words “other than that operator” had not been enacted; or
- (c) damage in respect of which any relevant foreign operator or other person is liable under any relevant foreign law, or for which he would be so liable —
 - (i) but for any exclusion or limitation of liability applying by reason of provision of that law made for purposes corresponding to those of section 13(3) or (4)(a), 15, 16(1) and (2) or 18 of the 1965 Act; or
 - (ii) if any such relevant foreign law which does not contain provision made for purposes corresponding to those of section 13(4)(b) of the 1965 Act did contain such provision.