
STATUTORY INSTRUMENTS

2019 No. 703

**The Radiation (Emergency Preparedness
and Public Information) Regulations 2019**

Citation, commencement and extent **E+W+S**

1.—(1) These Regulations may be cited as the Radiation (Emergency Preparedness and Public Information) Regulations 2019 and come into force on the 22nd May 2019.

(2) These Regulations do not extend to Northern Ireland.

Commencement Information

II [Reg. 1](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Interpretation **E+W+S**

2.—(1) In these Regulations, unless the context otherwise requires—

“the 2017 Regulations” means the Ionising Radiations Regulations 2017 ^{M1};

“the Agency” in relation to premises or a plan relating to premises—

(a) in England, means the Environment Agency,

(b) in Wales, means Natural Resources Body for Wales, and

(c) in Scotland, means the Scottish Environment Protection Agency;

“approved dosimetry service” means an approved dosimetry service within the meaning of the 2017 Regulations and which is approved for the purpose of regulation 22 of those Regulations;

“authorised defence site” has the meaning given by regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M2};

“Category 1 responder” has the meaning set out in Parts 1, 2 and 2A of Schedule 1 to the Civil Contingencies Act 2004 ^{M3};

“Category 2 responder” has the meaning set out in Parts 3, 4 and 5 of Schedule 1 to the Civil Contingencies Act 2004 ^{M4};

“consequences report” has the meaning set out in regulation 7(1);

“detailed emergency planning zone” means a zone determined in accordance with regulation 8 and covered by the local authority's off-site emergency plan;

“dose” means, in relation to ionising radiation, any dose or sum of dose quantities to which an individual is exposed as a result of a radiation emergency;

“dose assessment” means the dose assessment made and recorded by an approved dosimetry service in accordance with regulation 22 of the 2017 Regulations;

“dose record” means the record made and maintained in respect of an employee by the approved dosimetry service in accordance with regulation 22 of the 2017 Regulations;

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Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

“emergency exposure” means an exposure of an employee engaged in an activity of or associated with the response to a radiation emergency or potential radiation emergency in order to bring help to endangered persons, prevent exposure of other persons or save a valuable installation or goods, whereby one of the individual dose limits referred to in paragraphs 1 and 2 of Part 1 of Schedule 3 to the 2017 Regulations could be exceeded;

“emergency services” means—

- (a) those police, fire and ambulance services who are likely to be required to respond to a radiation emergency which has occurred at the premises of an operator, and
- (b) where appropriate, Her Majesty's Coastguard;

“emergency worker” means any person who has a defined responding role in an operator's emergency plan or a local authority's off-site emergency plan, and who might be exposed to radiation as a result of a potential or actual radiation emergency;

“existing exposure situation” means an exposure situation which does not call or no longer calls for the implementation of any protective action from an emergency plan;

“health authority” means—

- (a) in relation to England, a clinical commissioning group established under section 14D of the National Health Service Act 2006 ^{M5},
- (b) in relation to Wales, means a local health board established under section 11 of the National Health Service (Wales) Act 2006 ^{M6}, and
- (c) in relation to Scotland, a health board established under section 2 of the National Health Service (Scotland) Act 1978 ^{M7};

“installation” means a unit in which the radioactive substances present are, or are intended to be, produced, used, handled or stored, and it includes—

- (a) equipment, structures, pipework, machinery and tools, and
- (b) docks, unloading quays, jetties, warehouses or similar structures, whether floating or not;

“ionising radiation” means the energy transferred in the form of particles or electromagnetic waves of a wavelength of 100 nanometres or less or a frequency of 3×10^{15} hertz or more capable of producing ions directly or indirectly;

“licensed site” means a site in respect of which a nuclear site licence has been granted and is in force;

“local authority” means in relation to—

- (a) London, the London Fire Commissioner,
- (b) an area where there is a Metropolitan County Fire and Rescue Authority, that authority,
- (c) the Isles of Scilly, the Council of the Isles of Scilly,
- (d) an area in the rest of England, the county council for that area, or, where there is no county council for that area, the district council for that area,
- (e) an area in Scotland, the council for the local government area, and
- (f) an area in Wales, the county council or the county borough council for that area;

“medical surveillance” means medical surveillance carried out in accordance with the 2017 Regulations;

“new nuclear build site” has the meaning given by regulation 2A of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M8};

“non-dispersible source” means a sealed source or a radioactive substance which, in either case, it is determined that, by virtue of its physical and chemical form, it cannot cause a radiation

emergency but does not include any radioactive substance that is or has been a component of a nuclear reactor;

“nuclear site licence” has the meaning assigned to it by section 1(1) of the Nuclear Installations Act 1965 ^{M9};

“nuclear warship site” has the meaning given by regulation 2B of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M10};

“off-site emergency plan” is to be interpreted in accordance with regulation 11;

“operator” has the meaning set out in paragraph (2);

“operator's emergency plan” are to be interpreted in accordance with regulation 10;

“outline planning zone” means a zone determined in accordance with regulation 9 and covered by the local authority's off-site emergency plan;

“premises” means—

- (a) the whole of an area under the control of an operator where radioactive substances are present in one or more installations, and for this purpose two or more areas under the control of the operator and separated only by a road, railway or inland waterway shall be treated as one whole area, or
- (b) where radioactive substances are present on a licensed site, that licensed site, or
- (c) where a radioactive substance forms an integral part of a vessel and is used in connection with the operation of that vessel, includes when that vessel is at fixed point moorings or alongside berths, save that such a vessel is to be deemed separate premises only where such moorings or berths do not form part of a licensed site or part of premises under the control of the Secretary of State for Defence;

“protective action” means an action or actions taken in order to prevent or reduce the exposure of emergency workers, members of the public, the environment or the contamination of property from ionising radiation in the event of a radiation emergency, and includes the provision of appropriate information to the public in accordance with regulations 21 and 22;

“radiation emergency” means a non-routine situation or event arising from work with ionising radiation that necessitates prompt action to mitigate the serious consequences—

- (a) of a hazard resulting from that situation or event;
- (b) of a perceived risk arising from such a hazard; or
- (c) to any one or more of—
 - (i) human life;
 - (ii) health and safety;
 - (iii) quality of life;
 - (iv) property;
 - (v) the environment;

“radiation protection adviser” means a radiation protection adviser within the meaning of the 2017 Regulations and who is recognised as such for the purpose of regulation 14 of those Regulations;

“radioactive substance” means any substance which contains one or more radionuclides whose activity cannot be disregarded for the purposes of radiation protection;

“reference level” is to be interpreted in accordance with regulation 20;

“regulator” means—

- (a) the Health and Safety Executive; or

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

- (b) the Office for Nuclear Regulation in the event the premises is—
- (i) a licensed site;
 - (ii) an authorised defence site;
 - (iii) a new nuclear build site; or
 - (iv) a nuclear warship site;
- (c) but in the event that an agreement has been reached between the Health and Safety Executive and the Office for Nuclear Regulation to transfer responsibility in respect of specific premises, the person to whom that responsibility was transferred;

“sealed source” means a source containing any radioactive substance whose structure is such as to prevent dispersion of radioactive substances into the environment;

“work with ionising radiation” means work involving the production, processing, handling, use, holding, storage or disposal of radioactive substances which can increase the exposure of persons to radiation from an artificial source, or from a radioactive substance containing naturally occurring radionuclides which are processed for their radioactive, fissile or fertile properties.

(2) In these Regulations, any reference to an operator is a reference to—

- (a) in relation to any premises other than a licensed site, the person who is, in the course of a trade or business or other undertaking carried on by that person, in control of the operation of premises, and
- (b) in relation to a licensed site, a person to whom a nuclear site licence has been granted,

and any duty imposed by these Regulations on the operator extends only in relation to those premises.

(3) In these Regulations—

- (a) any reference to an effective dose means the sum of the effective dose to the whole body from external ionising radiation and the committed effective dose from internal ionising radiation; and
- (b) any reference to equivalent dose to a human tissue or organ includes the committed equivalent dose to that tissue or organ from internal ionising radiation.

(4) In these Regulations, unless the context otherwise requires, any reference to—

- (a) an employer includes a reference to a self-employed person and any duty imposed by these Regulations on an employer in respect of its employee extends to a self-employed person in respect of that self-employed person,
- (b) exposure to ionising radiation is a reference to exposure to ionising radiation arising from work with ionising radiation.

(5) In these Regulations, references to “local authority”, unless the context otherwise requires, are to the local authority in which the premises are situated, and references to “lead local authority”, where more than one local authority is involved, are to that local authority.

Commencement Information

I2 [Reg. 2](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

M1 [S.I. 2017/1075](#).

M2 [S.I. 1998/494](#). The reference to authorised defence site was introduced by paragraph 72 of Part 3 of Schedule 3 to [S.I. 2014/469](#).

- M3** 2004 c. 36. Paragraph 1A was inserted by article 2 of S.I. 2011/1233. Parts 1 and 2 of Schedule 1 have also been amended by paragraph 27 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c. 43), section 312 of and Part 8 of Schedule 22 to, the Marine and Coastal Access Act 2009 (c. 23), paragraph 132 of Schedule 5, paragraph 16 of Schedule 7 and paragraph 100 of Part 2 of Schedule 14 to the Health and Social Care Act 2012 (c. 7), article 2 of S.I. 2008/3012, paragraph 429 of Part 1 of Schedule 2 to S.I. 2013/755, and paragraph 1 of Part 1 of Schedule 3 to S.S.I. 2013/119. Part 2A of Schedule 1 was inserted by article 41 of S.I. 2018/644.
- M4** Parts 3 and 4 of Schedule 1 have been amended by paragraph 132 of Schedule 5 to the Health and Social Care Act 2012, paragraph 16 of Schedule 9 to the Civil Aviation Act 2012 (c.19), paragraph 81 of Part 5 of Schedule 12 to the Energy Act 2013, paragraph 152 of Part 2 of Schedule 1 to the Infrastructure Act 2015 (c. 7), article 2 of S.I. 2005/2043, paragraph 4 of Part 1 of Schedule 1 to S.I. 2005/3050, paragraph 6 of Part 1 of Schedule 1 to S.I. 2016/645, and article 41 of S.I. 2018/644. Part 5 of Schedule 1 was inserted by article 41 of S.I. 2018/644.
- M5** 2006 c. 41. Section 14D was inserted by section 25 of the Health and Social Care Act 2012.
- M6** 2006 c. 42.
- M7** 1978 c. 29.
- M8** Regulation 2A was inserted by paragraph 73 of Part 3 of Schedule 3 to S.I. 2014/469.
- M9** 1965 c. 57. Section 1 was substituted by paragraph 17 of Part 2 of Schedule 12 to the Energy Act 2013.
- M10** Regulation 2B was inserted by paragraph 73 of Part 3 of Schedule 3 to S.I. 2014/469.

Application **E+W+S**

3.—(1) Subject to paragraphs (2) and (5) and with the exception of regulation 22, these Regulations apply to any work with ionising radiation which involves having on any premises, or providing for there to be on any premises, a radioactive substance containing more than the quantity specified in relation to that radionuclide in Schedule 1 or, in the case of fissile material, more than the mass of that material specified in Schedule 2.

(2) These Regulations do not apply to work falling within paragraph (1) where the operator can demonstrate that the quantity present on the premises would not allow, in a radiation emergency situation, an annual effective dose to persons off-site of greater than 1 mSv.

(3) Where a radionuclide is not specified in Schedule 1—

- (a) an operator must carry out an assessment to determine whether the quantity present on the premises allows an annual effective dose greater than that specified in paragraph (2); and
- (b) if that assessment demonstrates that an annual effective dose greater than that specified in paragraph (2) is allowable, then these Regulations apply.

(4) For the purposes of paragraph (1), a quantity specified in Schedule 1 is to be treated as being exceeded if—

- (a) where only one radionuclide is involved, the quantity of that radionuclide exceeds the quantity specified in the appropriate entry in Part 1 of Schedule 1; or
- (b) where more than one radionuclide is involved, the quantity ratio calculated in accordance with Part 2 of Schedule 1 exceeds one.

(5) These Regulations do not apply in respect of—

- (a) any non-dispersible source;
- (b) any radioactive substance which has an activity concentration of not more than 100Bqg⁻¹;
- (c) any radioactive substance conforming to the specifications for special form radioactive material set out in sub-section 2.7.2.3.3. of the UN Model Recommendations on the

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Transport of Dangerous Goods: Model Regulations (“UN Model Regulations”) ^{M11}, as revised or reissued from time to time;

- (d) any radioactive substance which is in a package which complies with the requirements for a Type B(U) package, a Type B(M) package or a Type C package as set out in subsections 6.4.8, 6.4.9 or 6.4.10 of the UN Model Regulations respectively.

Commencement Information

I3 [Reg. 3](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

M11 The Model Recommendations can be found at https://www.unece.org/trans/danger/publi/unrec/rev19/19files_e.html or can be inspected at the offices of the Department of Business, Energy and Industrial Strategy at 1 Victoria Street, London, SW1H 0ET.

Hazard evaluation **E+W+S**

4.—(1) The operator of any premises to which these Regulations apply must make a written evaluation before any work with ionising radiation is carried out for the first time at those premises.

(2) The evaluation required under paragraph (1) must be sufficient to identify all hazards arising from the work undertaken which have the potential to cause a radiation emergency.

(3) Where the evaluation required under paragraph (1) does not reveal any hazards having the potential to cause a radiation emergency, reasons for such a conclusion should be set out in that evaluation.

(4) Where the evaluation required under paragraph (1) does reveal the potential for a radiation emergency to occur, the operator must take all reasonably practicable steps to—

- (a) prevent the occurrence of a radiation emergency; and
- (b) limit the consequences of any such emergency which does occur.

(5) The evaluation required by paragraph (1) also applies to the continuation of any work with ionising radiation carried out by an operator after the coming into force of these Regulations.

(6) The requirements of this regulation are without prejudice to the requirements of regulation 3 (risk assessment) of the Management of Health and Safety at Work Regulations 1999 ^{M12} and to regulation 8 of the 2017 Regulations.

(7) The operator must provide the regulator with details of the evaluation made under paragraph (1) within 28 days of the date on which it is made.

Commencement Information

I4 [Reg. 4](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

M12 [S.I. 1999/3242](#). Regulation 3 was amended by [S.I. 2003/2457](#), [S.I. 2005/1541](#), [S.S.I. 2006/457](#), [S.I. 2015/21](#) and [S.I. 2015/1637](#).

Consequence assessment **E+W+S**

5.—(1) Where the evaluation undertaken under regulation 4 reveals the potential for a radiation emergency to occur, the operator must make an assessment, in accordance with Schedule 3, to

consider and evaluate a full range of possible consequences of the identified radiation emergencies, both on the premises and outside the premises, including the geographical extent of those consequences and any variable factors which have the potential to affect the severity of those consequences.

(2) The assessment required by this regulation must be completed within two months after the day on which the hazard evaluation required by regulation 4 is completed.

Commencement Information

I5 Reg. 5 in force at 22.5.2019, see reg. 1(1)

Review of hazard evaluation and consequence assessment **E+W+S**

6.—(1) Where the operator proposes a material change, or where a material change occurs, in the work with ionising radiation to which an operator was required to make an evaluation pursuant to regulation 4(1), the operator must make a further assessment to take account of that change.

(2) For such time as the work with ionising radiation in respect of which an evaluation made pursuant to regulation 4(1) continues, the operator must, within 3 years of the date of the completion of the last evaluation (whether made in accordance with regulation 4(1) or this paragraph), or longer, if agreed by the regulator, either—

- (a) make a further evaluation; or
- (b) if there is no change of circumstances which would affect the last consequences report required by regulation 7, make a declaration to that effect.

(3) Where a declaration is made in accordance with paragraph (2)(b), a copy of that declaration must be provided to the local authority, and to the regulator, within 28 days of the making of the declaration.

(4) The further evaluation required by this regulation must comply with the provisions of regulation 4(2) to (4), and regulation 5, where applicable.

Commencement Information

I6 Reg. 6 in force at 22.5.2019, see reg. 1(1)

Consequences report **E+W+S**

7.—(1) Where the operator has made an assessment pursuant to regulation 5(1) or a review in accordance with regulation 6(1) or 6(2), unless regulation 6(2)(b) applies, the operator must prepare a report setting out the consequences identified by that assessment, called a consequences report, as soon as reasonably practicable on completion of the assessment.

- (2) The operator must send the consequences report to the local authority—
- (a) before the start of any of the work with ionising radiation to which the assessment relates; or
 - (b) where the report is as the result of a review in accordance with regulation 6, as soon as practicable after completion of the report.

(3) A consequences report must include the particulars set out in Schedule 4.

(4) Following receipt of the consequences report by the local authority, the operator must, within a reasonable period of time, offer a meeting to the local authority to discuss the consequences report.

Status: Point in time view as at 01/04/2020.

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(5) The operator must comply with any reasonable request for information made by a local authority, following receipt of the consequences report, required by the local authority to enable it to prepare the off-site emergency plan which it is required to prepare under regulation 11, within 28 days of the date on which that information was requested.

(6) The operator must provide the regulator with details of the assessment made under regulation 5 and the consequences report within 28 days of the date on which the consequences report is sent to the local authority.

Commencement Information

I7 Reg. 7 in force at 22.5.2019, see **reg. 1(1)**

Detailed emergency planning zone **E+W+S**

8.—(1) The local authority must determine the detailed emergency planning zone on the basis of the operator's recommendation made under paragraph 2 of Schedule 4 and may extend that area in consideration of—

- (a) local geographic, demographic and practical implementation issues;
- (b) the need to avoid, where practicable, the bisection of local communities; and
- (c) the inclusion of vulnerable groups immediately adjacent to the area proposed by the operator.

(2) However, the local authority and operator may agree that, in relation to the premises, other arrangements are in place which sufficiently mitigate the consequences of any radiation emergency, and that no detailed emergency planning zone is necessary.

(3) The local authority must inform the operator and the regulator, within two months of having received the consequences report under regulation 7, of the determination made under paragraph (1).

(4) Where the local authority and the operator have agreed that no detailed emergency planning zone is necessary in accordance with paragraph (2), the local authority must inform the regulator as soon as reasonably practicable.

(5) On receipt of the local authority's confirmation of the detailed emergency planning zone, the operator must record the detailed emergency planning zone as finalised.

- (6) The local authority may re-determine the detailed emergency planning zone—
- (a) if there is a change in the local area which necessitates such a re-determination; or
 - (b) if the local authority deems it appropriate as a consequence of the operator's consequences report made after an evaluation in accordance with regulation 6(1) or 6(2)(a).

(7) If the local authority re-determines the detailed emergency planning zone in accordance with paragraph (6), it must inform the operator and regulator as soon as reasonably practicable.

Commencement Information

I8 Reg. 8 in force at 22.5.2019, see **reg. 1(1)**

Outline planning zone **E+W+S**

9.—(1) The outline planning zone must be determined as follows—

- (a) in relation to a site for which the Office for Nuclear Regulation is the regulator, except for—

- (i) an authorised defence site,
 - (ii) a nuclear warship site, or
 - (iii) a site which is a licensed site where that license has been granted either to the Secretary of State for Defence or to another person in relation to activities carried out by that person on behalf of the Secretary of State for Defence,
- in accordance with Schedule 5.
- (b) in relation to a site for which the Health and Safety Executive is the regulator, by the local authority following discussion with the operator;
 - (c) in relation to any other site, including the sites listed at sub-paragraph (a)(i) to (iii), by the Secretary of State.
- (2) The regulator and the Secretary of State may agree, in relation to a site falling within paragraph (1)(a), that the site has an outline planning zone which is greater or smaller than that determined in accordance with Schedule 5.
- (3) The operator and the local authority may agree in relation to a site falling within paragraph (1)(b), that the site has no outline planning zone.
- (4) The planning to be undertaken by the local authority in relation to the outline planning zone must be commensurate to the risk of a radiation emergency affecting that area, and the local authority's off-site emergency plan required under regulation 11 must clearly set out when that plan would be brought into effect in relation to the outline planning zone.

Commencement Information

I9 Reg. 9 in force at 22.5.2019, see **reg. 1(1)**

Operator's emergency plan **E+W+S**

10.—(1) Where the operator has made an evaluation in accordance with regulation 4(1) which shows that a radiation emergency might arise, the operator must make an adequate emergency plan designed to secure, so far as is reasonably practicable, the restriction of exposure to ionising radiation and the health and safety of persons who may be affected by radiation emergencies identified by the evaluation.

(2) When preparing an emergency plan, as required by paragraph (1), the operator must take into account—

- (a) the steps the operator has taken under regulation 4(4); and
- (b) the consequences assessed in accordance with regulation 5, including any variable factors which might affect the severity of the emergency.

(3) The operator's emergency plan must—

- (a) contain the information set out in Part 1 of Schedule 6; and
- (b) be drawn up in accordance with the principles and purposes set out in Schedule 7.

(4) The operator must not require any person to carry out work with ionising radiation, and no person shall carry out such work unless—

- (a) the operator has complied with the requirements of paragraph (1); and
- (b) the local authority has complied with its duties in connection with the off-site emergency plan as set out in regulation 11, and has confirmed this to the operator in writing.

(5) The operator must, when preparing the emergency plan, or reviewing it under regulation 12(1), consult—

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- (a) the operator's employees;
 - (b) any persons carrying out work on behalf of the operator and who the operator considers might be affected by a radiation emergency;
 - (c) the lead local authority;
 - (d) the health authority in whose area the premises to which the emergency plan relates is situated;
 - (e) Public Health England;
 - (f) in addition to Public Health England, if the premises to which the emergency plan relates is in—
 - (i) Wales, Public Health Wales, and
 - (ii) Scotland, [^{F1}Health Protection Scotland];
 - (g) the Category 1 responders in whose area in which the premises to which the emergency plan relates is situated; and
 - (h) such other persons, bodies or authorities as the operator considers appropriate.
- (6) The operator must ensure that any employee on site is or has been provided with such suitable and sufficient information, instruction and training as they require in relation to a radiation emergency.
- (7) The operator must ensure that any emergency worker who may be involved with or may be affected by arrangements in the operator's emergency plan is or has been provided with—
- (a) suitable and sufficient information, instruction and training;
 - (b) any equipment necessary to perform the functions allocated to them by the operator's emergency plan; and
 - (c) any equipment necessary to restrict their exposure to ionising radiation including, where appropriate, the issue of suitable dosimeters or other devices.
- (8) In the case of a person who is not employed by the operator, the information, instruction, training and equipment required by regulation (7) relates only to specialised equipment to be used on the operator's premises in accordance with the operator's emergency plan, and which is information, instruction, training or equipment the operator does not expect the person to have received or have available already.
- (9) An operator which has prepared an emergency plan in accordance with this regulation must—
- (a) review that plan as a consequence of any review required by regulation 6; and
 - (b) update the plan, if necessary, as a consequence of a review undertaken in accordance with sub-paragraph (a).
- (10) The operator must retain the emergency plan on the premises to which it relates, and must provide details of that plan to the local authority and the regulator upon request and within such reasonable time as the local authority or the regulator may request.

Textual Amendments

F1 Words in reg. 10(5)(f)(ii) substituted (1.4.2020) by [The Public Health Scotland Order 2019 \(S.S.I. 2019/336\)](#), [art. 1\(3\)\(b\)](#), [sch. 2 para. 16\(2\)](#) (with [art. 4\(4\)\(5\)](#))

Commencement Information

I10 [Reg. 10](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Local authority's off-site emergency plan **E+W+S**

11.—(1) Where premises require a planning zone under either or both of regulations 8 or 9, the local authority must make an adequate off-site emergency plan covering that zone or zones.

(2) The plan required by paragraph (1) must be designed to mitigate, so far as is reasonably practicable, the consequences of a radiation emergency outside the operator's premises.

(3) The off-site emergency plan must—

- (a) contain the information set out in Chapter 1 of Part 2 of Schedule 6 about the detailed emergency planning zone (where there is a detailed emergency planning zone);
- (b) contain the information set out at Chapter 2 of Part 2 of Schedule 6 about the outline planning zone (where there is an outline planning zone);
- (c) comply with Chapter 3 of Part 2 of Schedule 6; and
- (d) be drawn up in accordance with the principles and purposes set out in Schedule 7.

(4) The off-site emergency plan must be prepared within 8 months of the local authority's receipt of the consequences report and in any event before the operator commences work with ionising radiation to which the evaluation made in accordance with regulation 4(1) or 6(1) applies.

(5) In preparing an off-site emergency plan, pursuant to paragraph (1) or in reviewing such a plan pursuant to regulation 12(1), the local authority must consult—

- (a) the operator of the premises to which the plan relates;
- (b) the Category 1 responders in whose area in which the premises to which the emergency plan relates is situated;
- (c) the Category 2 responders (where appropriate) in whose area in which the premises to which the emergency plan relates is situated;
- (d) each health authority in the vicinity of the premises to which the plan relates (if that health authority is not a Category 1 responder);
- (e) the Agency;
- (f) Public Health England;
- (g) in addition to Public Health England, if the premises to which the emergency plan relates is in—
 - (i) Wales, Public Health Wales, and
 - (ii) Scotland, [^{F2}Public Health Scotland]; and
- (h) such other persons, bodies or authorities as the local authority considers appropriate.

(6) The employer of any emergency worker who may be required to participate in the implementation of the off-site emergency plan must ensure that each such emergency worker is provided with—

- (a) suitable and sufficient information, instruction and training; and
- (b) any equipment necessary to restrict that employee's exposure to ionising radiation including, where appropriate, the issue of suitable dosimeters or other devices.

(7) The local authority must confirm in writing to the operator and to the regulator that it has prepared an off-site emergency plan as soon as reasonably practicable after the preparation of such a plan.

(8) The local authority must provide a copy of the off-site emergency plan, or parts of it, to the regulator upon request and within such reasonable time as the regulator may specify.

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Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

Textual Amendments

- F2** Words in reg. 11(5)(g)(ii) substituted (1.4.2020) by [The Public Health Scotland Order 2019 \(S.S.I. 2019/336\)](#), [art. 1\(3\)\(b\)](#), [sch. 2 para. 16\(3\)](#) (with [art. 4\(4\)\(5\)](#))

Commencement Information

- I11** [Reg. 11](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Reviewing and testing of emergency plans **E+W+S**

12.—(1) Each operator or local authority who has prepared an emergency plan pursuant to regulation 10 or 11, as the case may be, must, at suitable intervals not exceeding 3 years unless otherwise agreed by the regulator—

- (a) review and where necessary revise the plan for which they are responsible; and
- (b) test that plan, taking reasonable steps to arrange for all those with a role in the plan to participate in the test to the extent necessary to ensure that the plan is effective.

(2) The test required by paragraph (1)(b) need not extend to testing a local authority's emergency plan so far as it extends to the outline planning zone, unless—

- (a) a test is necessary in order to review or revise the plan, as required under paragraph (1)(a); or
- (b) the regulator requires a test.

(3) The regulator may only agree that the review and test required under paragraph (1) may take place after the expiry of a three year period if—

- (a) the operator or local authority, as the case may be, has sent a written request for such an extension of time to the regulator; and
- (b) the written request is sufficient to demonstrate that the circumstances of the request are reasonable and exceptional.

(4) A review required under paragraph (1) must take into account—

- (a) changes occurring in the work with ionising radiation to which the plan relates;
- (b) changes within the emergency services concerned;
- (c) new knowledge or guidance, whether technical or otherwise, concerning the response to radiation emergencies;
- (d) any material change to the assessment on which the plan was based since it was last reviewed or revised;
- (e) any relevant information derived from an assessment of or a report about the effectiveness of an emergency plan required by regulation 17(6); and
- (f) any relevant information derived from a report into the outcome of an earlier test as required by paragraph (8).

(5) In determining how the off-site emergency plan is to be tested, the local authority must cooperate with—

- (a) the operator; and
- (b) any Category 1 responders in whose area the premises to which the emergency plan relates is situated.

(6) A review or test of the plan required by this regulation must take into account any lessons learned from—

- (a) past emergency exposure situations, whether at the operator's premises or not; and
- (b) the United Kingdom's participation in emergency exercises at national and international level.

(7) The test of the plan required by paragraph (1)(b) must be adequate to test the ability to implement the plan in question, but the operator or the local authority, as the case may be, may for the purpose of determining the extent of that test, bear in mind—

- (a) the length of time since the last test of the plan;
- (b) the extent of the testing undertaken on the last occasion;
- (c) any activation of the plan as a response to a radiation emergency since the last test; and
- (d) any revisions of the plan made by the review required under paragraph (1)(a).

(8) After completion of the test required by paragraph (1)(b), each operator or local authority, as the case may be, must prepare a report on the outcome of the test within 3 months of the conclusion of the test.

(9) A report made under paragraph (8) must be sent to the regulator within 28 days of its completion.

(10) Where a report made under paragraph (8) was made by the operator, the operator must send it to the local authority within 28 days of its preparation, and where such a report was made by the local authority, the local authority must send it to the operator within 28 days of its completion.

Commencement Information

I12 Reg. 12 in force at 22.5.2019, see [reg. 1\(1\)](#)

Co-operation: operator and local authority E+W+S

13.—(1) The operator and the local authority must co-operate in respect of their duties to prepare emergency plans to ensure that—

- (a) the operator's emergency plan and the local authority's off-site emergency plan operate effectively both independently and in conjunction;
- (b) communication between the operator and the local authority is expedited during any radiation emergency; and
- (c) communication between the operator and the local authority and any organisation which is responding to the radiation emergency is expedited.

(2) The local authority must, in particular, inform the operator which responder or responders should be contacted in order to provide early warning of a radiation emergency as required by paragraph 1(f) of Schedule 6.

Commencement Information

I13 Reg. 13 in force at 22.5.2019, see [reg. 1\(1\)](#)

Co-operation between local authorities E+W+S

14.—(1) A local authority may request, in writing, the co-operation of another local authority in order to—

- (a) make or review its off-site emergency plan; and

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

(b) test its off-site emergency plan as required under regulation 12(1)(b).

(2) Where a local authority has made a written request of another local authority under paragraph (1), the local authority which has received such a request must, as soon as reasonably practicable, co-operate in assisting the requesting local authority in both making and testing the off-site emergency plan.

Commencement Information

I14 [Reg. 14](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Consultation and co-operation: employers **E+W+S**

15.—(1) In performing the duties imposed on an operator under regulations 4(1), 5(1), 6(1) and (2), 7(1) and 10, that operator must consult any other employer who carries out work with ionising radiation on the premises and take into account relevant matters arising from that consultation.

(2) Any employer who carries out work with ionising radiation at premises to which these Regulations apply must cooperate with the operator of those premises or the local authority in whose area the premises is situated by providing information or otherwise to the extent necessary to ensure that the operator or local authority, as the case may be, is able to comply with the operator and the local authority's duty to prepare an emergency plan.

(3) Any employer of any other person whose participation is reasonably required by any emergency plan required under these Regulations must co-operate with the operator or the local authority, as the case may be, in the exchange of information or otherwise to the extent necessary to ensure that the operator or the local authority is enabled to comply with the requirements of these Regulations, insofar as the operator or the local authority's ability to comply depends on such co-operation.

(4) The co-operation required by an employer under paragraphs (2) and (3) extends to co-operation in the testing of emergency plans where such co-operation is necessary to secure compliance with regulation 12.

Commencement Information

I15 [Reg. 15](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Charge for preparation, review and testing of emergency plans **E+W+S**

16.—(1) A local authority may charge the operator a fee for the performance of the local authority's functions in relation to the off-site emergency plan relating to that operator's premises under regulations 8, 11, 12 and 21.

(2) The fee charged under paragraph (1) must not exceed the sum of the costs reasonably incurred by the local authority in performing its functions referred to in that paragraph including any costs reasonably incurred in arranging for any participants to take part in the testing of the off-site emergency plan.

(3) When charging the operator a fee in accordance with paragraph (1), the local authority must provide the operator with a detailed statement of the costs incurred, and the period to which the statement relates.

(4) The local authority's fee under this regulation is payable one month after the statement required under paragraph (3) has been provided, unless, within that period, the operator informs

the local authority in writing that it considers that its costs are unreasonable and requests additional information from the local authority concerning its costs.

(5) Additional information requested under paragraph (4) must be provided by the local authority within 28 days from the day on which it received that request, and the period for payment of the fee provided under that paragraph is extended for a further period of two months from that date.

(6) A fee charged under this regulation is recoverable as a civil debt.

Commencement Information

I16 Reg. 16 in force at 22.5.2019, see [reg. 1\(1\)](#)

Implementation of emergency plans **E+W+S**

17.—(1) An operator who has prepared an emergency plan pursuant to regulation 10 must take reasonable steps to put it, or such parts of it as are necessary, into effect without delay—

- (a) when a radiation emergency occurs; or
- (b) if an event occurs which might lead to a radiation emergency.

(2) When an operator takes the steps set out in paragraph (1), the operator must at the same time inform the local authority in whose area the premises is situated and the regulator that the operator has put its plan into effect.

(3) A local authority which has prepared an off-site emergency plan pursuant to regulation 11 must take reasonable steps to put it, or such parts of it as are necessary, into effect without delay when informed by the operator that—

- (a) a radiation emergency has occurred; or
- (b) an event has occurred which could give rise to a radiation emergency.

(4) In the event of a radiation emergency occurring, or on the occurrence of an event which could give rise to a radiation emergency, the operator, with the local authority that has prepared an off-site emergency plan, must make a provisional assessment of the circumstances and consequences of such an emergency, and for this purpose must consult—

- (a) the emergency services;
- (b) the health authority in whose area the premises to which the emergency plan relates is situated;
- (c) the health bodies set out at regulation 10(5)(e) and (f) and 11(5)(f) and (g) respectively;
- (d) the Agency; and
- (e) any other persons, bodies or authorities which have functions under the operator's emergency plan, or the local authority's off-site emergency plan.

(5) The assessment required by paragraph (4) must take place as soon as reasonably practicable in order to respond effectively to the particular characteristics of the radiation emergency.

(6) The operator must as soon as is reasonably practicable and in any event within 12 months, or such longer time as the regulator may agree, make a full assessment of the consequences of the radiation emergency or other event and the effectiveness of the emergency plans put into effect in accordance with paragraph (1).

(7) The local authority must co-operate with the operator in making the operator's assessment of the effectiveness of the emergency plans as required by paragraph (6).

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

(8) The operator must, within 28 days of the day on which the assessment made under paragraph (6) is completed, make a report of the findings of that assessment and retain that report or a copy of that report for at least 50 years from the date on which the report was completed.

(9) The operator must provide the regulator with a copy of the report made under paragraph (8) within 28 days of the day on which it was completed.

Commencement Information

I17 Reg. 17 in force at 22.5.2019, see **reg. 1(1)**

Emergency exposures: employees **E+W+S**

18.—(1) Where an emergency plan prepared pursuant to these Regulations provides for the possibility of any employee receiving an emergency exposure, each employer must, in relation to that employer's employees—

- (a) identify those employees who may be subject to emergency exposures;
- (b) provide those employees with appropriate training in the field of radiation protection and such information and instruction as is suitable and sufficient for them to know the risks to health created by exposure to ionising radiation and the precautions which should be taken;
- (c) provide such equipment as is necessary to restrict the exposure of such employees to ionising radiation;
- (d) make arrangements for medical surveillance by an appointed doctor or employment medical advisor to be carried out without delay in the event of a radiation emergency in respect of those employees who receive emergency exposures;
- (e) make arrangements with an approved dosimetry service for—
 - (i) dose assessments to be carried out without delay in the event of a radiation emergency in respect of those employees who receive emergency exposures, and a dose assessment made for the purpose of this sub-paragraph shall, where practicable, be made separately from any other dose assessment relating to those employees; and
 - (ii) the results of the dose assessments carried out under sub-paragraph (i) to be notified without delay to the employer and to the regulator;
- (f) make arrangements, in respect of dose assessments to be carried out and notified pursuant to sub-paragraph (e), to notify the results of such assessments without delay to the appointed doctor or employment medical adviser who is carrying out the medical surveillance on the employee to whom the assessment relates; and
- (g) identify those employees who are authorised, in the event of a radiation emergency, to permit any employee referred to in sub-paragraph (a) to be subject to an emergency exposure and provide employees who are so authorised with appropriate training.

(2) Each employer must notify the regulator of the dose levels which that employer has determined are appropriate to be applied in respect of an employee identified for the purposes of paragraph (1)(a) in the event of an emergency.

(3) The notification required by paragraph (2) must be made in advance of the first occasion on which the operator of the premises in which the employee works undertakes work with ionising radiation to which these Regulations apply.

(4) Where an employer determines that a dose level notified under paragraph (2) is no longer appropriate to be applied in respect of an employee identified for the purposes of paragraph (1)(a) in the event of such emergency, and that a revised dose level should be determined, the employer must, at least 28 days before formally determining the revised dose level, or within such shorter time

as the regulator agrees, notify the regulator of the revised dose level which the employer considers is appropriate to be applied.

(5) In any case where, in the opinion of the regulator, the dose levels for emergency exposure notified pursuant to paragraph (2) or (4) are too high, the employer must, if directed to do so by the regulator, substitute such other dose level or levels as the regulator considers appropriate.

(6) Where an emergency plan is put into effect pursuant to regulation 17, each employer must ensure—

- (a) that no employee of that employer who is under 18 years of age, no trainee or apprentice under the age of 18 years of age, and no female employee who is pregnant or breastfeeding is subject to an emergency exposure;
- (b) that no other employee of that employer is subject to an emergency exposure unless—
 - (i) that employee has agreed to undergo such exposure;
 - (ii) the requirements of paragraph (1)(a) to (f) have been complied with in respect of that employee; and
 - (iii) that employee has been permitted to be so by an employee authorised for that purpose under paragraph (1)(g); and
- (c) that the protective action taken in response to that radiation emergency prioritises keeping the dose level below the dose level determined in accordance with paragraphs (2), (4) or (5).

(7) The requirement imposed on the employer by paragraph (6)(a) in respect of a female employee who is pregnant or breastfeeding does not apply until that employee has notified the employer in writing of that fact or the employer ought reasonably to have been aware of that fact.

(8) The requirement imposed by paragraph (6)(c) does not apply in respect of an exposure of any employee who—

- (a) having been informed about the risks involved in the implementation of an emergency plan, agrees to undergo an exposure greater than any dose level referred to in that subparagraph in order to save life, prevent severe health effects induced by ionising radiation, or to prevent the development of catastrophic conditions; and
- (b) is permitted to undergo such exposure by an employee authorised by the employer in accordance with paragraph (1)(g) to give such permission.

(9) Where an employee has undergone an emergency exposure, the employer must ensure that the dose of ionising radiation received by that employee is assessed by an approved dosimetry service and that the dose assessed is recorded separately in the dose record of that employee or, where no dose record exists, in a record created for the purpose of this paragraph complying with the requirements to which it would be subject if it were a dose record.

(10) An employer must, at the request of that employer's employee in circumstances where a record has been created for the purpose of paragraph (9) and on reasonable notice being given, obtain from the approved dosimetry service and make available to the employee a copy of the record of dose relating to that employee.

(11) In the event of a report being made pursuant to regulation 17(6) relating to the circumstances of an emergency exposure and the action taken as a result of that exposure, an employer must keep such a report (or copy of the report)—

- (a) until any person to whom the report relates has or would have attained the age of 75 years; and
- (b) in any event, for at least 30 years from the termination of the work which gave rise to the emergency exposure.

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

(12) An employer who has a duty under this regulation must also comply with that duty as regards any person who regularly provides a service to that employer as a volunteer.

Commencement Information

I18 [Reg. 18](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Disapplication of dose limits **E+W+S**

19. Except in relation to a perceived risk arising from a radiation emergency, regulation 12 of the 2017 Regulations does not apply to an emergency worker, where that emergency worker—

- (a) is engaged in preventing the imminent occurrence of a radiation emergency; or
- (b) is acting to mitigate the consequences of a radiation emergency which it is expected will occur or which has occurred.

Commencement Information

I19 [Reg. 19](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Reference levels **E+W+S**

20.—(1) The operator or local authority which has prepared an emergency plan in accordance with regulations 10 or 11, as the case may be, must ensure that the emergency plan prioritises keeping effective doses below a 100 mSv reference level.

(2) The operator or local authority must record in the emergency plan for which it is responsible the appropriate dose level for each emergency worker as determined by the employer in accordance with regulation 18(2).

(3) Where the response to a radiation emergency is underway, reference levels determined for emergency workers in accordance with regulation 18(2) may be revised or introduced in relation to specific tasks by that emergency worker's employer in order to optimise the response.

(4) In exceptional circumstances, in order to save life, to prevent severe radiation-induced health effects or to prevent the development of catastrophic conditions, a reference level for an effective dose for an emergency worker from external ionising radiation may be set by an employer in excess of 100 mSv but not exceeding 500 mSv.

(5) Where the response to a radiation emergency is underway, specific reference levels, to optimise the response, may be determined by the local authority in whose area an off-site emergency plan is in place.

(6) In determining specific reference levels under paragraph (5), the local authority must take advice from the person coordinating the off-site response to the radiation emergency.

(7) The Secretary of State may also set a reference level whether applicable locally or nationally in addition to any reference level set under paragraph (5).

(8) Any revision of the reference levels in response to a radiation emergency made in accordance with paragraph (3), (4), (5) or (7) must be recorded in the report required by regulation 17(6).

Commencement Information

I20 [Reg. 20](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Prior information to the public **E+W+S**

21.—(1) The local authority which has responsibility for an area covered by an off-site emergency plan with a detailed emergency planning zone must, in cooperation with the operator, ensure that members of the public are made aware of the relevant information, and, where appropriate, are provided with it.

(2) The local authority which has responsibility for an area covered by an off-site emergency plan with an outline emergency planning zone must, in cooperation with the operator, ensure that members of the public have access to the relevant information.

(3) The relevant information referred to in paragraphs (1) and (2) is—

- (a) where the area is covered by a detailed emergency planning zone only, the information set out in Part 1 of Schedule 8 only;
- (b) where the area is covered by an outline planning zone and a detailed emergency planning zone, the information set out in paragraphs 8 and 9 of Schedule 8 in addition to the information set out in Part 1 of Schedule 8;
- (c) where the area is covered by an outline planning zone only, the information set out in Part 2 of Schedule 8.

(4) In preparing the information to be provided in accordance with paragraphs (1) and (2), the local authority must consult such persons who seem to that local authority to be appropriate.

(5) The information to which members of the public are to be provided or to have access in accordance with paragraphs (1) and (2) must be made available to them both electronically and in hard copy.

(6) The local authority must review, and where necessary revise, the relevant information referred to in paragraph (3)—

- (a) at regular intervals, but in any case not exceeding three years; and
- (b) whenever significant changes to the protective action or authorities referred to in paragraphs 3, 4 and 5 of Schedule 8 take place.

(7) Where the information has been revised in accordance with paragraph (6) the local authority must ensure that the revised information is made available to members of the public who have property in or who are in the area covered by the local authority, in accordance with paragraph (1) or (2) as appropriate.

(8) The operator must not carry out the work with ionising radiation to which the evaluation made in accordance with regulation 4(1) or 6(1) applies before the information referred to in paragraph (3) is supplied.

(9) The local authority must ensure that the information is made available in accordance with paragraph (1) or (2) again—

- (a) at intervals not exceeding three years; and
- (b) if it is revised pursuant to paragraph (6), as soon as reasonably practicable after the revision.

(10) Where a report is made pursuant to regulation 7, the local authority must make that report available to the public as soon as reasonably practicable after it has been sent to the regulator under that regulation (except that, with the approval of the regulator, the local authority must not make available any part or parts of such report for reasons of industrial, commercial or personal confidentiality, public security or national security).

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

Commencement Information

I21 [Reg. 21](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Duty of local authority to supply information to the public in the event of an emergency **E** **+W+S**

22.—(1) Every local authority must prepare and keep up to date arrangements to supply, in the event of an emergency in that local authority's area (however that emergency may arise), information about and advice on the facts of the emergency, of the steps to be taken and, as appropriate, of the protective action applicable.

(2) The arrangements prepared and kept up to date under paragraph (1) must provide for the information to be supplied at regular intervals in an appropriate manner, without delay, and without their having to request it, to members of the public who are in that local authority's area and who are actually affected by the emergency.

(3) In preparing those arrangements and in keeping them up to date, the local authority must consult any other authority likely to be responsible for implementing the relevant protective action referred to in Schedule 9 and such other persons as appear to it to be appropriate.

(4) The information and advice to be supplied in accordance with arrangements prepared and kept up to date under paragraph (1) must, if relevant to the type of emergency, include that specified in Schedule 9 and must, in any event, mention the authority or authorities responsible for implementing the relevant protective action referred to in that Schedule.

(5) For the purposes of paragraph (2), the members of the public referred to in that paragraph as actually affected are those whose cooperation is sought to put into effect any steps or protective action referred to in paragraph (1).

(6) In this regulation, “emergency” includes a radiation emergency, but also includes any other emergency (whether within the United Kingdom or otherwise) which does or could have the same impact as a radiation emergency in Great Britain.

Commencement Information

I22 [Reg. 22](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Retention of information **E+W+S**

23. Each operator and each local authority which has duties by virtue of these Regulations must retain the information they are required to prepare, in particular under regulations 4 to 12 and 17, and must produce that information if requested to do so by the regulator or the Secretary of State.

Commencement Information

I23 [Reg. 23](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Radiation protection adviser **E+W+S**

24.—(1) Every employer which carries out work with ionising radiation must consult one or more suitable radiation protection advisers about occupational and public exposure to assist with that employer's preparations for responding to radiation emergency situations.

(2) Where an employer consults a radiation protection adviser pursuant to the requirements of paragraph (1) (other than in respect of the observance of that paragraph), the employer must appoint that radiation protection adviser in writing and must include in that appointment the scope of the advice which the radiation protection adviser is required to give as if the employer were an employer under the 2017 Regulations.

(3) The employer must provide any radiation protection adviser appointed by it with adequate information and facilities for the performance of the radiation protection adviser's functions arising from their consultation or appointment under this regulation.

Commencement Information

I24 Reg. 24 in force at 22.5.2019, see **reg. 1(1)**

Modifications relating to the Ministry of Defence etc **E+W+S**

25.—(1) In this regulation, any reference to—

- (a) “visiting forces” is a reference to visiting forces within the meaning of any provision of Part 1 of the Visiting Forces Act 1952^{M13}; and
- (b) “headquarters or organisation” is a reference to a headquarters or organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964^{M14}.

(2) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing, exempt—

- (a) Her Majesty's Forces;
- (b) visiting forces;
- (c) any member of a visiting force working in or attached to any headquarters or organisation; or
- (d) any person engaged in work with ionising radiation for, or on behalf of, the Secretary of State for Defence,

from all or any of the requirements or prohibitions imposed by these Regulations and any such exemption may be granted subject to conditions and a limit of time and may be revoked at any time by a certificate in writing.

(3) The requirements of regulation 18 do not have effect in relation to Her Majesty's Forces to the extent that compliance with those requirements would, in the opinion of the Secretary of State for Defence, be against the interests of national security.

Commencement Information

I25 Reg. 25 in force at 22.5.2019, see **reg. 1(1)**

Marginal Citations

M13 1952 c. 67.

M14 1964 c. 5.

Status: Point in time view as at 01/04/2020.

Changes to legislation: There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019. (See end of Document for details)

Disclosure of information **E+W+S**

26. Where any person is entitled to seek any information from an operator under these Regulations, the Secretary of State may certify in writing that, in the opinion of the Secretary of State, the provision of that information would be contrary to the interests of national security.

Commencement Information

I26 [Reg. 26](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Revocation **E+W+S**

27. The Radiation (Emergency Preparedness and Public Information) Regulations 2001 ^{M15} are revoked.

Commencement Information

I27 [Reg. 27](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

M15 [S.I. 2001/2975](#).

Transitional and savings provisions **E+W+S**

28.—(1) Any person who had a duty under the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (“the 2001 Regulations”) prior to these Regulations coming into force may continue to comply with the provisions of the 2001 Regulations instead of the provisions of these Regulations, notwithstanding the revocation made in regulation 27, until the end of 21st May 2020.

(2) A person who had a duty under the 2017 Regulations, but not the 2001 Regulations, prior to these Regulations coming into force is not subject to a duty under these Regulations until the end of 21st May 2020.

(3) From the start of 22nd May 2020, these Regulations must be complied with in full, save that—

- (a) any test of an emergency plan carried out in the three years prior to the coming into force date is to be treated as though it were a test undertaken pursuant to regulation 12; and
- (b) within 6 months of the coming into force date, if an operator has complied with its obligations under these Regulations in full, that operator may continue to work with ionising radiation or commence work with ionising radiation, as the case may be, although the local authority has not prepared its off-site emergency plan as required by these Regulations, where the regulator, exceptionally, determines that it would be reasonable so to do.

Commencement Information

I28 [Reg. 28](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Consequential amendments **E+W+S**

29. Schedule 10 makes amendments consequential upon these Regulations.

Commencement Information

I29 [Reg. 29](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Review **E+W+S**

30.—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provisions contained in these Regulations, and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 22nd May 2024.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015 ^{M16} requires that a review carried out under this regulation must, so far as is reasonable, have regard to how the obligations under articles 7, 15, 17, 32 to 34, 53, 69 to 71, 82 and 97 to 98 of Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom ^{M17} are implemented in other countries which are subject to the obligations.

(5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
- (b) assess the extent to which those objectives are achieved,
- (c) assess whether those objectives remain appropriate, and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Commencement Information

I30 [Reg. 30](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

M16 [2015 c. 26](#). Section 30(3) was amended by section 19 of the [Enterprise Act 2016 \(c. 12\)](#).

M17 OJ No L13, 17.1.2014, p 1.

Status:

Point in time view as at 01/04/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019.