
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 132

**Packaging, Labelling and Carriage of Radioactive
Material by Rail Regulations (Northern Ireland) 1998**

Part IX

Miscellaneous

Exemption certificates

41.—(1) Subject to paragraph (2), and to any provisions imposed by the Communities in respect of the transport of radioactive material by rail, the Department may, by a certificate in writing, exempt—

- (a) any person or class of persons;
- (b) any radioactive material; or
- (c) any package, overpack, freight container, tank container, tank wagon or wagon,

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

(2) The Department shall not grant any such exemption unless, having regard to the circumstances of the case and in particular to—

- (a) any conditions which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any statutory provisions which apply to the case,

it is satisfied that neither the health or safety of persons who are likely to be affected by the exemption will be prejudiced in consequence of it.

(3) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing, exempt any person from all or any of the requirements or prohibitions imposed by these Regulations insofar as they relate to the carriage of any radioactive material and any such exemption may be granted subject to conditions and to a limit of time and may be revoked by the said Secretary of State at any time by a further certificate in writing.