Basic Safety Standards Directive transposition table

Article	Content	Transposition
1	**Subject matter** This Directive establishes uniform basic safety standards for the protection of the health of individuals subject to occupational, medical and public exposures against the dangers arising from ionising radiation	Nothing specific to transpose
2(1)	**Scope** 1. This Directive applies to any planned, existing or emergency exposure situation which involves a risk from exposure to ionising radiation which cannot be disregarded from a radiation protection point of view or with regard to the environment in view of long-term human health protection.	Nothing specific to transpose
2(2)	2. This Directive applies in particular to: (a) the manufacture, production, processing, handling, disposal, use, storage, holding, transport, import to, and export from the Community of radioactive material; (b) the manufacture and the operation of electrical equipment emitting ionising radiation and containing components operating at a potential difference of more than 5 kilovolt (kV); (c) human activities which involve the presence of natural radiation sources that lead to a significant increase in the exposure of workers or members of the public, in particular: (i) the operation of aircraft and spacecraft, in relation to the exposure of crews; (ii) the processing of materials with naturally-occurring radionuclides; (d) the exposure of workers or members of the public to indoor radon, the external exposure from building materials and cases of lasting exposure resulting from the after-effects of an emergency or a past human activity. (e) the preparedness for, the planning of response to and the management of emergency exposure situations that are deemed to warrant measures to protect the health of members of the public or workers.	Nothing specific to transpose
3	**Exclusion from the scope**	Nothing specific to transpose

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	This Directive shall not apply to: (a) exposure to the natural level of radiation, such as radionuclides contained in the human body and cosmic radiation prevailing at ground level; (b) exposure of members of the public or workers other than air or spacecrew to cosmic radiation in flight or in space; (c) aboveground exposure to radionuclides present in the undisturbed earth's crust.	
4	**Definitions**	
4(25)	effective dose	The Environmental Authorisations (Scotland) Regulations 2018 (EA(S)R) Schedule 8 paragraph 26(3)
4(33)	equivalent dose	EA(S)R Schedule 8 paragraph 26(3)
4(41)	high-activity sealed source	EA(S)R Schedule 8 paragraph 5
4(48)	medical exposure	EA(S)R Schedule 8 paragraph 3
4(58)	occupational exposure	EA(S)R Schedule 8 paragraph 3
4(60)	orphan source	EA(S)R Schedule 8 paragraph 3 “orphan source” means a source containing radioactive material or radioactive waste which is not being held within the scope of an authorisation [slightly modified from BSSD definition]
4(69)	public exposure	EA(S)R Schedule 8 paragraph 3
4(73)	radiation protection expert	EA(S)R Schedule 8 paragraph 3
4(90)	sealed source	EA(S)R Schedule 8 paragraph 5
5	**General principles of radiation protection** Member States shall establish legal requirements and an appropriate regime of regulatory control which, for all exposure situations, reflect a system of radiation protection based on the principles of justification, optimisation and dose limitation: (a) Justification: Decisions introducing a practice shall be justified in the sense that such decisions shall be taken with the intent to ensure that the individual or societal benefit resulting from the practice outweighs the	Transposed through the Justification of Practices Involving Ionising Radiation Regulations 2004

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	health detriment that it may cause. Decisions introducing or altering an exposure pathway for existing and emergency exposure situations shall be justified in the sense that they should do more good than harm.	
	(b) Optimisation: Radiation protection of individuals subject to public or occupational exposure shall be optimised with the aim of keeping the magnitude of individual doses, the likelihood of exposure and the number of individuals exposed as low as reasonably achievable taking into account the current state of technical knowledge and economic and societal factors. The optimisation of the protection of individuals subject to medical exposure shall apply to the magnitude of individual doses and be consistent with the medical purpose of the exposure, as described in Article 56. This principle shall be applied not only in terms of effective dose but also, where appropriate, in terms of equivalent doses, as a precautionary measure to allow for uncertainties as to health detriment below the threshold for tissue reactions.	EA(S)R Schedule 8 paragraph 26(1)
	(c) Dose limitation: In planned exposure situations, the sum of doses to an individual shall not exceed the dose limits laid down for occupational exposure or public exposure. Dose limits shall not apply to medical exposures.	EA(S)R Schedule 8 paragraph 27
6(1)	**Dose constraints for occupational, public, and medical exposure** 1. Member States shall ensure that, where appropriate, dose constraints are established for the purpose of prospective optimisation of protection: (a) for occupational exposure, the dose constraint shall be established as an operational tool for optimisation by the undertaking under the general supervision of the competent authority. In the case of outside workers the dose constraint shall be established in cooperation between the employer and the undertaking.	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
	(b) for public exposure, the dose constraint shall be set for the individual dose that members of the public receive from the planned operation of a specified radiation source. The competent authority shall ensure that the constraints are consistent with the dose limit for the sum of doses to the same individual from all authorised practices.	EA(S)R Schedule 8 paragraph 27

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	(c) for medical exposure, dose constraints shall apply only with regard to the protection of carers and comforters and volunteers participating in medical or biomedical research.	Medical exposure regulated by DoH and relevant DA departments under the Ionising Radiation (Medical Exposure) Regulations 2017
6(2)	2. Dose constraints shall be established in terms of individual effective or equivalent doses over a defined appropriate time period.	EA(S)R Schedule 8 paragraph 26
7(1)	**Reference levels** 1. Member States shall ensure that reference levels are established for emergency and existing exposure situations. Optimisation of protection shall give priority to exposures above the reference level and shall continue to be implemented below the reference level.	Ionising Radiation (Basic Safety Standards)(Miscellaneous Provisions) Regulations 2018
7(2)	2. The values chosen for reference levels shall depend upon the type of exposure situation. The choices of reference levels shall take into account both radiological protection requirements and societal criteria. For public exposure the establishment of reference levels shall take into account the range of reference levels set out in Annex I.	Ionising Radiation (Basic Safety Standards)(Miscellaneous Provisions) Regulations 2018
7(3)	3. For existing exposure situations involving exposure to radon, the reference levels shall be set in terms of radon activity concentration in air as specified in Article 74 for members of the public and Article 54 for workers.	Ionising Radiation (Basic Safety Standards)(Miscellaneous Provisions) Regulations 2018
8	**Age limit for exposed workers**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
9	**Dose limits for occupational exposure**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017.
10	**Protection of pregnant and breastfeeding workers**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
11	**Dose limits for apprentices and students**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017.
12(1)	**Dose limits for public exposure** 1. Member States shall ensure that the dose limits for public exposure shall apply to the sum of annual exposures of a member of the public resulting from all authorised practices.	EA(S)R Schedule 8 paragraph 26
12(2)	2. Member States shall set the limit on the effective dose for public exposure at 1 mSv in a year.	EA(S)R Schedule 8 paragraph 26(2)(a)
12(3)	3. In addition to the dose limit referred to in paragraph 2, the following	EA(S)R Schedule 8 paragraph 26(2)(b) and (c)

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	limits on the equivalent dose shall apply: (a) the limit on the equivalent dose for the lens of the eye shall be 15 mSv in a year; (b) the limit on the equivalent dose for the skin shall be 50 mSv in a year, averaged over any 1 cm 2 area of skin, regardless of the area exposed.	
13	**Estimation of the effective and equivalent dose** For the estimation of effective and equivalent doses, the appropriate standard values and relationships shall be used. For external radiation, the operational quantities defined in section 2.3 of ICRP Publication 116 shall be used.	EA(S)R Schedule 8 paragraph 26(4)
14(1)	**General responsibilities for the education, training and provision of information** 1. Member States shall establish an adequate legislative and administrative framework ensuring the provision of appropriate radiation protection education, training and information to all individuals whose tasks require specific competences in radiation protection. The provision of training and information shall be repeated at appropriate intervals and documented.	Met by section 58 of the Health and Social Care Act 2012 which puts a duty on Scottish Ministers to take steps to provide training, information and advice, technical service etc.
14(2)	2. Member States shall ensure that arrangements are made for the establishment of education, training and retraining to allow the recognition of radiation protection experts and medical physics experts, as well as occupational health services and dosimetry services, in relation to the type of practice.	Met by S58 of the Health and Social Care Act 2012. Radioactive Waste Advisor (RWA) scheme requires demonstration of competence and provides for the recognition of experts, but does not arrange training.
14(3)	3. Member States may make arrangements for the establishment of education, training and retraining to allow the recognition of radiation protection officers, if such recognition is provided for in national legislation.	Not currently provided for in national legislation so therefore not required.
15	**Training of exposed workers and information provided to them**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
15(5)	5. In addition to the information and training in the field of radiation protection as specified in paragraphs 1, 2, 3 and 4, Member States shall require that the undertaking responsible for high-activity sealed sources shall ensure that such training includes specific requirements for the safe management and control of high-activity sealed sources with a view to	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017

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	preparing the relevant workers adequately for any events affecting the radiation protection. The information and training shall place particular emphasis on the necessary safety requirements and shall contain specific information on the possible consequences of the loss of adequate control of high- activity sealed sources.	
16	**Information and training of workers potentially exposed to orphan sources** 1. Member States shall ensure that the management of installations where orphan sources are most likely to be found or processed, including large metal scrap yards and major metal scrap recycling installations, and in significant nodal transit points, are informed of the possibility that they may be confronted with a source. 2. Member States shall encourage the management of installations referred to in paragraph 1 to ensure that where workers in their installation may be confronted with a source, they are: (a) advised and trained in the visual detection of sources and their containers; (b) informed of basic facts about ionising radiation and its effects; (c) informed of and trained in the actions to be taken on site in the event of the detection or suspected detection of a source.	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
17	**Prior information and training for emergency workers**	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017
18	**Education, information and training in the field of medical exposure**	Medical exposure regulated by DoH and relevant DA departments under the Ionising Radiation (Medical Exposure) Regulations 2018
19	**Justification of practices**	Regulated on a UK-wide basis under the Justification of Practices involving ionising radiation regulations 2004
20	**Practices involving consumer products**	
21	**Prohibition of practices**	
22	**Practices involving the deliberate exposure of humans for non-medical imaging purposes**	
23	**Identification of practices involving naturally-occurring radioactive material** Member States shall ensure the identification of classes or types of practice involving naturally–occurring radioactive material and leading to exposure	EA(S)R Schedule 8 paragraph 6(3) [Geothermal energy production added as a new NORM industrial activity and “water treatment associated with provision of drinking water” separated from “the remediation of contamination from NORM industrial activities”.]

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	of workers or members of the public which cannot be disregarded from a radiation protection point of view. Such identification shall be carried out by appropriate means taking into account industrial sectors listed in Annex VI.	
24(1)	**Graded approach to regulatory control** 1. Member States shall require practices to be subject to regulatory control for the purpose of radiation protection, by way of notification, authorisation and appropriate inspections, commensurate with the magnitude and likelihood of exposures resulting from the practice, and commensurate with the impact that regulatory control may have in reducing such exposures or improving radiological safety.	EA(S)R tiers of authorisation
24(2)	2. Without prejudice to Articles 27 and 28, where appropriate, and in accordance with the general exemption criteria set out in Annex VII, regulatory control may be limited to notification and an appropriate frequency of inspections. For this purpose, Member States may establish general exemptions or allow the competent authority to decide to exempt notified practices from the requirement of authorisation on the basis of the general criteria specified in Annex VII; in the case of moderate amounts of material, as specified by Member States, the activity concentration values laid down in Annex VII, Table B, column 2 may be used for this purpose.	EA(S)R tiers of authorisation
24(3)	3. Notified practices which are not exempted from authorisation shall be subject to regulatory control through registration or licensing.	EA(S)R tiers of authorisation
25(1)	**Notification** 1. Member States shall ensure that notification is required for all justified practices, including those identified according to Article 23. The notification shall be made prior to the practice commencing or, for existing practices, as soon as possible once this requirement is applicable. For practices subject to notification, Member States shall specify the information to be provided in conjunction with the notification. Where an application for an authorisation is submitted, no separate notification is needed. Practices may be exempted from notification, as specified in Article 26.	EA(S)R tiers of authorisation
25(2)	2. Member States shall ensure that notification is required for workplaces specified in Article 54(3), and for existing exposure situations that are managed as a planned exposure situation, as specified in Article 100(3).	Occupational exposure regulated by the HSE under the Ionising Radiations Regulations 2017

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25(3)	3. Notwithstanding the exemption criteria laid down in Article 26, in situations identified by Member States where there is concern that a practice identified in accordance with Article 23 may lead to the presence of naturally-occurring radionuclides in water liable to affect the quality of drinking water supplies or affect any other exposure pathways, so as to be of concern from a radiation protection point of view, the competent authority may require that the practice be subject to notification.	Optional requirement
25(4)	4. Human activities involving radioactively contaminated materials resulting from authorised releases or materials cleared in accordance with Article 30 shall not be managed as a planned exposure situation and, hence, are not required to be notified.	N/A
26(1)	**Exemption from notification** 1. Member States may decide that justified practices involving the following do not need to be notified: (a) radioactive materials where the quantities of the activity involved do not exceed in total the exemption values set out in Table B, column 3, of Annex VII, or higher values that, for specific applications, are approved by the competent authority and satisfy the general exemption and clearance criteria set out in Annex VII; or (b) without prejudice to Article 25(4), radioactive materials where the activity concentrations do not exceed the exemption values set out in Table A of Annex VII, or higher values that, for specific applications, are approved by the competent authority and satisfy the general exemption and clearance criteria set out in Annex VII; (c) apparatus containing a sealed source, provided that: (i) the apparatus is of a type approved by the competent authority; (ii) the apparatus does not cause, in normal operating conditions, a dose rate exceeding 1 $\mu Sv\ h^{-1}$ at a distance of 0.1 m from any accessible surface; and (iii) conditions for recycling or disposal have been specified by the competent authority; or	EA(S)R Schedule 9
	(d) any electrical apparatus provided that:	Does not include radioactive substances so is not regulated by SEPA, will be

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	(i) it is a cathode ray tube intended for the display of visual images, or other electrical apparatus operating at a potential difference not exceeding 30 kilo volt (kV), or it is of a type approved by the competent authority; and (ii) it does not cause, in normal operating conditions, a dose rate exceeding 1 µSv h^{-1} at a distance of 0.1 m from any accessible surface.	regulated by the HSE under the Ionising Radiations Regulations 2017
26(2)	2. Member States may exempt specific types of practices from the notification requirement subject to compliance with the general exemption criteria established in point 3 of Annex VII, on the basis of an assessment showing that exemption is the best option.	EA(S)R Schedule 9
27(1)	**Registration or licensing** 1. Member States shall require either registration or licensing of the following practices: (a) the operation of radiation generators or accelerators or radioactive sources for medical exposures or for non- medical imaging purposes; (b) the operation of radiation generators or accelerators, except electron microscopes, or radioactive sources for purposes not covered by point (a)	Medical and occupational exposures, regulated by DoH and relevant DA departments or HSE under the Ionising Radiations Regulations 2017 and the Ionising Radiation (Medical Exposure) Regulations 2018
27(2)	2. Member States may require registration or licensing for other types of practices.	Optional requirement
27(3)	3. The regulatory decision to submit types of practices to either registration or licensing may be based on regulatory experience, taking into account the magnitude of expected or potential doses, as well as the complexity of the practice.	Optional requriement
28	**Licensing** Member States shall require licensing for the following practices: (a) the deliberate administration of radioactive substances to persons and, in so far as the radiation protection of human beings is concerned, animals for the purpose of medical or veterinary diagnosis, treatment or research; (b) the operation and decommissioning of any nuclear facility and 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, and the import of such products;	EA(S)R Schedule 8 paragraph 14 transposes this Article where relevant to SEPA's functions

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	(d) any practice involving a high-activity sealed source; (e) the operation, decommissioning and closure of any facility for the long term storage or disposal of radioactive waste, including facilities managing radioactive waste for this purpose; (f) practices discharging significant amounts of radioactive material with airborne or liquid effluent into the environment.	
29(1)	**Authorisation procedure** 1. For authorisation purposes, Member States shall require the provision of information relevant to radiation protection that is commensurate with the nature of the practice and the radiological risks involved.	EA(S)R Schedule 8 paragraph 15
29(2)	2. In the case of licensing and when determining what information must be provided under paragraph 1, Member States shall take into account the indicative list in Annex IX.	EA(S)R Schedule 8 paragraph 15(2)
29(3)	3. A licence shall include, as appropriate, specific conditions and reference to requirements in national legislation so as to ensure that the elements of the licence are legally enforceable, and impose appropriate restrictions on the operational limits and conditions of operation. National legislation or the specific conditions shall also require, when appropriate, the formal and documented implementation of the principle of optimisation.	EA(S)R Regulations 20, 21 and 22
29(4)	4. Where applicable, national legislation or a licence shall include conditions on the discharge of radioactive effluent, in accordance with the requirements laid down in Chapter VIII for the authorisation of the release of radioactive effluent into the environment.	EA(S)R Schedule 8 paragraph 21(1)
30(1)	**Release from regulatory control** 1. Member States shall ensure that the disposal, recycling or reuse of radioactive materials arising from any authorised practice is subject to authorisation.	EA(S)R Schedule 8 paragraph 14
30(2)	2. Materials for disposal, recycling or reuse may be released from regulatory control provided that the activity concentrations: (a) for solid material do not exceed the clearance levels set out in Table A of Annex VII; or (b) comply with specific clearance levels and associated requirements for specific materials or for materials originating from specific types of	Forms part of the definition of radioactive material and radioactive waste. Table A of Annex VII is replicated as Table 2 in Schedule 8 and this table is referred to in EA(S)R Schedule 8 paragraphs 6, 7 and 8.

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	practices; these specific clearance levels shall be established in national legislation or by the national competent authority, following the general exemption and clearance criteria set out in Annex VII, and taking into account technical guidance provided by the Community.	
30(3)	3. Member States shall ensure that for the clearance of materials containing naturally-occurring radionuclides, where these result from authorised practices in which natural radionuclides are processed for their radioactive, fissile or fertile properties, the clearance levels comply with the dose criteria for clearance of materials containing artificial radionuclides.	EA(S)R Schedule 8 Table 1
30(4)	4. Member States shall not permit the deliberate dilution of radioactive materials for the purpose of them being released from regulatory control. The mixing of materials that takes place in normal operations where radioactivity is not a consideration is not subject to this prohibition. The Competent Authority may authorise, in specific circumstances, the mixing of radioactive and non-radioactive materials for the purposes of re-use or recycling.	EA(S)R Schedule 8 paragraph 13
31	**Responsibilities**	Chapter on occupational exposures regulated by the HSE under the Ionising Radiations Regulations 2017
32	**Operational protection of exposed workers**	
33	**Operational protection of apprentices and students**	
34	**Consultations with a radiation protection expert**	
35	**Arrangements in workplaces**	
36	**Classification of workplaces**	
37	**Controlled areas**	
38	**Supervised areas**	
39	**Radiological surveillance of the workplace**	
40	**Categorisation of exposed workers**	
41	**Individual monitoring**	
42	**Dose assessment in the case of accidental exposure**	
43	**Recording and reporting of results**	
44	**Access to the results of individual monitoring**	
45	**Medical surveillance of exposed workers**	
46	**Medical classification**	
47	**Prohibition to employ or classify unfit workers**	
48	**Medical records**	

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49	**Special medical surveillance**	
50	**Appeals**	
51	**Protection of outside workers**	
52	**Specially authorised exposures**	
53	**Emergency occupational exposure**	
54	**Radon in workplaces**	
55	**Justification**	Chapter on medical exposures regulated by the DoH and relevant DA departments under the Ionising Radiation (Medical Exposure) Regulations 2018
56	**Optimisation**	
57	**Responsibilities**	
58	**Procedures**	
59	**Training and recognition**	
60	**Equipment**	
61	**Special practices**	
62	**Special protection during pregnancy and breastfeeding**	
63	**Accidental and unintended exposures**	
64	**Estimates of population doses**	
65(1)	**Operational protection of members of the public** 1. Member States shall ensure that the operational protection of members of the public in normal circumstances from practices subject to licensing shall include, for relevant facilities, the following: (a) examination and approval of the proposed siting of the facility from a radiation protection point of view, taking into account relevant demographic, meteorological, geological, hydrological and ecological conditions;	Siting is controlled by planning legislation.
	(b) acceptance into service of the facility subject to adequate protection being provided against any exposure or radioactive contamination liable to extend beyond the perimeter of the facility or radioactive contamination liable to extend to the ground beneath the facility;	EA(S)R Schedule 8 paragraph 20
	(c) examination and approval of plans for the discharge of radioactive effluents;	EA(S)R Schedule 8 paragraph 21
	(d) measures to control the access of members of the public to the facility.	For nuclear licensed sites, access is regulated by the Office of the Nuclear Regulator and is a reserved matter.
65(2)	2. The competent authority shall where appropriate establish authorised limits as part of the discharge authorisation and conditions for discharging	EA(S)R Schedule 8 paragraph 21(2)

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	radioactive effluents which shall: (a) take into account the results of the optimisation of radiation protection; (b) reflect good practice in the operation of similar facilities. In addition, these discharge authorisations shall take into account, where appropriate, the results of a generic screening assessment based on internationally recognised scientific guidance, where such an assessment has been required by the Member State, to demonstrate that environmental criteria for long-term human health protection are met.	
65(3)	3. For practices subject to registration, Member States shall ensure the protection of members of the public in normal circumstances through appropriate national regulations and guidance.	EA(S)R Schedule 8
66(1)	**Estimation of doses to the members of the public** 1. Member States shall ensure that arrangements are made for the estimation of doses to members of the public from authorised practices. The extent of such arrangements shall be proportionate to the exposure risk involved.	EA(S)R Schedule 8 paragraph 28
66(2)	2. Member States shall ensure the identification of practices for which an assessment of doses to members of the public shall be carried out. Member States shall specify those practices for which this assessment needs to be carried out in a realistic way and those for which a screening assessment is sufficient.	EA(S)R Schedule 8 paragraph 29
66(3)	3. For the realistic assessment of doses to the members of the public, the competent authority shall: (a) decide on a reasonable extent of surveys to be conducted and information to be taken into account in order to identify the representative person, taking into account the effective pathways for transmission of the radioactive substances; (b) decide on a reasonable frequency of monitoring of the relevant parameters as determined in point (a); (c) ensure that the estimates of doses to the representative person include: i) assessment of the doses due to external radiation, indicating, where appropriate, the type of the radiation in question; ii) assessment of the intake of radionuclides, indicating the nature of the radionuclides and, where necessary, their physical and chemical states, and determination of the activity concentrations of these radionuclides in food	EA(S)R Schedule 8 paragraph 30

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	and drinking water or other relevant environmental media; iii) assessment of the doses that the representative person, as identified in point (a), is liable to receive; (d) require records to be kept and be made available on request to all stakeholders relating to measurements of external exposure and contamination, estimates of intakes of radionuclides, and the results of the assessment of the doses received by the representative person.	
67(1)	**Monitoring of radioactive discharges** 1. Member States shall require the undertaking responsible for practices where a discharge authorisation is granted to monitor appropriately or where appropriate evaluate the radioactive airborne or liquid discharges into the environment in normal operation and to report the results to the competent authority.	EA(S)R Schedule 8 paragraph 22
67(2)	2. Member States shall require any undertaking responsible for a nuclear power reactor or reprocessing plant to monitor radioactive discharges and report them in accordance with standardised information.	EA(S)R Schedule 8 paragraph 22(2)
68	**Tasks for the undertaking** Member States shall require the undertaking to carry out the following tasks: (a) achieve and maintain an optimal level of protection of members of the public;	EA(S)R Schedule 8 paragraph 20(c)(i)
	(b) accept into service adequate equipment and procedures for measuring and assessing exposure of members of the public and radioactive contamination of the environment;	EA(S)R Schedule 8 paragraph 20(c)(ii)
	(c) check the effectiveness and maintenance of equipment as referred to in point (b) and ensure the regular calibration of measuring instruments;	EA(S)R Schedule 8 paragraph 20(c) (iii)
	(d) seek advice from a radiation protection expert in the performance of the tasks referred to in points (a), (b) and (c).	EA(S)R Schedule 8 paragraph 20(d)
69	**Emergency response**	Reserved matter regulated under the Radiation Emergency Preparedness and Public Information Regulations 2001 (REPPIR), currently being amended to meet BSSD transposition.
70	**Information to the members of the public likely to be affected in the event of an emergency**	Reserved matter regulated under the Radiation Emergency Preparedness and Public Information Regulations 2001 (REPPIR), currently being amended to meet BSSD transposition.
71	**Information to the members of the public actually affected in the event**	Reserved matter regulated under the Radiation Emergency Preparedness

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	of an emergency	and Public Information Regulations 2001 (REPPIR), currently being amended to meet BSSD transposition.
72	**(Existing Exposures) Environmental monitoring programme** Member States shall ensure that an appropriate environmental monitoring programme is in place.	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
73(1)	**Contaminated areas** 1. Member States shall ensure that optimised protection strategies for managing contaminated areas shall include, where applicable, the following: (a) objectives, including long-term goals pursued by the strategy and corresponding reference levels, in accordance with Article 7; (b) delineation of the affected areas and identification of the affected members of the public; (c) consideration of the need for and extent of protective measures to be applied to the affected areas and members of the public; (d) consideration of the need to prevent or control access to the affected areas, or to impose restrictions on living conditions in these areas; (e) assessment of the exposure of different groups in the population and assessment of the means available to individuals for controlling their own exposure.	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
73(2)	2. For areas with long-lasting residual contamination in which the Member State has decided to allow habitation and the resumption of social and economic activities, Member States shall ensure, in consultation with stakeholders, that arrangements are in place, as necessary, for the ongoing control of exposure with the aim of establishing living conditions that can be considered as normal, including: (a) establishment of appropriate reference levels; (b) establishment of an infrastructure to support continuing self-help protective measures in the affected areas, such as information provision, advice and monitoring ; (c) if appropriate, remediation measures; (d) if appropriate, delineated areas.	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
74	**Indoor exposure to radon**	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
75	**Gamma radiation from building materials**	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions)

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		Regulations 2018
76	**Competent authority**	Environmental Protection Act 1990 set up competent authorities
77	**Transparency** Member States shall ensure that information in relation to the justification of classes or types of practices, the regulation of radiation sources and of radiation protection is made available to undertakings, workers, members of the public, as well as patients and other individuals subject to medical exposure. **This obligation includes ensuring that the competent authority provides information within its fields of competence**. Information shall be made available in accordance with national legislation and international obligations, provided that this does not jeopardise other interests such as, inter alia, security, recognised in national legislation or international obligations.	EA(S)R Schedule 3 36 to 39
78(1)	**Information on equipment** 1. Member States shall ensure that any undertaking acquiring equipment containing radioactive sources or a radiation generator is provided with adequate information about its potential radiological hazards and its proper use, testing and maintenance, and with a demonstration that the design permits to restrict exposures to a level which is as low as reasonably achievable.	Regulated by the HSE under IRR17
78(2)	2. Member States shall ensure that any undertaking acquiring medical radiological equipment is provided with adequate information on the risk assessment for patients, and on the available elements of the clinical evaluation.	Medical exposure regulated by DoH and relevant DA department under IRMER 18
79(1)	**Recognition of services and experts** 1. Member States shall ensure that arrangements are in place for the recognition of: (a) occupational health services; (b) dosimetry services; (c) radiation protection experts; (d) medical physics experts. Member States shall ensure that the necessary arrangements are in place to ensure the continuity of expertise of these services and experts. If appropriate, Member States may establish the arrangements for the recognition of radiation protection officers.	EA(S)R Schedule 8 paragraph 3 for (c), others not applicable to SEPA's regulation

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79(2)	2. Member States shall specify the recognition requirements and communicate them to the Commission.	Adminsistrative requirement
79(3)	3. The Commission shall make the information received in accordance with paragraph 2 available to the Member States.	Commission obligation
80	**Occupational health services**	Occupational exposures regulated by HSE under IRR17
81	**Dosimetry services**	Occupational exposures regulated by HSE under IRR17
82(1)	**Radiation protection expert** 1. Member State shall ensure that the radiation protection expert gives competent advice to the undertaking on matters relating to compliance with applicable legal requirements, in respect of occupational and public exposure.	Through the Radioactive Waste Adviser scheme operated by the UK environment agencies.
82(2)	2. The advice of the radiation protection expert shall cover, where relevant, but not be limited to, the following: (a) optimisation and establishment of appropriate dose constraints; (b) plans for new installations and the acceptance into service of new or modified radiation sources in relation to any engineering controls, design features, safety features and warning devices relevant to radiation protection; (c) categorisation of controlled and supervised areas; (d) classification of workers; (e) workplace and individual monitoring programmes and related personal dosimetry; (f) appropriate radiation monitoring instrumentation; (g) quality assurance; (h) environmental monitoring programme; (i) arrangements for radioactive waste management; (j) arrangements for prevention of accidents and incidents; (k) preparedness and response in emergency exposure situations; (l) training and retraining programmes for exposed workers; (m) investigation and analysis of accidents and incidents and appropriate remedial actions; (n) employment conditions for pregnant and breastfeeding workers; (o) preparation of appropriate documentation such as prior risk assessments and written procedures;	Through the Radioactive Waste Adviser scheme operated by the UK environment agencies.
82(3)	3. The radiation protection expert shall, where appropriate, liaise with the	Through the Radioactive Waste Adviser scheme operated by the UK

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	medical physics expert.	environment agencies.
82(4)	4. The radiation protection expert may be assigned, if provided for in national legislation, the tasks of radiation protection of workers and members of the public.	Not provided for in national legislation therefore no need for transposition
83	**Medical physics expert**	Medical exposures regulated by DoH and relevant DA departments under IRMER 18
84	**Radiation protection officer**	Occupational exposures, regulated by HSE under IRR17
85(1)	**General requirements for unsealed sources** 1. Member States shall ensure that arrangements are made for keeping control of unsealed sources with regard to their location, use and, when no longer required, their recycling or disposal.	EA(S)R Schedule 8 paragraph 20(e)
85(2)	2. Member States shall require the undertaking, as appropriate and to the extent possible, to keep records of unsealed sources under its responsibility, including location, transfer and disposal or discharge.	EA(S)R Schedule 8 paragraph 20(f)
85(3)	3. Member States shall require each undertaking holding an unsealed radioactive source to notify the competent authority promptly of any loss, theft, significant spill, or unauthorised use or release.	EA(S)R Schedule 8 paragraph 20(h)
86(1)	**General requirements for sealed sources** 1. Member States shall ensure that arrangements are made for keeping control of sealed sources with regard to their location, use and, when no longer required, their recycling or disposal.	EA(S)R Schedule 8 paragraph 23
86(2)	2. Member States shall require the undertaking to keep records of all sealed sources under its responsibility, including location, transfer and disposal.	EA(S)R Schedule 8 paragraph 25
86(3)	3. Member States shall establish a system to enable them to be adequately informed of any transfer of high activity sealed sources and where necessary individual transfers of sealed sources.	EA(S)R Schedule 8 paragraph 33
86(4)	4. Member States shall require each undertaking holding a sealed source to notify the competent authority promptly of any loss, significant leakage, theft or unauthorised use of a sealed source.	EA(S)R Schedule 8 paragraph 20(j)
87	**Requirements for control of high-activity sealed sources** Member States shall ensure that, before issuing authorisation for practices involving a high-activity sealed source: (a) adequate arrangements have been made for the safe management and control of sources, including when they become disused sources. Such	EA(S)R Schedule 8 paragraph 18(1)

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	arrangements may provide for the transfer of disused sources to the supplier or their placement in a disposal or storage facility or an obligation for the manufacturer or the supplier to receive them; (b) adequate provision, by way of a financial security or any other equivalent means appropriate for the source in question, has been made for the safe management of sources when they become disused sources, including the case where the undertaking becomes insolvent or ceases its activities.	
88	**Specific requirements for licensing of high-activity sealed sources** In addition to the general licensing requirements set out in Chapter V, Member States shall ensure that the licence for a practice involving a high-activity sealed source includes, but does not have to be limited to: (a) responsibilities; (b) minimum staff competencies, including information and training; (c) minimum performance criteria for the source, source container and additional equipment; (d) requirements for emergency procedures and communication links; (e) work procedures to be followed; (f) maintenance of equipment, sources and containers; (g) adequate management of disused sources, including agreements regarding the transfer, if appropriate, of disused sources to a manufacturer, a supplier, another authorised undertaking or a waste disposal or storage facility.	EA(S)R Schedule 8 paragraph 23(c)
89	**Record keeping by the undertaking** Member States shall require that the records for high-activity sealed sources include the information set out in Annex XIV and that the undertaking provides the competent authority with an electronic or written copy of all or part of these records upon request and at least under the following conditions: (a) without undue delay, at the time of the establishment of such records, which shall be as soon as is reasonably practicable after the source is acquired; (b) at intervals to be determined by Member States; (c) if the situation indicated on the information sheet has changed; (d) without undue delay upon the closure of the records for a specific	EA(S)R Schedule 8 paragraph 25

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	source when the undertaking no longer holds this source, whereby the name of the undertaking or waste disposal or storage facility to which the source is transferred shall be included; (e) without undue delay upon the closure of such records when the undertaking no longer holds any sources. The undertaking's records shall be available for inspection by the competent authority.	
90	**Record keeping by the competent authority** Member States shall ensure that the competent authority keeps records of any undertaking authorised to perform practices with high-activity sealed sources and of the high-activity sealed sources held. These records shall include the radionuclide involved, the activity at the time of manufacture or, if this activity is not known, the activity at the time of the first placing on the market or at the time the undertaking acquired the source, and the type of source. The competent authority shall keep the records up to date, taking transfers of the sources and other factors into account.	EA(S)R Schedule 8 paragraph 32
91(1)	**Control of high-activity sealed sources** 1. Member States shall require that the undertaking carrying out activities involving high activity sealed sources complies with requirements set out in Annex XV.	EA(S)R Schedule 8 paragraph 23(d)
91(2)	2. Member States shall require that the manufacturer, the supplier, and each undertaking ensures that high-activity sealed sources and containers comply with the requirements for identification and marking as set out in Annex XVI.	EA(S)R Schedule 8 paragraph 24
92(1)	**Detection of orphan sources** 1. Member States shall ensure that arrangements are made for: (a) raising general awareness of the possible occurrence of orphan sources and associated hazards; and (b) issuing guidance for persons who suspect or have knowledge of the presence of an orphan source on informing the competent authority and on the actions to be taken.	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
92(2)	2. Member States shall encourage the establishment of systems aimed at detecting orphan sources in places such as large metal scrap yards and major metal scrap recycling installations where orphan sources may generally be encountered, or at significant nodal transit points, wherever	EA(S)R Schedule 5 Part 2

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	appropriate.	
92(3)	3. Member States shall ensure that specialised technical advice and assistance is promptly made available to persons who suspect the presence of an orphan source and who are not normally involved in operations subject to radiation protection requirements. The primary aim of advice and assistance shall be the protection of workers and members of the public from radiation and the safety of the source.	EA(S)R Schedule 8 paragraph 34
93(1)	**Metal contamination** 1. Member States shall encourage the establishment of systems to detect the presence of radioactive contamination in metal products imported from third countries, in places such as at major metal importing installations or at significant nodal transit points.	EA(S)R Schedule 5 Part 2
93(2)	2. Member States shall require that the management of a metal scrap recycling installation promptly informs the competent authority if it suspects or has knowledge of any melting of or other metallurgical operation on an orphan source and shall require that the contaminated materials are not used, placed on the market or disposed of without the involvement of the competent authority.	EA(S)R Schedule 5 Part 2
94(1)	**Recovery, management, control and disposal of orphan sources** 1. Member States shall ensure that the competent authority is prepared, or has made provision, including assignment of responsibilities, to control and recover orphan sources and to deal with emergencies due to orphan sources and have drawn up appropriate response plans and measures.	EA(S)R Schedule 8 paragraph 35
94(2)	2. Member States shall ensure that campaigns are organised, as appropriate, to recover orphan sources left behind from past practices. The campaigns may include the financial participation of Member States in the costs of recovering, managing, controlling and disposing of the sources and may also include surveys of historical records of authorities and of undertakings, such as research institutes, material testing institutes or hospitals.	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
95	**Financial security for orphan sources** Member States shall ensure that a financial security system or other equivalent means is established to cover intervention costs relating to the recovery of orphan sources and which may result from implementation of	EA(S)R Schedule 8 paragraph 36

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	Article 94.	
96	**Notification and recording of significant events** Member States shall require the undertaking to: (a) implement, as appropriate, a recording and analysis system of significant events involving or potentially involving accidental or unintended exposures;	EA(S)R Schedule 8 paragraph 20(k)
	(b) promptly notify the competent authority of the occurrence of any significant event resulting or liable to result in the exposure of an individual beyond the operational limits or conditions of operation specified in authorising requirements with regard to occupational or public exposure or as defined by the competent authority for medical exposure, including the results of the investigation and the corrective measures to avoid such events.	EA(S)R Schedule 8 paragraph 20(l)
97	**Emergency management system**	Emergency exposure situations, not regulated by SEPA
98	**Emergency preparedness**	
99	**International cooperation**	
100(1)	**Programmes on existing exposure situations** 1. Member States shall ensure that measures are taken, upon indication or evidence of exposures that cannot be disregarded from a radiation protection point of view, to identify and evaluate existing exposure situations taking into account the types of existing exposure situations listed in Annex XVII, and to determine the corresponding occupational and public exposures.	Implemented through radioactive contaminated land legislation which in Scotland is Part IIA of the Environmental Protection Act 1990 as modified and extended by the Radioactive Contaminated Land (Scotland) Regulations 2007. There is associated statutory guidance, which is being updated separately to ensure transparent consistency with BSSD .
100(2)	2. Member States may decide, having regard to the general principle of justification, that an existing exposure situation warrants no consideration of protective or remedial measures.	Radioactive contaminated land legislation
100(3)	3. Existing exposure situations which are of concern from a radiation protection point of view and for which legal responsibility can be assigned shall be subject to the relevant requirements for planned exposure situations and accordingly such exposure situations shall be required to be notified as specified in Article 25(2).	Radioactive contaminated land legislation
101(1)	**Establishment of strategies** 1. Member States shall arrange for the establishment of strategies to ensure the appropriate management of existing exposure situations	Radioactive contaminated land legislation

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	commensurate with the risks and with the effectiveness of protective measures.	
101(2)	2. Each strategy shall contain (a) the objectives pursued; (b) appropriate reference levels, taking into account the reference levels laid down in Annex I.	Radioactive contaminated land legislation
102(1)	**Implementation of strategies** 1. Member States shall assign responsibilities for the implementation of strategies for the management of existing exposure situations, and ensure appropriate coordination between relevant parties involved in the implementation of remedial and protective measures. Member States shall provide as appropriate for the involvement of stakeholders in decisions regarding the development and implementation of strategies for managing exposure situations.	Radioactive contaminated land legislation
102(2)	2. The form, scale and duration of all protective measures considered for implementation of a strategy shall be optimised.	Radioactive contaminated land legislation
102(3)	3. The distribution of doses that has resulted from the implementation of a strategy shall be assessed. Further efforts shall be considered with the aim of optimising protection and reducing any exposures that are still above the reference level.	Radioactive contaminated land legislation
102(4)	4. Member States shall ensure that those responsible for the implementation of a strategy shall regularly: (a) evaluate the available remedial and protective measures for achieving the objectives and the efficiency of planned and implemented measures; (b) provide information to exposed populations on the potential health risks and on the available means for reducing their exposure; (c) provide guidance for the management of exposures at individual or local level; (d) with regard to activities that involve naturally occurring radioactive material and are not managed as planned exposure situations, provide information on appropriate means for monitoring concentrations and exposures and for taking protective measures.	Radioactive contaminated land legislation
103	Radon action plan	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
104(1)	**Inspections**	EA(S)R Schedule 8 paragraph 31

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	1. Member States shall establish a system or systems of inspection to enforce the provisions adopted pursuant to this Directive and to initiate surveillance and corrective action where necessary.	
104(2)	2. Member States shall ensure that the competent authority establishes an inspection programme taking into account the potential magnitude and nature of the hazard associated with practices, a general assessment of radiation protection issues in the practices, and the state of compliance with the provisions adopted pursuant to this Directive.	EA(S)R Schedule 8 paragraph 31 (1) and (2)
104(3)	3. Member States shall ensure that the findings from each inspection are recorded and communicated to the undertaking concerned. If the findings are related to an outside worker or workers, where appropriate, the findings shall also be communicated to the employer.	EA(S)R Schedule 8 paragraphs 31(3)and (4)
104(4)	4. Member States shall ensure that outlines of the inspection programmes and the main findings from their implementation are available to the public.	EA(S)R Schedule 8 paragraph 31(5) and Schedule 3, entries 38 and 39.
104(5)	5. Member States shall ensure that mechanisms are in place for the timely dissemination to relevant parties, including manufacturers and suppliers of radiation sources and, where appropriate, international organisations, of protection and safety information concerning significant lessons learned from inspections and from reported incidents and accidents and related findings.	HSE under IRR17
105	**Enforcement** Member States shall ensure that the competent authority has the power to require any individual or legal person to take action to remedy deficiencies and prevent their recurrence or to withdraw, where appropriate, authorisation when the results of a regulatory inspection or another regulatory assessment indicate that the exposure situation is not in compliance with the provisions adopted pursuant to this Directive.	EA(S)R regulation 46 – 50 inclusive
106	**Transposition**	No specific transposition required
107	**Repeal**	No specific transposition required
108	**Entry into force**	No specific transposition required
109	**Addresses**	No specific transposition required
Annex I	Reference levels for public exposure as referred to in Articles 7 and 101	EA(S)R Schedule 8 paragraph 26(2)
Annex II	Radiation and tissue weighting factors as referred to in points (25) and (33) of Article 4	IRR17

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Annex III	Activity values defining high-activity sealed sources as referred to in point (43) of Article 4	EA(S)R Schedule 8 Table 4
Annex IV	Justification of new classes or types of practices involving consumer products as referred to in Article 20	Justification of Practices Involving Ionising Radiation Regulations 2004
Annex V	Indicative list of practices involving non-medical imaging exposure as referred to in Article 22	IRMER 18
Annex VI	List of industrial sectors involving naturally-occurring radioactive material as referred to in Article 23	EA(S)R Schedule 8 paragraph 6(3)
Annex VII	Exemption and clearance criteria as referred to in Articles 24, 26 and 30	EA(S)R Schedule 9
Annex VIII	Definition and use of the activity concentration index for the gamma radiation emitted by building materials as referred to in Article 75	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions) Regulations 2018
Annex IX	**Indicative list of information for licence applications as referred to in Article 29** (a) Responsibilities and organisational arrangements for protection and safety. (b) Staff competences, including information and training. (c) Design features of the facility and of radiation sources. (d) Anticipated occupational and public exposures in normal operation. (e) Safety assessment of the activities and the facility in order to: (i) identify ways in which potential exposures or accidental and unintended medical exposures could occur; (ii) estimate, to the extent practicable, the probabilities and magnitude of potential exposures; (iii) assess the quality and extent of protection and safety provisions, including engineering features, as well as administrative procedures; (iv) define the operational limits and conditions of operation. (f) Emergency procedures. (g) Maintenance, testing, inspection and servicing so as to ensure that the radiation source and the facility continue to meet the design requirements, operational limits and conditions of operation throughout their lifetime. (h) Management of radioactive waste and arrangements for the disposal of such waste, in accordance with applicable regulatory requirements. (i) Management of disused sources. (j) Quality assurance.	EA(S)R Schedule 8 paragraph 15(2)
Annex X	Data system for individual radiological monitoring as referred to in Articles	IRR17

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Annex XI	Emergency management systems and emergency response plans as referred to in Articles 69, 97 and 98	REPPIR
Annex XII	Information to members of the public about health protection measures to be applied and steps to be taken in the event of an emergency as referred to in Articles 70 and71	REPPIR
Annex XIII	Indicative list of types of building materials considered with regard to their emitted gamma radiation as referred to in Article 75	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions Regulations 2018
Annex XIV	Information to be provided in the records for high-activity sealed sources (HASS) as referred to in Article 89	EA(S)R Schedule 8 Table 5
Annex XV	**Requirements for undertakings responsible for a high-activity sealed source as referred to in Article 91** Each undertaking responsible for a high-activity sealed source shall: (a) ensure that suitable tests, such as leak tests based on international standards, are undertaken regularly in order to check and maintain the integrity of each source; (b) regularly verify at specific intervals, which may be determined by Member States, that each source and, where relevant, the equipment containing the source are still present and in apparently good condition at their place of use or storage; (c) ensure that each fixed and mobile source is subject to adequate documented measures, such as written protocols and procedures, aimed at preventing unauthorised access to or loss or theft of the source or its damage by fire; (d) promptly notify the competent authority of any loss, theft, leakage or unauthorised use of a source, arrange for a check on the integrity of each source after any event, including fire, that may have damaged the source, and, if appropriate, inform the competent authority thereof and of the measures taken; (e) return each disused source to the supplier or place it in a facility for long term storage or disposal or transfer it to another authorised undertaking unless otherwise agreed by the competent authority, without undue delay after termination of the use; (f) ascertain that, before a transfer is made, the recipient has appropriate licence.	EA(S)R Schedule 8 paragraph 23(d)

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	(g) promptly notify the competent authority of any accident or incident resulting in unintentional exposure of a worker or a member of the public.	
Annex XVI	**Identification and marking of high-activity sealed sources as referred to in Article 91** 1. The manufacturer or supplier ensures that: (a) Each high-activity sealed source is identified by a unique number. This number shall be engraved or stamped on the source, where practicable. The number shall also be engraved or stamped on the source container. If this is not feasible, or in the case of reusable transport containers, the source container shall, at least, bear information on the nature of the source. (b) The source container and, where practicable, the source are marked and labelled with an appropriate sign to warn people of the radiation hazard. 2. The manufacturer provides a photograph of each manufactured source design type and a photograph of the typical source container. 3. The undertaking ensures that each high-activity sealed source is accompanied by written information indicating that the source is identified and marked in compliance with point 1 and that the markings and labels referred to in point 1 remain legible. The information shall include photographs of the source, source container, transport packaging, device and equipment as appropriate.	EA(S)R Schedule 8 Paragraph 24
Annex XVII	**Indicative list of types of existing exposure situations as referred to in Article 100** (a) Exposure due to contamination of areas by residual radioactive material from: (i) past activities that were never subject to regulatory control or were not regulated in accordance with the requirements laid down by this Directive; (ii) an emergency, after the emergency exposure situation has been declared ended, as provided for in the emergency management system; (iii) residues from past activities for which the undertaking is no longer legally accountable; (b) Exposure to natural radiation sources, including: (i) indoor exposure to radon and thoron, in workplaces, dwellings and other buildings;	Radioactive contaminated land legislation

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	(ii) indoor external exposure from building materials; (c) Exposure to commodities excluding food, animal feeding stuffs and drinking water incorporating (i) radionuclides from contaminated areas specified in point (a), or (ii) naturally-occurring radionuclides.	
Annex XVIII	List of items to be considered in preparing the national action plan to address long-term risks from radon exposures as referred to in Articles 54, 74 and 103	Ionising Radiation (Basic Safety Standards) (Miscellaneous Provisions Regulations 2018
Annex XIX	Correlation table referred to in Article 107	No need for transposition