



Health Protection Agency Act 2004

2004 CHAPTER 17

3 Radiation protection functions

- (1) The Agency has the following functions in relation to risks connected with radiation (whether ionising or not)—
 - (a) the advancement of the acquisition of knowledge about protection from such risks;
 - (b) the provision of information and advice in relation to the protection of the community (or any part of the community) from such risks.
- (2) The Agency must also exercise such of the functions which are exercisable at the date of commencement of this section by the National Radiological Protection Board as are specified in a direction given by the appropriate authority.
- (3) The appropriate authority may direct the Agency to exercise any other function in relation to protection from the risks mentioned in subsection (1).
- (4) If a Health and Safety body asks the Agency to enter into an agreement with the body for the Agency to carry out any of the body's functions relating to radiation (whether ionising or not) on the body's behalf, the appropriate authority may direct the Agency to do so.
- (5) In the exercise of any function it has under this section which relates to any matter in respect of which a Health and Safety body has a function the Agency must—
 - (a) consult the body;
 - (b) have regard to the body's policies.
- (6) A direction under this section must not be given unless the person giving the direction has consulted each of the other persons mentioned in section 6.
- (7) Each of the following is a Health and Safety body—
 - (a) [F¹the Health and Safety Executive] in relation to Great Britain;
 - (b) the Health and Safety Executive for Northern Ireland.
- (8) The giving of a direction under subsection (2) or (3) does not—
 - (a) transfer the function to the Agency;

Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Health Protection Agency Act 2004, Section 3. (See end of Document for details)

- (b) prevent the exercise of the function by the appropriate authority.

Textual Amendments

- F1** Words in s. 3(7)(a) substituted (1.4.2008) by [Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), art. 1, [Sch. 3](#) (with art. 21, Sch. 2)

Commencement Information

- I1** S. 3(1)(4)(5)(7)(8) in force at 1.4.2005 by [S.I. 2005/121](#), [art. 2\(2\)](#)
I2 S. 3(2)(3)(6) in force at 31.1.2005 for specified purposes by [S.I. 2005/121](#), [art. 2\(1\)\(c\)](#)
I3 S. 3(2)(3)(6) in force at 1.4.2005 in so far as not already in force by [S.I. 2005/121](#), [art. 2\(2\)](#)

Status:

Point in time view as at 01/04/2008. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Health Protection Agency Act 2004, Section 3.