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STATUTORY INSTRUMENTS

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**1962 No. 2648**

**The Radioactive Substances (Phosphatic Substances, Rare Earths etc.) Exemption Order 1962**

**Citation and commencement**

1. This order may be cited as the Radioactive Substances (Phosphatic Substances, Rare Earths etc.) Exemption Order 1962, and shall come into operation on 1st December 1963.

**Interpretation**

2.—(1) In this order—

“the Act” means the Radioactive Substances Act 1960;

“exempted substance” and “exempted article” mean, respectively, a substance and an article falling within Article 4 of this order;

“the listed elements” means the elements listed in the Schedule to this order; and

“the Schedule 3 elements” means the elements specified in column 1 of Schedule 3 to the Act.

(2) The Interpretation Act 1889 applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

**Exemption from registration under section 1 of the Act**

3. Any person who, on any premises which are used for the purposes of any undertaking carried on by him, keeps or uses or causes or permits to be kept or used any radioactive material to which this Article applies is hereby granted exemption from registration under section 1 of the Act (which provides for the registration of persons who keep or use radioactive material) in respect of those premises and the keeping and use thereon of that radioactive material, without any limitation or condition.

**Descriptions of radioactive material to which exemption relates**

4. The last preceding Article applies to radioactive material falling within any of the following descriptions, that is to say,—

(a) a substance which is radioactive material solely because of the presence of one or more of the Schedule 3 elements, being—

(i) a solid or liquid substance in which the number of microcuries of each of the Schedule 3 elements present, divided by the number of grammes which the substance weighs, does not exceed  $4 \times 10^{-4}$ ; or

(ii) a solid or liquid substance which consists mainly of one or more of the listed elements or of a compound or compounds of one or more of those elements, being a substance in which the number of microcuries of each of the Schedule 3 elements present, divided by the number of grammes which the substance weighs, does not exceed  $1 \times 10^{-3}$ ; or

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- (iii) an alloy which is prepared by adding one or more of the listed elements to some other metal or metals (not being radioactive material) and in which the number of microcuries of each of the Schedule 3 elements present, divided by the number of grammes which the alloy weighs, does not exceed  $1 \times 10^{-3}$
- (b) an article made wholly from a substance falling within the preceding paragraph;
- (c) an article which is made partly from, or incorporates, such a substance and which is radioactive material solely because of the presence of that substance;
- (d) a lighter flint which is made partly from, or incorporates, one or more of the listed elements and which is radioactive material solely because of the presence of one or more of the Schedule 3 elements.

#### **Exclusion of radioactive waste from sections 6 and 7 of the Act**

5. Radioactive waste falling within any of the following descriptions, that is to say,—
- (a) waste which, if it were not waste, would be a solid exempted substance substantially insoluble in water or an exempted article made wholly or partly from, or incorporating, such a substance;
  - (b) liquid waste consisting of water in which are suspended particles of a solid substance which, immediately before it became waste, was a solid exempted substance substantially insoluble in water, being waste which is radioactive waste solely because of the presence of those particles;
  - (c) waste which, if it were not waste, would be radioactive material (other than an exempted substance) consisting of a solid substance substantially insoluble in water, being waste arising solely from the use of an exempted substance (and no other radioactive material) in the preparation of an alloy falling within paragraph (a) (iii) of the last preceding Article;
  - (d) a solid substance, or an article, which is radioactive waste solely because it has been contaminated in the course of the keeping or use of a solid exempted substance of the kind referred to in paragraph (a) of this Article or an exempted article of the kind referred to in that paragraph, or by contact with or proximity to other waste falling within any of the preceding paragraphs or this paragraph,

is hereby excluded from the provisions of section 6 (1) and (3) of the Act (which relates to the disposal of radioactive waste) and section 7 (1) of the Act (which relates to the accumulation of radioactive waste) absolutely.