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STATUTORY INSTRUMENTS

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**1993 No. 3031**

**The Transfrontier Shipment of  
Radioactive Waste Regulations 1993**

**PART I**

**SHIPMENTS REQUIRING AUTHORISATION BY THE  
COMPETENT AUTHORITIES IN THE UNITED KINGDOM**

**Applications for authorisation**

7.—(1) An application for an authorisation shall be submitted, using the appropriate standard document, to the chief inspector—

- (a) in the case of a shipment to which this Part applies by virtue of regulation 5(a), by the holder who intends to carry out the shipment or to arrange for the shipment to be carried out;
  - (b) in the case of a shipment to which this Part applies by virtue of regulation 5(b), by the intended consignee; and
  - (c) in the case of a shipment to which this Part applies by virtue of regulation 5(c), by the person who has the responsibility for managing the shipment within the United Kingdom.
- (2) An application may be submitted in respect of more than one shipment if—
- (a) the radioactive waste to which it relates essentially has the same physical, chemical and radioactive characteristics;
  - (b) the shipments are to be made from the same holder to the same consignee and involve the same competent authorities; and
  - (c) in the case of shipments which involve third countries, the transit is via the same frontier post of entry to or exit from the Community and via the same frontier post of the third country or countries concerned, unless otherwise agreed between the competent authorities concerned.

(3) On receipt of an application made under paragraph (1), the chief inspector shall send the application for approval to the competent authorities of each country, other than the United Kingdom, which, in relation to the proposed shipment, is either the country of origin or destination, or a country of transit, using the appropriate standard document, but the sending of the application for approval shall in no way affect the subsequent decision under paragraph (5).

(4) Where—

- (a) this Part applies to a shipment by virtue of regulation 5(a) and the place of origin is within a nuclear site, or
- (b) this Part applies to a shipment by virtue of regulation 5(b) and the place of destination is within a nuclear site, the chief inspector shall, upon receipt of an application made under paragraph (1), consult the Health and Safety Executive by sending to them a copy of the application and, before granting an authorisation, the chief inspector shall consider any

representations made to him about the application by the Executive during such period as may be specified by the chief inspector when copying the application to the Executive or such other period as the chief inspector and the Executive may agree in writing.

(5) Subject to regulation 8, if all the approvals necessary for the shipment in question have been granted, the chief inspector shall be entitled to grant an authorisation, to ship the radioactive waste, to the person who made the application and, using the appropriate standard document, the chief inspector shall inform the competent authorities of each country, other than the United Kingdom, which is either the country of origin or destination, or a country of transit.

(6) For the purposes of paragraph (5), an approval shall be deemed to have been granted where no reply has been received from the competent authorities of a country, to whom an application has been sent for approval under paragraph (3), prior to the expiry of the period of two months from their having received it or, where they have requested a further period of not more than one month for making their position known, prior to the expiry of that further period, unless they have informed the Commission of the Communities in accordance with Article 17 of the Directive that they do not accept this automatic approval procedure in general.

(7) Where the chief inspector grants an authorisation—

- (a) he shall use the appropriate standard document; and
- (b) he shall attach to the document any additional requirements which apply in relation to the shipment.

(8) An authorisation shall be valid for such period not exceeding three years as shall be specified in the authorisation.

(9) The granting of an authorisation shall not in any way affect the responsibility of the holder, the transporter, the owner, the consignee or any other person involved in the shipment.

(10) In this regulation, “nuclear site” means—

- (a) any site in respect of which a nuclear site licence is for the time being in force, or
- (b) any site in respect of which, after the revocation or surrender of a nuclear site licence, the period of responsibility of the licensee has not come to an end, and “nuclear site licence”, “licensee” and “period of responsibility” have the same meaning as in the Nuclear Installations Act 1965<sup>(1)</sup>.

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(1) 1965 c. 57.