

## STATUTORY INSTRUMENTS

# 2004 No. 1769

## The Justification of Practices Involving Ionising Radiation Regulations 2004

### PART 3

#### *Applications and Determinations*

#### **Review of existing practices**

**10.**—(1) A person may apply to the Justifying Authority to review an existing class or type of practice if one of the conditions set out in paragraph (4) is satisfied.

(2) Having received an application under paragraph (1), the Justifying Authority [<sup>F1</sup>must], subject to regulation 14(2), consider [<sup>F2</sup>carrying out a review] and may [<sup>F3</sup>, having carried out a review,] make a new justification decision in respect of that class or type of practice.

(3) The Justifying Authority may, subject to regulation 14(2), without receiving an application under paragraph (1), review an existing class or type of practice if one of the conditions set out in paragraph (4) is satisfied and make a new justification decision in respect of that class or type of practice.

[<sup>F4</sup>(3A) The Justifying Authority must consider carrying out a review of an existing class or type of practice if the Justifying Authority becomes aware that the condition set out in paragraph (4)(a) is satisfied.]

(4) The conditions referred to in paragraphs (1) [<sup>F5</sup>, (3) and (3A)] above are that—

- [<sup>F6</sup>(a) new and important evidence is acquired about the efficacy or potential consequences of—
- (i) the class or type of practice; or
  - (ii) other techniques or technologies that have the same objective as it; or]
- (b) there has been a justification decision that it is not justified.

#### **Textual Amendments**

- F1** Word in [reg. 10\(2\)](#) substituted (18.4.2018) by [The Justification of Practices Involving Ionising Radiation \(Amendment\) Regulations 2018 \(S.I. 2018/430\)](#), regs. 1, [9\(2\)\(a\)](#)
- F2** Words in [reg. 10\(2\)](#) substituted (18.4.2018) by [The Justification of Practices Involving Ionising Radiation \(Amendment\) Regulations 2018 \(S.I. 2018/430\)](#), regs. 1, [9\(2\)\(b\)](#)
- F3** Words in [reg. 10\(2\)](#) inserted (18.4.2018) by [The Justification of Practices Involving Ionising Radiation \(Amendment\) Regulations 2018 \(S.I. 2018/430\)](#), regs. 1, [9\(2\)\(c\)](#)
- F4** [Reg. 10\(3A\)](#) inserted (18.4.2018) by [The Justification of Practices Involving Ionising Radiation \(Amendment\) Regulations 2018 \(S.I. 2018/430\)](#), regs. 1, [9\(3\)](#)
- F5** Words in [reg. 10\(4\)](#) substituted (18.4.2018) by [The Justification of Practices Involving Ionising Radiation \(Amendment\) Regulations 2018 \(S.I. 2018/430\)](#), regs. 1, [9\(4\)\(a\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the The Justification of Practices Involving Ionising Radiation Regulations 2004, Section 10. (See end of Document for details)

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**F6** Reg. 10(4)(a) substituted (18.4.2018) by The Justification of Practices Involving Ionising Radiation (Amendment) Regulations 2018 (S.I. 2018/430), regs. 1, **9(4)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Justification of Practices Involving Ionising Radiation Regulations 2004, Section 10.