

## SCHEDULE 1

Regulation 11

### Procedures

## PART 1

### Intra-Community Trade

#### Application

1. This Part relates to intra-Community trade.

#### Authorisations granted by a competent authority in the United Kingdom

2.—(1) When it receives an application for a shipment authorisation in accordance with Article 6 of Council Directive 2006/117/Euratom a competent authority must transmit the application form in accordance with Article 7 of that Directive.

(2) A competent authority must transmit any additional information in accordance with Article 8(3) of that Directive.

(3) A competent authority may issue an authorisation in accordance with Article 10 of that Directive if—

- (a) all necessary consents from other competent authorities have been received, or
- (b) no reply has been received from a competent authority within two months of the date of acknowledgement of receipt, or three months if the competent authority concerned has requested an additional month.

(4) In the case of a shipment into or from the United Kingdom to or from a site licensed under the Nuclear Installations Act 1965<sup>(1)</sup> the competent authority may not grant an authorisation unless it has first consulted the Health and Safety Executive.

#### Authorisations granted by a competent authority outside the United Kingdom

3. When a competent authority in the United Kingdom receives a request for consent to an application from the competent authority of another member State it must act in accordance with Articles 8 and 9 of Council Directive 2006/117/Euratom.

#### Acknowledgement of receipt

4.—(1) When the United Kingdom is the member State of destination and the competent authority in the United Kingdom receives acknowledgement of receipt of the shipment it must send copies of the acknowledgement to the member State of origin and any member State of transit in accordance with Article 11 of Council Directive 2006/117/Euratom.

(2) When the United Kingdom is the member State of origin and it receives acknowledgment from another member State it must notify the original holder in accordance with Article 11(3) of that Directive.

---

(1) 1965 c. 57.

## PART 2

### Third countries

#### **Application**

5. This Part relates to imports from and exports to third countries, and transits through the European Community between third countries.

#### **Authorisations**

6.—(1) When a competent authority in the United Kingdom receives an application to import radioactive waste or spent fuel into the United Kingdom, or is requested by another member State to consent to such an application, it must act in accordance with Article 13 of Council Directive 2006/117/Euratom.

(2) When such an application relates to transit through the European Community it must act in accordance with Article 14 of that Directive.

(3) When such an application relates to export out of the European Community it must act in accordance with Article 15 of that Directive, as well as both Article 8 and Article 9 of that Directive.

(4) In the case of a shipment into or from the United Kingdom to or from a site licensed under the Nuclear Installations Act 1965 the competent authority may not grant an authorisation unless it has first consulted the Health and Safety Executive.

## SCHEDULE 2

Regulation 15

### Notices

#### **Information notice**

1. An authorised person may, by notice served on any person, require that person to provide such information as is specified in the notice in such form and within such period following service of the notice or at such time as is so specified.

#### **Enforcement and prohibition notices**

2.—(1) An authorised person may serve a notice on any person who contravenes or who the authorised person has reasonable grounds to suspect may contravene these Regulations—

- (a) requiring that person to act in accordance with the Regulations (in this Schedule referred to as an “enforcement notice”); or
- (b) prohibiting that person from acting in breach of them (in this Schedule referred to as a “prohibition notice”).

(2) The notice must give reasons for serving it and, if appropriate, specify what action must be taken and give time limits.

#### **Appeals against enforcement and prohibition notices**

3.—(1) Any person who is aggrieved by an enforcement or prohibition notice may appeal to—

- (a) in England, the Secretary of State;
- (b) in Scotland, the Scottish Ministers;

- (c) in Wales, the Welsh Ministers;
  - (d) in Northern Ireland, the Department of the Environment.
- (2) The period within which an appeal may be brought is 28 days or, in the case of an enforcement notice, the period specified in the notice, whichever ends earlier.
- (3) An enforcement or prohibition notice must state—
- (a) the right of appeal; and
  - (b) the period in which the appeal may be brought.
- (4) The appellant body may cancel the notice or confirm it, with or without modifications.