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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are part of a package of measures to transpose Council Directive 2013/59/Euratom of 5 December 2013 (“the Directive”) laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom. Most of the transposition measures are being dealt with by amending or replacing existing statutory instruments. These Regulations transpose some requirements in Article 73(1) of the Directive as well as making amendments to reflect new definitions in the Directive.

Part 2A of the Environmental Protection Act 1990 (c.43) (“EPA 1990”) sets out a regime for the identification and remediation of contaminated land. The Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 (S.I. 2005/3467) (“the 2005 Regulations”) applied Part 2A of the EPA 1990 with modifications for the purposes of the exercise of the Secretary of State’s powers to make regulations, give directions or issue guidance in relation to harm attributable to radioactive substances. The Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006 (“the 2006 Regulations”) made provision for Part 2A to apply with modifications for the purpose of dealing with harm attributable to any radioactivity possessed by any substance.

These Regulations amend the 2005 and the 2006 Regulations.

Regulation 3 amends the modifications made by the 2006 Regulations to the definition of remediation in order to implement obligations under Article 73(1)(b) and (e) of the Directive. Regulation 3 also amends references to Council Directive 96/29/Euratom which is replaced by the Directive and makes other amendments to reflect the new definitions of “emergency”, “protective measures”, “remedial measures”, “optimisation” and “justification” in the Directive. Regulation 2 makes analogous amendments to the 2005 Regulations.

A transposition note is submitted with the Explanatory Memorandum which is available alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

A full impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sector is foreseen.