
STATUTORY INSTRUMENTS

2019 No. 703

**The Radiation (Emergency Preparedness
and Public Information) Regulations 2019**

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 2017 Regulations” means the Ionising Radiations Regulations 2017 ^{M1};

“the Agency” in relation to premises or a plan relating to premises—

- (a) in England, means the Environment Agency,
- (b) in Wales, means Natural Resources Body for Wales, and
- (c) in Scotland, means the Scottish Environment Protection Agency;

“approved dosimetry service” means an approved dosimetry service within the meaning of the 2017 Regulations and which is approved for the purpose of regulation 22 of those Regulations;

“authorised defence site” has the meaning given by regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M2};

“Category 1 responder” has the meaning set out in Parts 1, 2 and 2A of Schedule 1 to the Civil Contingencies Act 2004 ^{M3};

“Category 2 responder” has the meaning set out in Parts 3, 4 and 5 of Schedule 1 to the Civil Contingencies Act 2004 ^{M4};

“consequences report” has the meaning set out in regulation 7(1);

“detailed emergency planning zone” means a zone determined in accordance with regulation 8 and covered by the local authority's off-site emergency plan;

“dose” means, in relation to ionising radiation, any dose or sum of dose quantities to which an individual is exposed as a result of a radiation emergency;

“dose assessment” means the dose assessment made and recorded by an approved dosimetry service in accordance with regulation 22 of the 2017 Regulations;

“dose record” means the record made and maintained in respect of an employee by the approved dosimetry service in accordance with regulation 22 of the 2017 Regulations;

“emergency exposure” means an exposure of an employee engaged in an activity of or associated with the response to a radiation emergency or potential radiation emergency in order to bring help to endangered persons, prevent exposure of other persons or save a valuable installation or goods, whereby one of the individual dose limits referred to in paragraphs 1 and 2 of Part 1 of Schedule 3 to the 2017 Regulations could be exceeded;

“emergency services” means—

- (a) those police, fire and ambulance services who are likely to be required to respond to a radiation emergency which has occurred at the premises of an operator, and
- (b) where appropriate, Her Majesty's Coastguard;

“emergency worker” means any person who has a defined responding role in an operator's emergency plan or a local authority's off-site emergency plan, and who might be exposed to radiation as a result of a potential or actual radiation emergency;

“existing exposure situation” means an exposure situation which does not call or no longer calls for the implementation of any protective action from an emergency plan;

“health authority” means—

- (a) in relation to England, [^{F1}an integrated care board established under Chapter A3 of Part 2 of the National Health Service Act 2006],
- (b) in relation to Wales, means a local health board established under section 11 of the National Health Service (Wales) Act 2006 ^{M5}, and
- (c) in relation to Scotland, a health board established under section 2 of the National Health Service (Scotland) Act 1978 ^{M6};

“installation” means a unit in which the radioactive substances present are, or are intended to be, produced, used, handled or stored, and it includes—

- (a) equipment, structures, pipework, machinery and tools, and
- (b) docks, unloading quays, jetties, warehouses or similar structures, whether floating or not;

“ionising radiation” means the energy transferred in the form of particles or electromagnetic waves of a wavelength of 100 nanometres or less or a frequency of 3×10^{15} hertz or more capable of producing ions directly or indirectly;

“licensed site” means a site in respect of which a nuclear site licence has been granted and is in force;

“local authority” means in relation to—

- (a) London, the London Fire Commissioner,
- (b) an area where there is a Metropolitan County Fire and Rescue Authority, that authority,
- (c) the Isles of Scilly, the Council of the Isles of Scilly,
- (d) an area in the rest of England, the county council for that area, or, where there is no county council for that area, the district council for that area,
- (e) an area in Scotland, the council for the local government area, and
- (f) an area in Wales, the county council or the county borough council for that area;

“medical surveillance” means medical surveillance carried out in accordance with the 2017 Regulations;

“new nuclear build site” has the meaning given by regulation 2A of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M7};

“non-dispersible source” means a sealed source or a radioactive substance which, in either case, it is determined that, by virtue of its physical and chemical form, it cannot cause a radiation emergency but does not include any radioactive substance that is or has been a component of a nuclear reactor;

“nuclear site licence” has the meaning assigned to it by section 1(1) of the Nuclear Installations Act 1965 ^{M8};

“nuclear warship site” has the meaning given by regulation 2B of the Health and Safety (Enforcing Authority) Regulations 1998 ^{M9};

“off-site emergency plan” is to be interpreted in accordance with regulation 11;

“operator” has the meaning set out in paragraph (2);

“operator's emergency plan” are to be interpreted in accordance with regulation 10;

“outline planning zone” means a zone determined in accordance with regulation 9 and covered by the local authority's off-site emergency plan;

“premises” means—

- (a) the whole of an area under the control of an operator where radioactive substances are present in one or more installations, and for this purpose two or more areas under the control of the operator and separated only by a road, railway or inland waterway shall be treated as one whole area, or
- (b) where radioactive substances are present on a licensed site, that licensed site, or
- (c) where a radioactive substance forms an integral part of a vessel and is used in connection with the operation of that vessel, includes when that vessel is at fixed point moorings or alongside berths, save that such a vessel is to be deemed separate premises only where such moorings or berths do not form part of a licensed site or part of premises under the control of the Secretary of State for Defence;

“protective action” means an action or actions taken in order to prevent or reduce the exposure of emergency workers, members of the public, the environment or the contamination of property from ionising radiation in the event of a radiation emergency, and includes the provision of appropriate information to the public in accordance with regulations 21 and 22;

“radiation emergency” means a non-routine situation or event arising from work with ionising radiation that necessitates prompt action to mitigate the serious consequences—

- (a) of a hazard resulting from that situation or event;
- (b) of a perceived risk arising from such a hazard; or
- (c) to any one or more of—
 - (i) human life;
 - (ii) health and safety;
 - (iii) quality of life;
 - (iv) property;
 - (v) the environment;

“radiation protection adviser” means a radiation protection adviser within the meaning of the 2017 Regulations and who is recognised as such for the purpose of regulation 14 of those Regulations;

“radioactive substance” means any substance which contains one or more radionuclides whose activity cannot be disregarded for the purposes of radiation protection;

“reference level” is to be interpreted in accordance with regulation 20;

“regulator” means—

- (a) the Health and Safety Executive; or
- (b) the Office for Nuclear Regulation in the event the premises is—
 - (i) a licensed site;
 - (ii) an authorised defence site;
 - (iii) a new nuclear build site; or
 - (iv) a nuclear warship site;
- (c) but in the event that an agreement has been reached between the Health and Safety Executive and the Office for Nuclear Regulation to transfer responsibility in respect of specific premises, the person to whom that responsibility was transferred;

“sealed source” means a source containing any radioactive substance whose structure is such as to prevent dispersion of radioactive substances into the environment;

“work with ionising radiation” means work involving the production, processing, handling, use, holding, storage or disposal of radioactive substances which can increase the exposure of persons to radiation from an artificial source, or from a radioactive substance containing naturally occurring radionuclides which are processed for their radioactive, fissile or fertile properties.

(2) In these Regulations, any reference to an operator is a reference to—

- (a) in relation to any premises other than a licensed site, the person who is, in the course of a trade or business or other undertaking carried on by that person, in control of the operation of premises, and
- (b) in relation to a licensed site, a person to whom a nuclear site licence has been granted,

and any duty imposed by these Regulations on the operator extends only in relation to those premises.

(3) In these Regulations—

- (a) any reference to an effective dose means the sum of the effective dose to the whole body from external ionising radiation and the committed effective dose from internal ionising radiation; and
- (b) any reference to equivalent dose to a human tissue or organ includes the committed equivalent dose to that tissue or organ from internal ionising radiation.

(4) In these Regulations, unless the context otherwise requires, any reference to—

- (a) an employer includes a reference to a self-employed person and any duty imposed by these Regulations on an employer in respect of its employee extends to a self-employed person in respect of that self-employed person,
- (b) exposure to ionising radiation is a reference to exposure to ionising radiation arising from work with ionising radiation.

(5) In these Regulations, references to “local authority”, unless the context otherwise requires, are to the local authority in which the premises are situated, and references to “lead local authority”, where more than one local authority is involved, are to that local authority.

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), [reg. 1\(2\)](#), [Sch. para. 1\(1\)\(3\)](#) (with [Sch. para. 1\(2\)](#))

Commencement Information

- I1** [Reg. 2](#) in force at 22.5.2019, see [reg. 1\(1\)](#)

Marginal Citations

- M1** [S.I. 2017/1075](#).
- M2** [S.I. 1998/494](#). The reference to authorised defence site was introduced by paragraph 72 of Part 3 of Schedule 3 to [S.I. 2014/469](#).
- M3** [2004 c. 36](#). Paragraph 1A was inserted by article 2 of [S.I. 2011/1233](#). Parts 1 and 2 of Schedule 1 have also been amended by paragraph 27 of Schedule 1 to the [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), [section 312](#) of and Part 8 of Schedule 22 to, the [Marine and Coastal Access Act 2009 \(c. 23\)](#), [paragraph 132](#) of Schedule 5, paragraph 16 of Schedule 7 and paragraph 100 of Part 2 of Schedule 14 to the [Health and Social Care Act 2012 \(c. 7\)](#), [article 2](#) of [S.I. 2008/3012](#),

- paragraph 429** of Part 1 of Schedule 2 to S.I. 2013/755, and paragraph 1 of Part 1 of Schedule 3 to S.S.I. 2013/119. Part 2A of Schedule 1 was inserted by article 41 of S.I. 2018/644.
- M4** Parts 3 and 4 of Schedule 1 have been amended by paragraph 132 of Schedule 5 to the Health and Social Care Act 2012, paragraph 16 of Schedule 9 to the [Civil Aviation Act 2012 \(c.19\)](#), **paragraph 81** of Part 5 of Schedule 12 to the Energy Act 2013, paragraph 152 of Part 2 of Schedule 1 to the [Infrastructure Act 2015 \(c. 7\)](#), **article 2** of S.I. 2005/2043, **paragraph 4** of Part 1 of Schedule 1 to S.I. 2005/3050, **paragraph 6** of Part 1 of Schedule 1 to S.I. 2016/645, and article 41 of S.I. 2018/644. Part 5 of Schedule 1 was inserted by article 41 of S.I. 2018/644.
- M5** 2006 c. 42.
- M6** 1978 c. 29.
- M7** [Regulation 2A](#) was inserted by paragraph 73 of Part 3 of Schedule 3 to S.I. 2014/469.
- M8** 1965 c. 57. Section 1 was substituted by paragraph 17 of Part 2 of Schedule 12 to the Energy Act 2013.
- M9** [Regulation 2B](#) was inserted by paragraph 73 of Part 3 of Schedule 3 to S.I. 2014/469.

Changes to legislation:

There are currently no known outstanding effects for the The Radiation (Emergency Preparedness and Public Information) Regulations 2019, Section 2.