



Radioactive Substances Act 1993

1993 CHAPTER 12

Registration relating to use of radioactive material and mobile radioactive apparatus

^{F1}[^{F2}6 **Prohibition of use of radioactive material without registration.**

No person shall, on any premises which are used for the purposes of an undertaking carried on by him, keep or use, or cause or permit to be kept or used, radioactive material of any description, knowing or having reasonable grounds for believing it to be radioactive material, unless either—

- (a) he is registered under section 7 in respect of those premises and in respect of the keeping and use on those premises of radioactive material of that description, or
- (b) he is exempted from registration under that section in respect of those premises and in respect of the keeping and use on those premises of radioactive material of that description, or
- (c) the radioactive material in question consists of mobile radioactive apparatus in respect of which a person is registered under section 10 or is exempted from registration under that section.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F2** S. 6 repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), **Sch. 26 para. 11(2)(d)**, **Sch. 28** (with reg. 1(2), Sch. 4)

^{F1}[^{F3}7 **Registration of users of radioactive material.**

- (1) Any application for registration under this section shall be made to the chief inspector and shall—
 - (a) specify the particulars mentioned in subsection (2),

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- (b) contain such other information as may be prescribed, and
 - (c) be accompanied by the prescribed fee.
- (2) The particulars referred to in subsection (1)(a) are—
 - (a) the premises to which the application relates,
 - (b) the undertaking for the purposes of which those premises are used,
 - (c) the description or descriptions of radioactive material proposed to be kept or used on the premises, and the maximum quantity of radioactive material of each such description likely to be kept or used on the premises at any one time, and
 - (d) the manner (if any) in which radioactive material is proposed to be used on the premises.
- (3) On any application being made under this section, the chief inspector shall, subject to directions under section 25, send a copy of the application to each local authority in whose area the premises are situated.
- (4) Subject to the following provisions of this section, where an application is made to the chief inspector for registration under this section in respect of any premises, the chief inspector may either—
 - (a) register the applicant in respect of those premises and in respect of the keeping and use on those premises of radioactive material of the description to which the application relates, or
 - (b) if the application relates to two or more descriptions of radioactive material, register the applicant in respect of those premises and in respect of the keeping and use on those premises of such one or more of those descriptions of radioactive material as may be specified in the registration, or
 - (c) refuse the application.
- (5) An application for registration under this section which is duly made to the chief inspector may be treated by the applicant as having been refused if it is not determined within the prescribed period for determinations or within such longer period as may be agreed with the applicant.
- (6) Any registration under this section in respect of any premises may (subject to subsection (7)) be effected subject to such limitations or conditions as the chief inspector thinks fit, and in particular (but without prejudice to the generality of this subsection) may be effected subject to conditions of any of the following descriptions—
 - (a) conditions imposing requirements (including, if the chief inspector thinks fit, requirements involving structural or other alterations) in respect of any part of the premises, or in respect of any apparatus, equipment or appliance used or to be used on any part of the premises for the purposes of any use of radioactive material from which radioactive waste is likely to arise,
 - (b) conditions requiring the person to whom the registration relates, at such times and in such manner as may be specified in the registration, to furnish the chief inspector with information as to the removal of radioactive material from those premises to any other premises, and
 - (c) conditions prohibiting radioactive material from being sold or otherwise supplied from those premises unless it (or the container in which it is supplied) bears a label or other mark—
 - (i) indicating that it is radioactive material, or

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- (ii) if the conditions so require, indicating the description of radioactive material to which it belongs,
and (in either case) complying with any relevant requirements specified in the conditions.
- (7) In the exercise of any power conferred on him by subsection (4) or (6), the chief inspector^{F4}..., shall have regard exclusively to the amount and character of the radioactive waste likely to arise from the keeping or use of radioactive material on the premises in question.

[^{F5}(7A) Subsection (7) does not apply—

- (a) in relation to high-activity sources and to other sealed sources which, in the opinion of the appropriate Agency or the chief inspector, are of a similar level of potential hazard to high-activity sources, or
- (b) in determining whether to impose any conditions falling within paragraph (b) or (c) of subsection (6).]
- (8) On registering a person under this section in respect of any premises, the chief inspector—
- [^{F6}(a) shall furnish him with a certificate which contains all material particulars of the registration or gives sufficient information as to the particulars to enable them to be ascertained, and]
- (b) subject to directions under section 25, shall send a copy of the certificate to each local authority in whose area the premises are situated.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F3** S. 7 repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), Sch. 26 para. 11(2)(e), **Sch. 28** (with reg. 1(2), Sch. 4)
- F4** Words in s. 7(7) omitted (20.10.2005) by virtue of [High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005 \(S.I. 2005/2686\)](#), regs. 1(2), **9(a)**
- F5** S. 7(7A) inserted (20.10.2005) by [High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005 \(S.I. 2005/2686\)](#), regs. 1(2), **9(b)**
- F6** S. 7(8)(a) substituted (20.10.2005) by [High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005 \(S.I. 2005/2686\)](#), regs. 1(2), **9(c)**

^{F1}[^{F7}8 Exemptions from registration under s. 7.

- (1) At any time while a nuclear site licence is in force in respect of a site, and at any time after the revocation or surrender of such a licence but before the period of responsibility of the licensee has come to an end, the licensee (subject to subsection (2)) is exempted from registration under section 7 in respect of any premises situated on that site and in respect of the keeping and use on those premises of radioactive material of every description.
- (2) Where, in the case of any such premises as are mentioned in subsection (1), it appears to the chief inspector that, if the licensee had been required to apply for registration under section 7 in respect of those premises, the chief inspector would have imposed

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conditions such as are mentioned in paragraph (b) or (c) of subsection (6) of that section, the chief inspector may direct that the exemption conferred by subsection (1) of this section shall have effect subject to such conditions (being conditions which in the opinion of the chief inspector correspond to those which he would so have imposed) as may be specified in the direction.

(3) On giving a direction under subsection (2) in respect of any premises, the chief inspector shall furnish the licensee with a copy of the direction.

^{F8}(4)

^{F8}(5)

(6) The Secretary of State may by order grant further exemptions from registration under section 7, by reference to such classes of premises and undertakings, and such descriptions of radioactive material, as may be specified in the order.

(7) Any exemption granted by an order under subsection (6) may be granted subject to such limitations or conditions as may be specified in the order.

(8) In the application of this section to Northern Ireland, the reference in subsection (6) to the Secretary of State shall have effect as a reference to the Department of the Environment for Northern Ireland.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F7** Act repealed (except for ss. 49(1) for specified purposes and s. 51, Sch. 4 paras. 2, 5-9, 11) (E.W.) (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), **reg. 17** (with reg. 18(2)-(4), Sch. 3)
- F8** S. 8(4)(5) repealed (1.10.2011) by [The Radioactive Substances Act 1993 \(Amendment\) Regulations \(Northern Ireland\) 2011 \(S.R. 2011/290\)](#), regs. 1, **8**

^{F1}[^{F9} **Prohibition of use of mobile radioactive apparatus without registration.**

(1) No person shall, for the purpose of any activities to which this section applies—

- (a) keep, use, lend or let on hire mobile radioactive apparatus of any description, or
- (b) cause or permit mobile radioactive apparatus of any description to be kept, used, lent or let on hire,

unless he is registered under section 10 in respect of that apparatus or is exempted from registration under that section in respect of mobile radioactive apparatus of that description.

(2) This section applies to activities involving the use of the apparatus concerned for—

- (a) testing, measuring or otherwise investigating any of the characteristics of substances or articles, or
- (b) releasing quantities of radioactive material into the environment or introducing such material into organisms.]

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Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F9** S. 9 repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), Sch. 26 para. 11(2)(g), **Sch. 28** (with reg. 1(2), Sch. 4)

^{F1}^{F10} **10 Registration of mobile radioactive apparatus.**

- (1) Any application for registration under this section shall be made to the chief inspector and—
- (a) shall specify—
 - (i) the apparatus to which the application relates, and
 - (ii) the manner in which it is proposed to use the apparatus,
 - (b) shall contain such other information as may be prescribed, and
 - (c) shall be accompanied by the prescribed fee.
- (2) Where an application is made to the chief inspector for registration under this section in respect of any apparatus, the chief inspector may register the applicant in respect of that apparatus, either unconditionally or subject to such limitations or conditions as the chief inspector thinks fit, or may refuse the application.
- (3) On any application being made the chief inspector shall, subject to directions under section 25, send a copy of the application to each local authority in whose area it appears to him the apparatus will be kept or will be used for releasing radioactive material into the environment.
- (4) An application for registration under this section which is duly made to the chief inspector may be treated by the applicant as having been refused if it is not determined within the prescribed period for determinations or within such longer period as may be agreed with the applicant.
- (5) On registering a person under this section in respect of any mobile radioactive apparatus, the chief inspector—
- ^{F11}(a) shall furnish him with a certificate which contains all material particulars of the registration or gives sufficient information as to the particulars to enable them to be ascertained, and]
 - (b) shall, subject to directions under section 25, send a copy of the certificate to each local authority in whose area it appears to him the apparatus will be kept or will be used for releasing radioactive material into the environment.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F10** S. 10 repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), Sch. 26 para. 11(2)(h), **Sch. 28** (with reg. 1(2), Sch. 4)

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F11 S. 10(5)(a) substituted (20.10.2005) by [High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005 \(S.I. 2005/2686\)](#), regs. 1(2), 10

Modifications etc. (not altering text)

C1 S. 10 excluded (N.I.) (1.1.2018) by [The Ionising Radiations Regulations \(Northern Ireland\) 2017 \(S.R. 2017/229\)](#), regs. 1, **31(2)(a)** (with reg. 41, Sch. 8)

F1[F7] 11 Exemptions from registration under s. 10.

- (1) The Secretary of State may by order grant exemptions from registration under section 10, by reference to such classes of persons, and such descriptions of mobile radioactive apparatus, as may be specified in the order.
- (2) Any exemption granted by an order under subsection (1) may be granted subject to such limitations or conditions as may be specified in the order.
- (3) In the application of this section to Northern Ireland, the reference to the Secretary of State shall have effect as a reference to the Department of the Environment for Northern Ireland.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F7** Act repealed (except for ss. 49(1) for specified purposes and s. 51, Sch. 4 paras. 2, 5-9, 11) (E.W.) (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), **reg. 17** (with reg. 18(2)-(4), Sch. 3)

Modifications etc. (not altering text)

C2 S. 11 excluded (N.I.) (1.1.2018) by [The Ionising Radiations Regulations \(Northern Ireland\) 2017 \(S.R. 2017/229\)](#), regs. 1, **31(2)(a)** (with reg. 41, Sch. 8)

F1[F12] 12 Cancellation and variation of registration.

- (1) Where any person is for the time being registered under section 7 or 10, the chief inspector may at any time cancel the registration, or may vary it—
 - (a) where the registration has effect without limitations or conditions, by attaching limitations or conditions to it, or
 - (b) where the registration has effect subject to limitations or conditions, by revoking or varying any of those limitations or conditions or by attaching further limitations or conditions to the registration.

[**F13**(1A) The powers of the appropriate Agency and of the chief inspector under this section are exercisable with or without the making of an application by the person holding the registration.]

- (2) On cancelling or varying a registration by virtue of this section, the chief inspector shall—
 - (a) give notice of the cancellation or variation to the person to whom the registration relates, and

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- (b) if a copy of the certificate was sent to a local authority in accordance with section 7(8) or 10(5), send a copy of the notice to that local authority.]

Textual Amendments

- F1** Ss. 1-24 repealed (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 7 para. 1** (with reg. 78, sch. 5 paras. 3, 4, 6 and transitional provisions and savings (25.11.2021) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(Transitional and Savings Provisions\) Order 2021 \(S.I. 2021/1309\)](#), arts. 1(1), **3-5**)
- F12** S. 12 repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), Sch. 26 para. 11(2)(j), **Sch. 28** (with reg. 1(2), Sch. 4)
- F13** S. 12(1A) inserted (20.10.2005) by [High-activity Sealed Radioactive Sources and Orphan Sources Regulations 2005 \(S.I. 2005/2686\)](#), regs. 1(2), **11**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2014 c. 20 Sch. 1 para. 5](#)
- Act saving for effects of S.I. 2016/1154, reg. 72 by [S.S.I. 2018/219 Sch. 5 para. 346](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A(1A)-(1C) inserted by [2022 c. 35 s. 14\(3\)](#)