



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 2

#### FURTHER PROVISION ABOUT PUBLIC HEALTH

#### **58 Radiation protection functions**

- (1) The appropriate authority must take such steps as it considers appropriate for the purposes of protecting the public from radiation (whether ionising or not).
- (2) The steps that may be taken under subsection (1) include—
  - (a) the conduct of research or such other steps as the appropriate authority considers appropriate for advancing knowledge and understanding;
  - (b) providing technical services (whether in laboratories or otherwise);
  - (c) providing services for the prevention, diagnosis or treatment of illness arising from exposure to radiation;
  - (d) providing training;
  - (e) providing information and advice;
  - (f) making available the services of any person or any facilities.
- (3) The appropriate authority may do anything which it considers appropriate for facilitating, or incidental or conducive to, the exercise of any of its functions under this section.
- (4) The appropriate authority may make charges (whether or not on a commercial basis) in respect of anything done by it under this section.
- (5) In the exercise of any function under this section which relates to a matter in respect of which a Health and Safety body has a function, the appropriate authority must—
  - (a) consult the body, and
  - (b) have regard to the body's policies.
- (6) Each of the following is a Health and Safety body—
  - (a) the Health and Safety Executive;

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**Changes to legislation:** *Health and Social Care Act 2012, Section 58 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (b) the Health and Safety Executive for Northern Ireland.
  - [<sup>F1</sup>(c) the Office for Nuclear Regulation.]
- (7) In subsection (2)(f), “facilities” has the same meaning as in the National Health Service Act 2006.
- (8) In this section, “the appropriate authority” means—
- (a) the Scottish Ministers to the extent that the functions are exercisable within devolved competence (within the meaning of the Scotland Act 1998);
  - (b) the Department of Health, Social Services and Public Safety in Northern Ireland to the extent that the functions relate to a transferred matter (within the meaning of the Northern Ireland Act 1998);
  - (c) the Secretary of State in any other case.
- (9) In this section, “the public” means—
- (a) where the appropriate authority is the Secretary of State, the public in Wales, Scotland and Northern Ireland,
  - (b) where the appropriate authority is the Scottish Ministers, the public in Scotland, and
  - (c) where the appropriate authority is the Department of Health, Social Services and Public Safety in Northern Ireland, the public in Northern Ireland.
- (10) This section does not apply in relation to England.

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**Textual Amendments**

**F1** S. 58(6)(c) inserted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 103**; S.I. 2014/251, art. 4

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**Commencement Information**

**I1** S. 58 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with arts. 7-9)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

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

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

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)