

## SCHEDULE 11

### AMENDMENT OF REGULATIONS

#### *The Ionising Radiations Regulations 1999*

2. The 1999 Regulations shall be amended in accordance with paragraphs 3 to 9.
3. In regulation 21(3)(i), the word “to” shall be inserted before “maintain”.
4. In regulation 35(1), after the words “these Regulations” there shall be inserted the words “or of the Radiation (Emergency Preparedness and Public Information) Regulations 2001.”.
5. After regulation 35, there shall be inserted the following regulation—

#### **“Enforcement**

**35A.** Insofar as any provision of regulation 21 is made under section 2(2) of the European Communities Act 1972, sections—

- (a) 16 to 21 (approval of codes of practice and enforcement);
- (b) 23 (provisions supplementary to sections 21 and 22) and 24 (appeal against improvement or prohibition notice), so far as they relate to an improvement notice;
- (c) 26 (power to indemnify inspectors); and
- (d) 33 to 42 (provisions as to offences),

of the Health and Safety at Work etc. Act 1974 shall apply to that provision as if that provision had been made under section 15 of that Act.”

6. Paragraph (7) of regulation 36 shall be deleted and the following substituted—

“(7) Where a contravention of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.
7. In paragraph 6 of Schedule 4, after “trainee” there shall be inserted the words “referred to in paragraphs 1 or 3”.
8. In paragraph 19 of Schedule 4, in place of “pursuant to regulation 11(2)” there shall be substituted “in accordance with regulation 11(1)”.
9. In column 1 of Schedule 8, under the entry for Ruthenium, in place of “Ru-160+”, there shall be substituted “Ru-106+”.