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## EXPLANATORY NOTE

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

This Order makes transitional provisions in consequence of the Environmental Authorisations (Scotland) Regulations 2018 ([S.S.I. 2018/219](#)) (“the 2018 Regulations”). The 2018 Regulations introduced a single integrated framework for environmental authorisations in Scotland in relation to radioactive substances, and partially repealed in Scotland the Radioactive Substances Act 1993 ([c. 12](#)) (“the 1993 Act”).

This Order makes transitional provisions in relation to an activity in the Scottish area which, as a result of the coming into force of the Environmental Authorisations (Scotland) Regulations 2018 (Consequential Modifications) Order 2021 ([S.I. 2021/1315 \(S. 3\)](#)), is a radioactive substances activity. The Scottish area is the offshore area adjacent to Scotland as defined in article 1(2) of the Civil Jurisdiction (Offshore Activities) Order 1987 ([S.I. 1987/2197](#)). Article 4 of this Order makes provision that registrations made or authorisations granted under the 1993 Act in the period between 1st September 2018 and the coming into force of this Order are deemed permits under the 2018 Regulations. Article 5 of this Order makes provision that allows the 1993 Act and the Radioactive Substances (Appeals) Regulations 1990 ([S.I. 1990/2504](#)) to continue to have effect for applications made before the coming into force of this Order. Article 5 is relevant to applications for registration, variation or cancellation of a registration, authorisation, transfer of an authorisation or variation or revocation of an authorisation. Registrations or authorisations made or granted by the Scottish Environment Protection Agency following such an application are also deemed permits under the 2018 Regulations.

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