
WELSH STATUTORY INSTRUMENTS

2018 No. 725

The Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) Regulations 2018

Amendments to the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006

3.—(1) Regulation 5 (section 78A (preliminary)) is amended as follows.

(2) In paragraph (2), in the substituted section 78A(2) (definition of contaminated land), for “Secretary of State” substitute “Welsh Ministers”.

(3) In paragraph (3), in the substituted section 78A(4) (definition of harm)—

(a) for “a radiological” substitute “an”;

(b) after “activity” insert “(except in section 78E(4A)(a))”(1).

(4) In paragraph (4), in the substituted section 78A(5) (supplement to definition of harm - guidance), for “Secretary of State” substitute “Welsh Ministers”.

(5) In paragraph (6), in the substituted section 78A(7) (definition of remediation), for “cognate expressions” substitute “references to remediating”.

(6) In paragraph (6), in the substituted section 78A(7A) (supplemental definition of remediation)

—
(a) after paragraph (a), insert—

“(aa) affected members of the public are identified;

(ab) assessment of the means available to the individuals identified under paragraph (aa) for controlling their own exposure is made;”;

(b) omit paragraph (c) and the “and” following it;

(c) at the end of paragraph (d), omit the full stop and insert “; and”;

(d) after paragraph (d), insert—

“(e) any other appropriate protective or remedial measure is implemented.”

(7) In paragraph (8)—

(a) for paragraph (d), substitute—

“(d) for the definition of “substance”, substitute—

“substance” means, whether in solid or liquid form or in the form of a gas or vapour, any substance containing radionuclides which have resulted from the after-effects of an emergency or have been processed as part of a past practice or past work activity;”;

(b) for paragraph (e), substitute—

“(e) after the definition of “unitary authority”, insert—

(1) Section 78E of the Environmental Protection Act 1990 is modified by regulation 8(3) of the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006. Regulation 5 of these Regulations amends that modification.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“and any other word or expression used both in this Part and in Council Directive 2013/59/Euratom, laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation and repealing Council Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom⁽²⁾, has the same meaning for the purposes of this Part as it has in that Directive.””

(2) OJ No L 13, 17.01.2014, p. 1-73.