STATUTORY INSTRUMENTS

1962 No. 2768 (S. 128)

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Exhibitions) Exemption (Scotland) Order 1962

Made - - - -	18*th December* 1962
Laid before Parliament	31*st December* 1962
Coming into Operation	1*st December* 1963

In exercise of the powers conferred on me by sections 2 (6) and (7) and 20 (*a*) of the Radioactive Substances Act 1960(a), and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Radioactive Substances (Exhibitions) Exemption (Scotland) Order 1962, and shall come into operation on 1st December 1963.

Interpretation

2.—(1) In this order—

"the Act" means the Radioactive Substances Act 1960;

"closed source" means a homogeneous source or a sealed source, and "closed sources" means sources each of which is a homogeneous source or a sealed source whether or not they are all sources of one of those descriptions;

"decay products" means, in relation to any radionuclide, the radionuclides succeeding it in the radioactive series in which it and they occur;

"exempted closed source" means a closed source falling within Article 5 (*a*) or (*b*) of this order or such a source incorporated in an article falling within Article 5 (*d*);

"exempted open source" means an open source falling within Article 5 (*c*) of this order or such a source incorporated in an article falling within Article 5 (*d*);

"exhibition" means a display held for the purposes of any trade, business or profession, and includes any demonstration of the use or uses to which material included in such a display may be put;

"exhibition stand" means a fixture, stand or floor space used by an exhibitor at an exhibition;

"homogeneous source" means an article free from patent defect which—

(*a*) is made wholly from a substance which—

(i) is solid, coherent, homogeneous and tough; and

(a) 8 & 9 Eliz. 2. c. 34.

(ii) is radioactive material or a mixture of radioactive material and material which is not radioactive material,

being a substance in which the radionuclides present, including radionuclides which are decay products of other radionuclides present, do not emit alpha particles and in which the number of microcuries of all the radionuclides present, including radionuclides which are decay products of other radionuclides present, does not exceed, in the aggregate, ten; or

(*b*) is made partly from, or incorporates, such a substance and is radioactive material solely because of the presence of that substance;

" open source " means a substance which is not and does not form part of a closed source;

" police force " has the same meaning as in the Police (Scotland) Act 1956(a);

" school " has the same meaning as in the Education (Scotland) Act 1962(b); and

" sealed source " means radioactive material sealed in a container (otherwise than solely for the purpose of storage, transport or disposal) or bonded wholly within material, the immediate container or the bonding being of adequate mechanical strength and free from patent defect and not being radioactive material, and includes the immediate container or the bonding.

(2) The Interpretation Act 1889(c) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Exemption from registration under section 1 of the Act

3. Any person who, on any premises to which this Article applies which are used for the purposes of any undertaking carried on by him, keeps or uses or causes or permits to be kept or used any radioactive material to which this Article applies is hereby granted exemption from registration under section 1 of the Act (which provides for the registration of persons who keep or use radioactive material) in respect of those premises and the keeping and use thereon of that radioactive material, subject to the limitation specified in Article 6 of this order and, except as provided in paragraph (2) of Article 7 of this order, to the conditions specified in paragraph (1) of that Article.

Classes of premises to which exemption relates

4. The last preceding Article does not apply to premises which are or form part of premises ordinarily used for the purposes of any school, retail trade or retail business, but, save as aforesaid, applies to premises of any class.

Descriptions of radioactive material to which exemption relates

5. Article 3 of this order applies to radioactive material falling within any of the following descriptions, that is to say—

(*a*) a homogeneous source;

(*b*) a sealed source containing, in the aggregate, not more than one millicurie of all the radionuclides present, including radionuclides which are decay products of other radionuclides present;

(a) 4 & 5 Eliz. 2. c. 26. (b) 10 & 11 Eliz. 2. c. 47. (c) 52 & 53 Vict. c. 63.

(*c*) an open source (not being dry powder) containing no radionuclides other than one or more of those specified in column 1 of Schedule 1 to this order and its or their decay products, the number of microcuries of any such radionuclide not exceeding the number specified opposite its name in column 2 of that Schedule and the number of microcuries of any of the decay products of any such radionuclide not exceeding the number of microcuries of that radionuclide;

(*d*) any apparatus, equipment or appliance which is radioactive material solely because it incorporates a source falling within one of the preceding paragraphs or sources each of which falls within one of those paragraphs (whether or not they all fall within the same paragraph).

Limitation of exemption

6. The limitation to which Article 3 of this order refers is that the exemption is granted in respect of the keeping and use of the material as an exhibit at an exhibition and for one or both of the following purposes only, that is to say—

(*a*) demonstrating its characteristics or the use or uses to which it may be put;

(*b*) demonstrating the characteristics of any other substance or article or the use or uses to which it may be put.

Conditions of exemption

7.—(1) The conditions to which Article 3 of this order refers are—

(*a*) that, in all the exempted closed sources, taken together, present at any one time on the exhibition stand on which the material is being exhibited, there is not more than one millicurie, in the aggregate, of all the radionuclides present including radionuclides which are decay products of other radionuclides present;

(*b*) that, in all the exempted open sources, taken together, present at any one time on the exhibition stand on which the material is being exhibited, there are not more than three of the radionuclides specified in column 1 of Schedule 1 to this order, the number of microcuries of any such radionuclide not exceeding, in the aggregate, the number specified opposite its name in column 2 of that Schedule;

(*c*) that, while the material is being exhibited, it or the container in which it is exhibited is, so far as practicable, securely attached to an exhibition stand (except when it is necessarily detached for demonstration purposes);

(*d*) that, while the material is being exhibited and at any other time when it is on an exhibition stand—

(i) it is marked with, or has attached or affixed to it a label or notice bearing, the words "Warning—Radioactive" in letters of adequate size, distinctly and legibly printed and conspicuously visible; and

(ii) there is displayed on the stand a notice of adequate size, distinctly and legibly printed and conspicuously visible containing a warning in the terms set out in Schedule 2 to this order or in terms to the like effect;

(*e*) that, while the material is being exhibited, it is under the constant surveillance of the person to whom the exemption relates or a person employed by him;

(*f*) that, while the material is not being exhibited, it is kept in a locked store (unless it is not reasonably practicable to remove it from the exhibition stand) on the outside of which there is displayed a notice of adequate size, distinctly and legibly printed and conspicuously visible containing a warning in the terms set out in Schedule 3 to this order or in terms to the like effect;

(*g*) that the assistance of a technical expert is readily available for the purpose of dealing with any question which may arise concerning the hazards of exposure to radiations from the material or any part of it;

(*h*) that distinctly and legibly printed or written instructions are readily available on the premises setting out the procedure to be followed for the purpose of ensuring compliance with the conditions specified in sub-paragraphs (*l*) and (*m*) of this paragraph;

(*i*) that no material (whether radioactive or not) forming part of an exempted closed source is removed therefrom;

(*j*) that no exempted closed source is mutilated;

(*k*) that at the end of the exhibition at which the material was exhibited and whenever there are reasonable grounds for believing or suspecting that an event mentioned in either of the following sub-paragraphs has occurred, any equipment and any part of the premises in, on, through or by means of which the material was or is kept, used or transported is monitored;

(*l*) that, whenever there are reasonable grounds for believing or suspecting that the material has been lost or stolen—

(i) notification to that effect is given forthwith, by the quickest means available, to a member of a police force and to the technical expert whose assistance is required to be available for the purpose of dealing with questions referred to in sub-paragraph (*g*) of this paragraph, and in writing to the Secretary of State at the Scottish Development Department, St. Andrew's House, Edinburgh as soon as practicable; and

(ii) all reasonably practicable measures are taken forthwith for the purpose of recovering the material; and

(*m*) that, whenever there are reasonable grounds for believing or suspecting—

(i) that the immediate container or the bonding forming part of an exempted closed source which is a sealed source is broken or damaged; or

(ii) that any material (whether radioactive or not) forming part of an exempted closed source has been removed therefrom; or

(iii) that any radioactive material has become detached or has escaped from an exempted closed source because of some defect therein; or

(iv) that any radioactive material has escaped from an exempted open source,

notification to that effect is given forthwith, by the quickest means available, to a member of a police force, to the technical expert referred to in the last preceding sub-paragraph and to the Secretary of State at the Scottish Development Department, St. Andrew's House, Edinburgh, and, unless the notification so given to him is in writing, confirmed to him in writing at that address as soon as practicable.

(2) The conditions specified in sub-paragraphs (*c*), (*d*), (*e*), (*f*), (*g*) and (*k*) of the preceding paragraph, and the conditions specified in sub-paragraphs (*l*) and (*m*) so far as they relate to the notification to be given to the technical expert, do not apply in relation to the exemption granted in respect of the keeping and use of either of the following, that is to say—

(*a*) a closed source containing, in the aggregate, not more than one hundred microcuries of all the radionuclides present, including radionuclides which are decay products of other radionuclides present;

(*b*) an article which is radioactive material solely because it incorporates a closed source or closed sources which contains or all of which, taken together, contain not more than one hundred microcuries, in the aggregate, of all the radionuclides present, including radionuclides which are decay products of other radionuclides present.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrews' House,
Edinburgh, 1.
18th December 1962.

SCHEDULE 1

1 *Radionuclide*	2 *Number of microcuries*
Tritium	10^4
Carbon 14	10^4
Sodium 24	10^3
Phosphorus 32	10^2
Sulphur 35	10^3
Iron 59	10^2
Cobalt 60	10^2
Strontium 90	1
Iodine 131	10
Caesium 137	10^2
Gold 198	10^2
Radium 226	0·1

SCHEDULE 2

"*Warning*

The exhibits displayed here include radioactive sources.
Do not tamper with them."

SCHEDULE 3

"*Warning*

This store contains radioactive material. Do not open."

EXPLANATORY NOTE

(This Note is not part of the order, but is intended to indicate its general purport.)

This order exempts persons conditionally from registration under section 1 of the Radioactive Substances Act 1960 in respect of the keeping and use, for demonstration purposes at an exhibition (except on school or retailers' premises), of "radioactive material" within the meaning of section 18 (1) of that Act possessing limited radioactivity.