STATUTORY INSTRUMENTS

1962 No. 2763 (S. 123)

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Irradiated Material) 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 6(5) 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 (Irradiated Material) 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;

"irradiated material" means material which—

(*a*) possesses radioactivity solely as the result of having been subjected to bombardment by neutrons or to ionising radiations; and

(*b*) contains no radionuclides other than isotopes of the element or elements present in the material before it was so subjected; and

"sealed irradiated material" means irradiated 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(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Exclusion of radioactive waste from section 6 of the Act

3. Radioactive waste consisting of sealed irradiated material which, if it were not waste, would be radioactive material is hereby excluded from the provisions of section 6 (1) and (2) of the Act (which relates to the disposal of radioactive waste), subject to the condition that it is disposed of by sending it to, or causing or permitting its removal by, a person who, in the normal course of carrying on an undertaking, produces irradiated material of the same description as the irradiated material in the waste.

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

St. Andrew's House,
Edinburgh.
18th December 1962.

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

(b) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

This order excludes from section 6 (1) and (2) of the Radioactive Substances Act 1960 (which prohibits the disposal of radioactive waste without authorisation) "radioactive waste" within the meaning of section 18 (4) of that Act consisting of certain sealed irradiated material (including cobalt 60 and iridium 192 used in radiography), on condition that its disposal is to a producer of irradiated material of the same description.