1962 No. 2762 (S. 122)

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Lead) 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), 6 (5), 7 (4), 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 (Lead) 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;

"decay products of lead" means radionuclides succeeding any isotope of lead in any radioactive series in which it and they occur;

"exempted material" means radioactive material falling within Article 4 of this order; and

"natural lead" means a mixture of lead and decay products of lead, being a mixture which—

(*a*) is not a product or by-product of any process of refining or extracting radium or uranium; and

(*b*) is not a product or by-product of any process whereby the proportion of lead 210 or polonium 210 in the mixture was artificially increased; and

(*c*) has not been extracted from a manufactured article which contains or has contained radon.

(2) The Interpretation Act 1889(b) 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 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, without any limitation or condition.

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

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

Descriptions of radioactive material to which exemption relates

4. The last preceding Article applies to radioactive material falling within any of the following descriptions, that is to say—

(*a*) natural lead which is radioactive material solely because of the presence of lead and polonium or because of the presence of either lead or polonium;

(*b*) an article made wholly from natural lead;

(*c*) a substance or an article which is made partly from, or incorporates, natural lead and which is radioactive material solely because of the presence of the natural lead.

Exclusion of radioactive waste from sections 6 and 7 of the Act

5. Radioactive waste falling within either of the following descriptions, that is to say—

(*a*) a substance or article which, if it were not waste, would be exempted material;

(*b*) waste which is radioactive waste solely because it has been contaminated in the course of the keeping or use of exempted material, or by contact with or proximity to other waste falling within the preceding paragraph or this paragraph,

is hereby excluded from the provisions of section 6 (1) and (3) of the Act (which relates to the disposal of radioactive waste) and section 7 (1) of the Act (which relates to the accumulation of radioactive waste) absolutely.

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

St. Andrew's House,
Edinburgh, 1.
18th December 1962.

EXPLANATORY NOTE

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

This order exempts persons unconditionally from registration under section 1 of the Radioactive Substances Act 1960 in respect of the keeping and use of "radioactive material" within the meaning of section 18 (1) of that Act which consists of or contains lead of the kind described in the order as "natural lead" (which is lead of the kind in common use).

It also excludes unconditionally from sections 6 (1) and (3) and 7 (1) of that Act (which prohibit the disposal and accumulation of radioactive waste without authorisation) certain descriptions of "radioactive waste" within the meaning of section 18 (4) of that Act arising directly or indirectly from the keeping or use of "natural lead".