STATUTORY INSTRUMENTS

1963 No. 1882 (S. 99)

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Precipitated Phosphate) Exemption (Scotland) Order 1963

Made - - - -	19*th November* 1963
Laid before Parliament	27*th November* 1963
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 (Precipitated Phosphate) Exemption (Scotland) Order 1963, 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 " means, in relation to any radionuclide, the radionuclides succeeding it in the radioactive series in which it and they occur ;

" natural uranium " means uranium comprising the isotopes 238, 235 and 234 and containing by weight not more than 0·72 per cent. of the isotope 235 ;

" precipitated phosphate " means phosphate precipitated by the treatment of impure phosphoric acid with alkali, being phosphate which is substantially insoluble in water ; and

" the Schedule 3 elements " means the elements specified in column 1 of Schedule 3 to the Act.

(2) The Interpretation Act 1889(**b**) applies for the interpretation of this order as it applies for 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, subject to the limitation specified in Article 5 of this order.

(a) 8 & 9 Eliz. 2. c. 34. (b) 52 & 53 Vict. c. 63.

Description of radioactive material to which exemption relates

4. The last preceding Article applies to any substance which—

(*a*) consists of or contains precipitated phosphate,

(*b*) is radioactive material solely because of the presence of one or more of the Schedule 3 elements; and

(*c*) contains no uranium other than natural uranium,

being a substance in which—

(i) the number of microcuries of natural uranium, divided by the number of grammes which the substance weighs, does not exceed 2×10^{-3};

(ii) the number of microcuries of each of the following elements, that is to say, actinium, lead, polonium, protoactinium other than the isotope 234, radium, radon and thorium other than the isotope 234, divided by the number of grammes which the substance weighs, does not exceed 4×10^{-4}; and

(iii) the number of microcuries of thorium 234 does not at any time exceed the number of microcuries of that radionuclide which could be present at that time through radioactive decay occurring in the substance, and the number of microcuries of protoactinium 234 does not at any time exceed the number of microcuries of that radionuclide which could be present at that time through such radioactive decay.

Limitation of exemption

5. The exemption granted by Article 3 of this order in respect of a substance falling within the last preceding Article is granted in respect only of—

(*a*) the keeping and use of the substance for either or both of the following purposes, that is to say—

(i) application to soil for the purposes of cultivation;

(ii) the production of a mixture, obtained by mixing the substance with other material, for such application; and

(*b*) the keeping of the substance for sale for either or both of those purposes.

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

St. Andrew's House,
Edinburgh 1.
19th November 1963.

EXPLANATORY NOTE

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

This order exempts persons from registration under section 1 of the Radioactive Substances Act 1960 in respect of the keeping and use, for specified purposes, of "radioactive material" within the meaning of section 18(1) of that Act consisting of or containing precipitated phosphate (defined in the order) possessing limited radioactivity.