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Radiological Protection Act (RPA)

of 22 March 1991 (Status as of 1 January 2022)

The Federal Assembly of the Swiss Confederation,

on the basis of Articles 64, 74, 118, 122 und 123 of the Federal Constitution^{1,2}
and having considered the Dispatch of the Federal Council dated 17 February 1988³,
decrees:

Chapter 1 General Provisions

Art. 1 Purpose

The purpose of this Act is to protect people and the environment against dangers from ionizing radiation.

Art. 2 Scope

¹ The Act applies to all activities, installations, events and situations that may involve an ionizing radiation hazard, and in particular to:

- a. the handling of radioactive substances and of installations, equipment and articles containing radioactive substances or capable of emitting ionizing radiation;
- b. events that may lead to an increase in environmental radioactivity.

² The term «handling» covers extraction, manufacturing, processing, distribution, installation, use, storage, transport, disposal, import, export and transit, and any other form of transfer to a third party.⁴

³ Articles 28–38 are not applicable to activities requiring a licence under the Nuclear Energy Act of 21 March 2003^{5,6}

AS **1994** 1933

¹ SR **101**

² Amended by Annex No II 5 of the Foodstuffs Act of 20 June 2014, in force since 1 May 2017 (AS **2017** 249; BBl **2011** 5571).

³ BBl **1988** II 181

⁴ Amended by Annex No II 4 of the Nuclear Energy Act of 21 March 2003, in force since 1 Dec. 2005 (AS **2004** 4719; BBl **2001** 2665).

⁵ SR **732.1**

⁶ Amended by Annex No II 4 of the Nuclear Energy Act of 21 March 2003, in force since 1 Dec. 2005 (AS **2004** 4719; BBl **2001** 2665).

⁴ The Federal Council may provide for exemptions from this Act in the case of substances with low levels of radioactivity.

Art. 3 Additional provisions

In addition to the provisions of this Act, the following provisions are applicable:

- a.⁷ for nuclear facilities, nuclear goods and radioactive waste, the Nuclear Energy Act of 21 March 2003⁸;
- b. for nuclear damage caused by nuclear facilities or the transport of nuclear materials, the Nuclear Energy Liability Act of 18 March 1983⁹;
- c. for off-site transport of radioactive substances, the federal regulations on the transport of hazardous goods.

Art. 4 Costs-by-cause principle

Anyone who causes measures to be taken under this Act shall bear the costs thereof.

Art. 5 Research, development, training

¹ The Confederation shall promote scientific research on the effects of radiation and radiological protection, as well as training in the area of radiological protection.

² It may:

- a. promote development activities in these areas;
- b. train specialists;
- c. participate in enterprises devoted to research or training.

Art. 6 Qualifications

¹ Only duly qualified persons shall be permitted to carry out activities that may involve an ionizing radiation hazard.

² The Federal Council shall specify the requirements for the qualifications of such persons.

Art. 7 Commissions

¹ The Federal Council shall establish the following advisory commissions:

- a. Commission for Radiological Protection¹⁰;

⁷ Amended by Annex No II 4 of the Nuclear Energy Act of 21 March 2003, in force since 1 Dec. 2005 (AS **2004** 4719; BBl **2001** 2665).

⁸ SR **732.1**

⁹ SR **732.44**

¹⁰ The name of this administrative unit was amended by Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 (AS **2004** 4937), in force since 1 Jan. 2015.

b. Commission for ABC-Protection^{11,12}

² It shall define their responsibilities.

Chapter 2 Protection of People and the Environment

Section 1 Principles of Radiological Protection

Art. 8 Justification of radiation exposure

An activity that involves the exposure of people or the environment to ionizing radiation (radiation exposure) may only be carried out if it can be justified in terms of the associated benefits and risks.

Art. 9 Limitation of radiation exposure

All measures dictated by experience and the current state of science and technology must be adopted in order to limit the radiation exposure of each individual person and of all parties concerned.

Art. 10 Dose limits

The Federal Council shall, in accordance with the current state of scientific knowledge, specify limits for radiation exposure (dose limits) for persons who may be exposed to an increased level of controllable radiation compared with the general population as a result of their work or other circumstances (exposed persons).

Section 2 Protection of Exposed Persons

Art. 11 Compliance with dose limits

Anyone who handles or is responsible for a source must take all measures necessary to ensure compliance with the dose limits.

Art. 12 Determination of the radiation dose

¹ In exposed persons the radiation dose must be determined by appropriate methods.

² The Federal Council shall regulate determination of the radiation dose. It shall define, in particular:

- a. those cases where radiation exposure is to be measured individually (personal dosimetry);

¹¹ The name of this administrative unit was amended by Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 (AS **2004** 4937), in force since 1 Jan. 2015.

¹² Amended by Annex No II 9 of the Federal Act of 22 March 2002 on the Revision of Organisational Provisions of Federal Legislation, in force since 1 Feb. 2003 (AS **2003** 187; BBl **2001** 3845).

- b. the intervals at which the radiation dose is to be determined;
- c. the requirements for approval of personal dosimetry laboratories;
- d. the required retention period for the results of personal dosimetry.

³ Exposed persons are required to undergo any dosimetry prescribed. They shall be informed of the results.

Art. 13 Medical measures for occupationally exposed persons

¹ Occupationally exposed workers covered by compulsory insurance are subject to the medical measures for the prevention of occupational diseases specified in Articles 81–87 of the Accident Insurance Act of 20 March 1981¹³.

² The Federal Council may also specify medical measures for other occupationally exposed persons.

³ Occupationally exposed persons are required to undergo any medical examinations prescribed.

Art. 14 Disclosure of medical data

¹ The physician charged with the medical examination shall disclose to the supervisory authority any data necessary for medical surveillance and the compilation of statistics. The supervisory authority is not permitted either to use such data for other purposes or to pass it on to third parties.

² The Federal Council shall specify the data to be disclosed to the supervisory authority. It shall define the retention period.

Art. 15 Medical applications

¹ No dose limits are specified for patients exposed to radiation for diagnostic or therapeutic purposes.

² The radiation exposure of patients shall be at the discretion of the person responsible. However, such persons must comply with the principles of radiological protection specified in Articles 8 and 9.

³ The Federal Council shall issue provisions for the protection of patients.

Art. 16 Responsibility within enterprises

¹ The licence holder or the persons in charge of an enterprise are responsible for ensuring compliance with the radiological protection regulations. For this purpose, they are required to appoint an appropriate number of experts and to provide them with the necessary powers and resources.

² All persons working in an enterprise are required to support the management and the experts with regard to radiological protection measures.

¹³ SR 832.20

Section 3

Monitoring of the Environment and Protection of the Public in the event of Increased Radioactivity

Art. 17 Environmental monitoring

¹ In the environment, there shall be regular monitoring of ionizing radiation and of levels of radioactivity, particularly in air, water, soil, foodstuffs and feedingstuffs.

² The Federal Council shall take the necessary measures; in particular, it shall designate the bodies and institutions responsible for monitoring.

³ It shall ensure that the results of monitoring are published.

Art. 18¹⁴ Off-site limits

¹ For the purpose of environmental monitoring, the Federal Council shall specify off-site limits for radionuclides and for direct radiation.

² It shall specify the off-site limits so that, according to the standards of science and technology or based on experience, exposure to radiation below these limits does not endanger human beings, animals or plants, their communities or habitats.

³ For radionuclides in foodstuffs, the maximum concentrations in terms of the foodstuffs legislation apply.

Art. 19 Emergency response organization

¹ The Federal Council shall establish an emergency response organization for incidents that could endanger the public as a result of increased radioactivity.

² The emergency response organization shall have, in particular, the following responsibilities:

- a. in the event of an incident, it shall forecast the dangers arising for the public;
- b. it shall monitor the extent and course of increased radioactivity and assess possible impacts on people and the environment;
- c. where there is an imminent danger, it shall order the necessary emergency measures and supervise their implementation.

³ The details shall be elaborated by the Federal Council. It shall ensure that the emergency response organization:

- a. informs the competent federal and cantonal agencies of the extent of the danger and requests the necessary protective measures;
- b. informs the public.

¹⁴ Amended by Annex No II 5 of the Foodstuffs Act of 20 June 2014, in force since 1 May 2017 (AS 2017 249; BBl 2011 5571).