1967. No. 313 **[C]**

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Electronic Valves) Exemption Order (Northern Ireland) 1967

ORDER, DATED 1ST DAY OF DECEMBER 1967, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 2(6) AND (7), 4(2), 6(5) AND 7(4) OF THE RADIOACTIVE SUBSTANCES ACT 1960.

The Ministry of Health and Social Services, in exercise of the powers conferred on it by sections 2(6) and (7), 4(2), 6(5) and 7(4) of the Radioactive Substances Act 1960(a), and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Radioactive Substances (Electronic Valves) Exemption Order (Northern Ireland) 1967, and shall come into operation on 15th December 1967.

Interpretation

2.—(1) In this Order—

"the Act" means the Radioactive Substances Act 1960;

"class 1 valve" means a valve falling within one or other of the following descriptions, that is to say—

(*a*) a valve in which—

(i) there is only one specified radionuclide; and

(ii) the number of microcuries of the specified radionuclide does not exceed the number specified opposite its name in column (2) of the Schedule;

(*b*) a valve in which—

(i) there are two or more specified radionuclides; and

(ii) the number of microcuries of each specified radionuclide is such that, if that number were divided by the number specified opposite the name of that radionuclide in column (2) of the Schedule, and if the corresponding quotient were similarly calculated in respect of every other specified radionuclide in the valve, and if all the quotients were then added together, the sum would not exceed 1;

"class 2 valve" means a valve which is not a class 1 valve and which falls within one or other of the following descriptions, that is to say—

(*a*) a valve in which—

(i) there is only one specified radionuclide, that one not being tritium; and

(ii) the number of microcuries of the specified radionuclide does not exceed the number specified opposite its name in column (3) of the Schedule;

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

(*b*) a valve in which—

(i) there are two or more specified radionuclides;

(ii) the number of microcuries of each specified radionuclide (other than tritium) is such that, if that number were divided by the number specified opposite the name of that radionuclide in column (3) of the Schedule, and if the corresponding quotient were similarly calculated in respect of every other specified radionuclide (other than tritium) in the valve, and if all the quotients were then added together, the sum would not exceed 1; and

(iii) the number of microcuries of tritium (if any) does not exceed 150;

"class 2 waste" means radioactive waste falling within Article 10(1) of this Order;

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

"refuse disposal authority" means a sanitary authority within the meaning of the Public Health Acts (Northern Ireland) 1878 to 1966, acting in pursuance of statutory powers relating to the removal or disposal of refuse;

"specified radionuclide" means a radionuclide specified in column (1) of the Schedule;

and any reference to an exempted valve is a reference to a valve falling within Article 5(*a*) so kept or used as to be within the exemption from registration granted by Article 3, and any reference to an exempted article is a reference to an article falling within Article 5(*b*), so kept or used as to be within the exemption from registration granted by Article 3, or an article which is mobile radioactive apparatus in respect of which exemption from registration is granted by Article 8.

(2) For the purposes of paragraph (*a*) of Article 7 and paragraph (2)(*c*) of Article 10, all premises in the same occupation and lying within the same curtilage shall together be treated as the premises in respect of which the conditions in those paragraphs apply.

(3) The Interpretation Act (Northern Ireland) 1954(**a**) applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Exemption from registration under section 1 of the Act

3. Subject to the provisions of Articles 6 and 7, 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.

Classes of premises to which exemption relates

4. The last preceding Article does not apply to premises used for or in connection with the manufacture of radioactive material falling within Article 5 or for the storage of such material by the manufacturer, but, save as aforesaid, applies to premises of any class.

(**a**) 1954. c. 33.

Descriptions of radioactive material to which exemption relates

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

(*a*) an electronic valve being a class 1 valve or a class 2 valve in which—

(i) there are no radionuclides other than one or more of those specified in the Schedule and its or their decay products; and

(ii) the number of microcuries of each of the decay products of any specified radionuclide does not at any time exceed the number of microcuries of that decay product which would be present at that time if that decay product were then in a state of equilibrium with that radionuclide in the valve;

(*b*) any apparatus, equipment or appliance which is radioactive material solely because it incorporates an electronic valve or valves falling within the preceding paragraph.

Exemption under section 1 without limitation or condition

6. The exemption granted by Article 3 in respect of the keeping and use of—

(*a*) a class 1 valve; and

(*b*) an article falling within Article 5(*b*),

is granted without any limitation or condition.

Exemption under section 1 subject to conditions

7. The exemption granted by Article 3 in respect of the keeping and use of a class 2 valve is granted subject to the conditions that—

(*a*) not more than ten class 2 valves (excluding those incorporated in exempted articles) are on the premises at any one time; and

(*b*) when not in use, the valve is kept in a container (except when removed for any necessary testing or inspection) marked with, or having attached or affixed to it a label bearing, the words "Radioactive electronic valve" in letters of adequate size, distinctly and legibly printed and conspicuously visible.

Exemption from registration under section 3 of the Act

8. Any person is hereby granted exemption from registration under section 3 of the Act (which provides for the registration of mobile radioactive apparatus) in respect of mobile radioactive apparatus consisting of an article falling within Article 5(*b*), without any limitation or condition.

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

9.—(1) Radioactive waste falling within any of the following descriptions, that is to say—

(*a*) waste which, immediately before it became waste,—

(i) consisted or formed part of an exempted class 1 valve or a class 1 valve incorporated in an exempted article; or

(ii) consisted or formed part of an exempted article and incorporated a class 1 valve or valves but no class 2 valve;

(*b*) substances or articles which are radioactive waste solely because they have been contaminated by contact with or proximity to—

(i) exempted class 1 valves or class 1 valves incorporated in exempted articles; or