1963. No. 221 [C]

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

The Radioactive Substances (Thorium-X) Exemption Order (Northern Ireland) 1963

ORDER, DATED 26TH NOVEMBER, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTIONS 2(6) AND (7), 6(5) AND 7(4) OF THE RADIOACTIVE SUBSTANCES ACT 1960.

The Ministry of Health and Local Government, in exercise of the powers conferred on it by sections 2(6) and (7), 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 (Thorium-X) Exemption Order (Northern Ireland) 1963, and shall come into operation on the 1st day of December, 1963.

Interpretation

2.—(1) In this Order—

"the Act" means the Radioactive Substances Act 1960;

"the Act of 1948" means the Health Services Act (Northern Ireland) 1948(b);

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

"drainage system" means, in relation to any premises, any drainage system normally used for the disposal of foul water arising on the premises;

"exempted material" means radioactive material falling within Article 4;

"exempted waste" means radioactive waste falling within Article 7(1);

"premises of a hospital" means premises of a hospital within the meaning of section 86 of the Act of 1948;

"premises of a pharmacist" means premises (not being premises of a hospital) which are used for the purposes of the business of the retail sale of drugs;

"premises of a practitioner" means premises (not being premises of a hospital) which are used for the purposes of the practice of medicine;

"prepared thorium-X" means a mixture made up of—

(*a*) radium 224 (sometimes called "thorium-X") prepared by a chemical process or processes resulting in the production of radium 224 separated, so far as reasonably practicable, from other radionuclides present in the substance or substances from which it is prepared; and

(*b*) impurities, consisting of—

(i) such of those other radionuclides (if any) as remained with the radium 224 at the time it was prepared; and

(a) 8 & 9 Eliz. 2, c. 34. (b) 1948. c. 3.

(ii) decay products formed through the radioactive decay of the radium 224 since it was prepared or of any of the impurities falling within this sub-paragraph;

"refuse disposal authority" means a local authority within the meaning of the Public Health Acts (Northern Ireland) 1878 to 1962 acting in pursuance of statutory powers or duties relating to the removal and disposal of refuse;

"registered medical practitioner" means a person who is a fully registered person within the meaning of the Medical Act 1956(**a**); and

"residual ash" includes cinders and other debris.

(2) In this Order any reference to the number or sum total of microcuries or of millicuries of a radionuclide or radionuclides is a reference to the number or sum total ascertained by measuring by any generally accepted method, or where it is not reasonably practicable to ascertain the number or sum total by measuring, the number or sum total estimated in any generally accepted manner; any reference to the business of the retail sale of drugs is a reference to such a business carried on by an authorised seller of poisons within the meaning of the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945(**b**), and any reference to the practice of medicine is a reference to the practice of medicine by a registered medical practitioner.

(3) For the purposes of Article 6(*a*) and Article 7(2)(*b*) and (*c*), 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.

(4) The Interpretation Act (Northern Ireland) 1954(**c**) 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. Any person who—

(*a*) on the premises of a hospital which are used for the purposes of any undertaking carried on by him; or

(*b*) on any premises (not being premises of a hospital) which are used for the purposes of the practice of medicine carried on by him; or

(*c*) on any premises (not being premises of a hospital) which are used for the purposes of the business of the retail sale of drugs 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 limitations specified in Article 5 and to the conditions specified in Article 6.

Description of radioactive material to which exemption relates

4. Article 3 applies to radioactive material of a kind used for the medical treatment of human beings, being material which falls within either of the following descriptions, that is to say,—

(**a**) 4 & 5 Eliz. 2. c. 76. (**b**) 1945. c. 9. (**c**) 1954. c. 33.