

Health Protection (Ionising Radiation)

PUBLIC INFORMATION FOR RADIOLOGICAL EMERGENCIES REGULATIONS, 1995

Regulations made under s.2.

1995-09

**Revoked
Subsidiary
1995/079**

PUBLIC INFORMATION FOR RADIOLOGICAL EMERGENCIES REGULATIONS, 1995

Revoked by LN. 2004/087 as from 13.9.2004

(LN. 1995/079)

15.6.1995

Amending enactments	Relevant current provisions	Commencement date
None		

ARRANGMENT OF REGULATIONS.

Regulation

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2. Interpretation.
3. Duty to supply prior information to members of the public likely to be affected in the event of a radiological emergency.
4. Arrangements for the supply of information to members of the public actually affected in the event of a radiological emergency.
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SCHEDULE 2.

Prior information to be supplied to members of the public likely to be affected in the event of a radiological emergency and made publicly available

SCHEDULE 3.

Information to be supplied in the event of a radiological emergency

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Title.

1. These regulations may be cited as the Public Information for Radiological Emergencies Regulations, 1995.

Interpretation.

2.(1) In these regulations -

“contamination” means the contamination by any radioactive substance of any surface (including any surface of the body or clothing) or any part of absorbent objects or materials or the contamination of liquids or gases by any radioactive substance;

“external radiation” means, in relation to a person, ionising radiation coming from outside the body of that person;

“internal radiation” means, in relation to a person, ionising radiation coming from inside the body of that person;

“member of the public” means any person not being -

- (a) a person for the time being present upon premises where a radiological emergency is reasonably foreseeable or where a radiological emergency has actually occurred; or
- (b) a person engaged in an activity of or associated with the response to the radiological emergency;

“radiological emergency” means any occurrence, whether or not in Gibraltar, which is likely to result in any member of the public being exposed to ionising radiation arising from that occurrence in excess of any of the doses set out in Schedule 1 and for this purpose any health protection measure to be taken during the 24 hours immediately following the occurrence shall be disregarded.

(2) A references in these regulations to the Government shall, where the Government has by notice in the Gazette appointed a person to be the competent authority for the purposes or one or more of the purposes of these regulations and to the extent of that appointment, be deemed to be a reference to that person, and not to be a reference to the Government.

Duty to supply prior information to members of the public likely to be affected in the event of a radiological emergency.

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3.(1) It shall be the duty of any person who conducts an undertaking from which a radiological emergency is reasonably foreseeable (in this regulation referred to as “the responsible person”)–

- (a) to ensure that members of the public who are likely to be in an area in which, in the opinion of the Government (having regard to any existing plans prepared by virtue of the Ionising Radiation Regulations 1995), they are liable to be affected by a radiological emergency arising from the undertaking of the responsible person, are supplied, in an appropriate manner, without their having to request it, with at least the information specified in Schedule 2; and
- (b) to make that information publicly available.

(2) In preparing the information required to be supplied in accordance with sub-regulation (1), the responsible person shall consult the Government, any authority likely to fall within paragraph 5 of Schedule 2 and such other persons who seem to him to be appropriate, but the responsible person shall remain responsible for the accuracy, completeness and form of the information so supplied.

(3) Without prejudice to his duty under sub-regulation (1), the responsible person shall endeavour to enter into an agreement with the Government for it to disseminate the information required to be supplied in accordance with that paragraph to the members of the public mentioned in it and where such an agreement is entered into the Government shall not thereby acquire or be deemed to acquire any responsibility for the accuracy of that information nor by virtue of having agreed to disseminate the information or by disseminating it shall the Government be taken to have approved the conduct of the undertaking or to have indicated that the information disseminated complies with the obligations of the responsible person under these regulations or under any other relevant obligations whether or not statutory.

(4) The responsible person shall ensure that the information supplied in accordance with sub-regulation (1) is updated at regular intervals but, in any case, not less than once in three years and whenever significant changes to the emergency measures, action or authorities referred to in paragraphs 3, 4 and 5 of Schedule 2 take place and, when information is updated in accordance with this sub-regulation, it shall be supplied again in accordance with sub-regulation (1) and made publicly available.

(5) Where on the coming into effect of these regulations a person is conducting an existing undertaking from which a radiological emergency is reasonably foreseeable, it shall be sufficient compliance with sub-regulation

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(1) if that person supplies the required information and makes it publicly available within six months of the coming into effect of these regulations.

Arrangements for the supply of information to members of the public actually affected in the event of a radiological emergency.

4.(1) It shall be the duty of the Government to prepare and keep up to date arrangements to supply, in the event of a radiological emergency, information of and advice on the facts of the emergency, of the steps to be taken and, as appropriate, of the health protection measures applicable.

(2) The arrangements prepared and kept up to date under sub-regulation (1) shall provide for the information to be supplied at regular intervals in an appropriate manner, without delay, and without their having to request it, to members of the public who are actually affected by the radiation emergency.

(3) In preparing those arrangements, and keeping them up to date, the Government shall consult any authority likely to be responsible for implementing the relevant measures referred to in Schedule 3 and such other persons as appear to it to be appropriate.

(4) The information and advice to be supplied in accordance with arrangements prepared and kept up to date under sub-regulation (1) shall, if relevant to the type of radiological emergency, include that specified in Schedule 3 and shall in any event, mention the authority or authorities responsible for implementing the relevant measures referred to in that Schedule.

(5) For the purposes of sub-regulation (2), the members of the public referred to in that sub-regulation as actually affected are those whose co-operation is sought to put into effect any steps or health protection measures referred to in sub-regulation (1).

(6) It shall be sufficient compliance with sub-regulation (1) if the Government prepares the required arrangements within six months of the coming into effect of these regulations.

Modifications relating to the Ministry of Defence, etc.

5. The requirements of regulation 3 shall not have effect to the extent that in any particular case they would, in the opinion of the Secretary of State for Defence, be against the interests of national security.

Charges by the Government.

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6.(1) Where the Government incurs costs as a result of giving effect to an agreement provided for in sub-regulation (3) of regulation 3 it may charge the responsible person, as defined in sub-regulation (1) of that regulation, a fee determined in accordance with sub-regulations (3), (5) and (6).

(2) Where the Government incurs costs in carrying out its functions under regulation 4 it may charge a fee determined in accordance with sub-regulations (3) and (4) to any person carrying on in Gibraltar an activity which may result in a radiological emergency.

(3) The fee shall not exceed the sum of the costs reasonably incurred by the Government and where the costs incurred are in respect of more than one person carrying on in Gibraltar an activity which may result in a radiological emergency the fee charged to each such person shall not exceed the proportion of such sum attributable to the part or parts of the arrangements referred to in regulation 4(1) relating to the activity or activities of that person.

(4) Where, in the opinion of the Government, the Government can properly carry out its function under regulation 4 only by engaging specialists and consultants, the cost of such specialists or consultants shall be included in the fee payable under sub-regulation (2).

(5) The Government may determine the cost of employing an officer (including a public officer) for any period of work appropriate to his grade by reference to the average cost to it of employing officers of his grade for that period.

(6) When requiring payment, the Government shall send or give to the responsible person or the person carrying on in Gibraltar an activity which may result in a radiological emergency, as the case may be, a detailed statement of the work done and costs incurred and the period to which the statement relates, and the fee shall be recoverable as a civil debt.

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SCHEDULE 1

Regulation 2(1)

**DOSES OF IONISING RADIATION APPLICABLE TO THE
DEFINITION OF RADIOLOGICAL EMERGENCY**

Dose for the whole body

1. The dose for the whole body resulting from exposure to the whole or part of the body, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the effective dose equivalent from external radiation and the committed effective dose equivalent from that year's intake of radio-nuclides, shall in the period of one year immediately following the occurrence be 5 mSv.

Dose for individual organs and tissues

2. Without prejudice to paragraph 1, the dose for individual organs or tissues, being the sum of the following dose quantities resulting from exposure to ionising radiation, namely the dose equivalent from external radiation, the dose equivalent from contamination and the committed dose equivalent from that year's intake of radio-nuclides averaged throughout any individual organ or tissue (other than the lens of the eye) or any body extremity or over any area of skin, shall in the period of one year immediately following the occurrence be 50 mSv.

3. In assessing the dose quantity to skin whether from contamination or external radiation, the area of skin over which the dose quantity is averaged shall be appropriate to the circumstances but in any event shall not exceed 100 square cm.

Dose for the lens of the eye

4. The dose for the lens of the eye resulting from exposure to ionising radiation, being the average dose equivalent from external and internal radiation delivered between 2.5 mm and 3.5 mm behind the surface of the eye, shall in the period of one year immediately following the occurrence be 15 mSv.

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SCHEDULE 2

Regulation 3(1)

**PRIOR INFORMATION TO BE SUPPLIED TO MEMBERS OF THE
PUBLIC LIKELY TO BE AFFECTED IN THE EVENT OF A
RADIOLOGICAL EMERGENCY AND MADE PUBLICLY
AVAILABLE**

1. Basic facts about radioactivity and its effects on persons and on the environment.
2. The various types of radiological emergency covered and their consequences for the general public and the environment.
3. Emergency measures envisaged to alert, protect and assist the general public in the event of a radiological emergency.
4. Appropriate information on action to be taken by the general public in the event of a radiological emergency.
5. The authority or authorities responsible for implementing the emergency measures and action referred to in paragraphs 3 and 4.

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SCHEDULE 3

Regulation 4(4)

**INFORMATION TO BE SUPPLIED IN THE EVENT OF A
RADIOLOGICAL EMERGENCY**

1. Information on the type of emergency which has occurred, and, where possible, its characteristics, for example, its origin, extent and probable development.
2. Advice on health protection measures, which, depending on the type of emergency, might include —
 - (a) any restrictions on the consumption of certain foodstuffs and water supply likely to be contaminated;
 - (b) any basic rules on hygiene and decontamination;
 - (c) any recommendation to stay indoors;
 - (d) the distribution and use of protective substances;
 - (e) any evacuation arrangements;
 - (f) special warnings for certain population groups.
3. Any announcements recommending co-operation with instructions or requests by the authorities responsible for implementing the emergency measures and action referred to in paragraphs 3 and 4 of Schedule 2.
4. Where an occurrence which is likely to give rise to a release of radioactivity or ionising radiation has happened but no release has yet taken place, the information and advice should include the following -
 - (a) an invitation to tune in to radio or television;
 - (b) preparatory advice to establishments with particular collective responsibilities;
 - (c) recommendations to occupational groups particularly affected.
5. If time permits, information setting out the basic facts about radioactivity and its effects on persons and on the environment.