

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Safety of Employees (Ionising Radiations) (Guernsey) Ordinance, 1967 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XV, p. 90; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Transfer of Functions Ordinance, 1991 (Recueil d'Ordonnances Tome XXV, p. 328); the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996 (No. XXXI of 1996, Recueil d'Ordonnances Tome XXVII, p. 139); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Health and Safety at Work (General) (Guernsey) Ordinance, 1987 (Recueil d'Ordonnances Tome XXIV, p. 162); the Health and Safety (Fees) Order, 2015 (G.S.I. No. 2 of 2015).

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**The Safety of Employees (Ionising Radiations) (Guernsey)
Ordinance, 1967**

ARRANGEMENT OF SECTIONS

1. Notification of commencement of work involving exposure to radiation.
2. Notification of the installation of machines or apparatus capable of producing ionising radiations.
3. Penalty.
4. Saving.
5. Interpretation.
6. Citation.

(Made on 22nd March, 1967.)

The Safety of Employees (Ionising Radiations) (Guernsey) Ordinance, 1967

THE STATES, in pursuance of their Resolution of the first day of February, nineteen hundred and sixty-seven, and in exercise of the powers conferred upon them by section two of the Health, Safety and Welfare of Employees Law, 1950^a, and of all other powers thereunto them enabling, hereby order: –

Notification of commencement of work involving exposure to radiation.

1. Every proprietor of an undertaking before commencing therein for the first time any work involving the possible exposure to ionising radiations in the course of his work of any person employed, or engaged in such work shall give to the [States of Guernsey [Committee for Employment & Social Security]] [or such other committee as the States may by Resolution appoint] (hereinafter referred to as "[**the Committee**]") not less than one month's notice in writing of the date of the intended commencement of such work, and shall furnish to [the Committee] such particulars as [the Committee] may require.

NOTES

In section 1,

the words in the first pair of square brackets were substituted by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 3, Schedule 2, paragraph 21, with effect from 31st October, 1996;

the words, first, "Committee for Employment & Social Security" in square brackets within the first pair of square brackets and, second, "the Committee" in the third pair of square brackets and, third, the words "the Committee" in square brackets, wherever else occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 2, Schedule 1, paragraph 1(b), Schedule 2, Part 1, paragraph 1, section 5(1), Schedule 3, paragraph 4 and section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016;¹

^a Ordres en Conseil Vol. XIV, p. 312.

the words in the second pair of square brackets were substituted by the Transfer of Functions Ordinance, 1991, section 4, Schedule 3, paragraph 12, with effect from 31st July, 1991.

The functions, rights and liabilities of the Commerce and Employment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Employment & Social Security and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 1(b), Schedule 2, Part 1, paragraph 1, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

In accordance with the provisions of the Health and Safety at Work (General) (Guernsey) Ordinance, 1987, section 35(1), Schedule 4, with effect from 1st December, 1987, this enactment is one of those to be regarded as "relevant statutory provisions" for the purposes of the 1987 Ordinance.

In accordance with the provisions of the Health and Safety (Fees) Order, 2015, the fees payable for the provision of the services or documents therein referred to under or for the purposes of this Ordinance and any subordinate legislation made hereunder are as contained in article 5 thereof.

Notification of the installation of machines or apparatus capable of producing ionising radiations.

2. Without prejudice to the operation of section one of this Ordinance, any person who proposes to install, or cause to be installed, on any premises used for the purposes of an undertaking, for use in such undertaking, any machine or apparatus which is capable of producing or emitting ionising radiations shall give to [the Committee] not less than one month's notice in writing of the proposed date of the installation.

NOTE

In section 2, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 4, with effect from 1st May, 2016.

Penalty.

3. Any person who contravenes the provisions of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 1 on the uniform scale].

NOTE

In section 3, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Saving.

4. Nothing in this Ordinance contained shall apply –
- (a) to work carried out in accordance with the provisions of the Code of Practice for the Protection of Persons against Ionising Radiations arising from Medical and Dental Use for the time being followed in the United Kingdom in a hospital provided and administered by the States,
 - (b) to work concerned with the sale of footwear if the apparatus used or to be used in connection therewith is of a type used solely in connection with such sale.

Interpretation.

5. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"ionising radiations" means electromagnetic radiation (that is to say, X-ray or gamma ray protons or quanta) or corpuscular radiation (that is to say, alpha particles, beta particles, electrons, positrons, protons, neutrons, or heavy particles) being electromagnetic radiation or corpuscular radiation capable of producing ions and emitted from a machine or apparatus which is intended to produce ionising radiations, or from a machine or apparatus in which electrons are accelerated by a voltage of not less than five kilovolts,

"proprietor" in relation to an undertaking, includes any person for the time being having the management or capital, or receiving the profits, of the business carried on in such undertaking, or employing any person

engaged in such business.

Citation.

6. This Ordinance may be cited as the Safety of Employees (Ionising Radiations) (Guernsey) Ordinance, 1967.

NOTE

The Ordinance was made and came into operation on 22nd March, 1967.

¹ The words "Committee for Employment & Social Security" were previously substituted by the Transfer of Functions Ordinance, 1991, section 4, Schedule 3, paragraph 12, with effect from 31st July, 1991; the Board of Employment, Industry and Commerce by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 3, Schedule 2, paragraph 21, with effect from 31st October, 1996; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 5, with effect from 6th May, 2004.

² The functions, rights and liabilities of the Commerce and Employment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to them from the Board of Industry and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 5, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions, rights and liabilities of the Board of Industry were previously transferred to it from the States Board of Employment, Industry and Commerce by the Board of Employment, Industry and Commerce (Transfer of Functions) Ordinance, 1996, section 1, Schedule 1, paragraph 22, with effect from 31st October, 1996; the functions of the States Board of Employment, Industry and Commerce were previously transferred to it from the States Labour and Welfare Committee by the Transfer of Functions Ordinance, 1991, section 2, Schedule 2, paragraph 11, with effect from 31st July, 1991.