

## **CHAPTER 353A**

### **RADIATION PROTECTION**

This Act came into operation on 15th November, 1971.

#### **Amended by:**

This Act has not been amended



## **CHAPTER 353A**

### **RADIATION PROTECTION**

#### *Arrangement of Sections*

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**BARBADOS****RADIATION PROTECTION**

*An Act to give effect to Article 10 of the Radiation Protection Convention, 1960, Convention No. 115 of the International Labour Conference, relating to the protection of workers against ionising radiations.*

[Commencement: 15th November, 1971]

**Short title**

1. This Act may be cited as the Radiation Protection Act.

**Interpretation**

2. For the purposes of this Act, the expression—  
“corpuscular radiation” means alpha particles, beta particles, electrons, positrons, protons, neutrons or heavy particles;  
“electromagnetic radiation” means X-ray or gamma ray photons or quanta;  
“ionising radiations” means corpuscular or electromagnetic radiation capable of producing ions and emitted from any substance or from a machine or apparatus—  
(a) which is intended to produce ionising radiations; or

(b) in which electrons are accelerated by a voltage of five or more kilovolts;

“Minister” means the Minister responsible for Health;

“proprietor” includes any person for the time being—

(a) having the management or capital of; or

(b) receiving the profits of; or

(c) employing any worker in,  
the business of an undertaking.

“undertaking” means an undertaking in which any business whatsoever is carried on, and includes—

(a) a hospital, nursing home or maternity home;

(b) the surgery of a legally qualified medical practitioner or a dentist registered under the *Dental Registration Act*, Cap. 367; and

(c) a factory within the meaning of section 6 of the *Factories Act*, Cap. 347.

“worker” means any person engaged in the business of an undertaking.

**Notice of commencement of work involving exposure to, and of proposed installation of machine or apparatus capable of producing or emitting ionising radiation**

3. From and after the commencement of this Act—

(a) where any work in an undertaking is for the first time proposed involving the possible exposure of any worker employed in that undertaking to ionising radiations in the course of his work, the proprietor of that undertaking shall—

(i) before the commencement of such work, give to the Minister not less than one month’s notice in writing of the date of the intended commencement of the work; and

- (ii) within seven days after the receipt by him of a request to that effect or within such further time thereafter as the Minister may allow, furnish to the Minister such particulars of the work as the Minister may require;
- (b) without prejudice to paragraph (a), where any person proposes to install or to cause to be installed on any premises used for the purposes of an undertaking for use in that undertaking any machine or apparatus capable of producing or emitting ionising radiations, he shall—
  - (i) before such installation, give to the Minister not less than one month's notice in writing of the proposed date of the installation; and
  - (ii) within seven days of the receipt by him of a request to that effect, furnish to the Minister such particulars of the machine or apparatus and of the proposed installation as the Minister may require.

**Notice of existing work involving exposure to, and of existing machinery or apparatus capable of producing or emitting ionising radiations**

4. Where at the commencement of this Act—
- (a) any work mentioned in paragraph (a) of section 3 is being carried out in an undertaking, the proprietor of that undertaking shall—
    - (i) within one month of such commencement give to the Minister notice in writing that such work is being carried on; and
    - (ii) within seven days after the receipt by him of a request to that effect or within such further time thereafter as the Minister may allow, furnish to the Minister such particulars of that work as the Minister may require;
  - (b) any machine or apparatus mentioned in paragraph (b) of section 3 has been installed on any premises used for the purposes of an undertaking

and is being used in that undertaking, the proprietor of the undertaking shall—

- (i) within one month of such commencement give to the Minister notice in writing of the presence of that machine or apparatus; and
- (ii) within seven days after the receipt by him of a request to that effect or within such further time thereafter as the Minister may allow, furnish to the Minister such particulars of that machine or apparatus as the Minister may require.

**Power of Minister to give directions and entry on premises to inspect**

**5.(1)** Where a notice has been given to the Minister under section 3 or 4, the Minister may give to the proprietor of the undertaking to which the notice relates directions in writing—

- (a) as to the measures to be taken for the protection of workers employed in that undertaking against exposure to ionising radiations; and
- (b) limiting a reasonable time within which such measures shall be taken,

and the proprietor shall give effect to such directions.

(2) The Chief Medical Officer, a Medical Officer of Health or any person authorised in writing by the Chief Medical Officer may at any reasonable time enter on any premises of an undertaking to which a notice under section 3 or 4 relates and may inspect any such premises and any machine or apparatus thereon in order to ensure—

- (a) that adequate measures are being taken to protect the workers employed in that undertaking against exposure to ionising radiations in the course of their work; or
- (b) that any directions given by the Minister under subsection (1) are being complied with.

**Offences**

6. Any person who—
- (a) being the proprietor of an undertaking in which any work mentioned in paragraph (a) of section 3 is carried on—
    - (i) fails to give to the Minister a notice in accordance with sub-paragraph (i) of that paragraph; or
    - (ii) refuses or neglects to furnish to the Minister any particulars required by the Minister under sub-paragraph (ii) of that paragraph;
  - (b) installs or causes to be installed on any premises used for the purposes of an undertaking for use in that undertaking any machine or apparatus mentioned in paragraph (b) of section 3 without giving to the Minister a notice in accordance with sub-paragraph (i) of that paragraph;
  - (c) refuses or neglects to furnish to the Minister any particulars required by the Minister under sub-paragraph (ii) of paragraph (b) of section 3;
  - (d) being the proprietor of an undertaking in which at the commencement of this Act there is being carried on any work mentioned in paragraph (a) of section 3 or on the premises of which any machine or apparatus mentioned in paragraph (b) of that section has at such commencement been installed and is being used in that undertaking—
    - (i) fails to give the Minister a notice in accordance with sub-paragraph (i) of paragraph (a) or (b) of section 4, as the case may be;
    - (ii) refuses or neglects to furnish to the Minister any particulars required by the Minister under sub-paragraph (ii) of paragraph (a) or (b) of section 4, as the case may be;

- (e) being the proprietor of an undertaking to whom the Minister has given directions under subsection (1) of section 5, fails to give effect to those directions or any of them;
- (f) hinders, resists or obstructs the Chief Medical Officer, a Medical Officer of Health or any person authorised in writing by the Chief Medical Officer whilst in the course of any inspection pursuant to subsection (2) of section 5,

shall be guilty of an offence and shall be liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for three months or to both such fine and imprisonment.