

STATUTORY INSTRUMENTS

S.I. No. of 2007

**European Communities (Medical Ionising Radiation
Protection) (Amendment) Regulations 2007**

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**European Communities (Medical Ionising Radiation Protection)
(Amendment) Regulations 2007**

I, Mary Harney, Minister for Health and Children, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 hereby make the following Regulations:

- 1 (a) These Regulation may be cited as European Communities (Medical Ionising Radiation Protection) (Amendment) Regulations 2007.

 (b) In these Regulations, ‘Principal Regulations’ means the European Communities (Medical Ionising Radiation Protection) Regulations 2002 (S.I. No. 478 of 2002).

 (c) These Regulations and the Principal Regulations shall be construed together as one and may be cited as the European Communities (Medical Ionising Radiation Protection) Regulations 2002 to 2007.

- 2 Regulation 2 of the Principal Regulations 2002 is amended as follows:
 - (a) by substituting for the definition of “Chief executive officer” the following definition—

 ““Chief executive officer” means the chief executive officer of the Health Service Executive established under the Health Act 2004”

 - (b) by substituting for the definition of “Diagnostic reference levels” the following definition—

 ““Diagnostic reference levels” means dose levels in medical radio diagnostic practices or, in the case of radio-pharmaceuticals, levels of administered activity for typical examination for groups of standard-sized patients or standard phantoms for broadly defined types of equipment. These levels are expected not to be exceeded for standard procedures when good and normal practice regarding diagnostic and technical performance is applied.”

 - (c) by adding to the definition of “Prescriber” the following definition—

 “(d) a person whose name is entered on the register of nurses as maintained by An Bord Altranais established by the Nurses Act 1985 and who meets the standards and requirements set down by An Bord Altranais from time to time to allow them to refer individuals for medical exposures to a practitioner”

3 Regulation 9 of the Principal Regulations is amended by the substitution of ‘National Authority for Occupational Safety and Health’ for ‘Health and Safety Authority’.

4 Regulation 13 of the Principal Regulations is amended as follows:

(a) by substituting for Regulation 13.1 the following wording—

“The practical aspects for any medical radiological procedure or part thereof may be delegated by the practitioner to one or more individuals entitled to act in this respect in a recognised field of medical specialisation or in the practice of dentistry provided that individual has successfully completed such a course or courses in radiation safety as the Medical or Dental Councils may specify”.

(b) by substituting for Regulation 13.2 the following wording—

“An individual performing a medical radiological procedure in accordance with paragraph 13.1 shall ensure that a radiographer is in attendance at all times during the procedure with the exception of—

(a) Dental procedures where the individual performing the medical radiological procedure has successfully completed a Dental Council approved training course in radiation protection and technique and is registered with the Dental Council;

(b) Nuclear medicine where the individual administering the activity is the named medical physicist or a medical physicist delegated by the named medical physicist to administer the activity;

(c) Dexa scanning where the individual performing the procedure has undertaken an appropriate course in radiation protection.”

5 Regulation 17 of the Principal Regulations is amended by substituting for Regulation 17.6(c) the following wording—

“The decision on the continued use of equipment or components of equipment, after the due date of replacement, is a matter for the Radiation Safety Committee.”

6 Regulation 20 of the Principal Regulations is amended as follows:

(a) by substituting for Regulation 20.1 the following wording—

“In the case of a female of childbearing age, the prescriber, the practitioner, the radiographer, or persons referred to in Regulations 13 and 16

shall inquire whether she is pregnant or breast feeding, if relevant, and shall record her answers in writing.”

(b) by substituting for Regulation 20.3 the following wording—

“In the case of a female who is breast feeding, in nuclear medicine, the prescriber, the practitioner, the radiographer or persons referred to in regulations 13 and 16 shall in recording their justification for continuing with a procedure have specific regard and make written reference to that fact. Special attention shall be given to the justification, particularly the urgency, and to the optimization of the medical exposure, taking into account the exposure for both the mother and for the child”.

Given under my Official Seal,
June 2007

Mary Harney
Minister for Health and Children

Explanatory Memorandum

(This note is not part of the regulations and does not purport to be a legal interpretation)

The purpose of these regulations to amend the European Communities (Medical Ionising Radiation Protection) Regulations 2002 including extending the definition of prescribers, allowing dental practices to delegate and allowing exceptions to the rule that the radiographers must be in attendance during medical radiological procedures.

The opportunity is also taken to correct some minor typographical errors in the Regulations of 2002.