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# Radiation Protection Regulations 2016

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## Radiation Protection Regulations 2016

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the Radiation Protection Act 2005 .

23 May 2016

C. WARNER

Governor

By Her Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON

Minister for Health

## PART 1 - Preliminary

### 1. Short title

These regulations may be cited as the Radiation Protection Regulations 2016 .

### 2. Commencement

These regulations take effect on 24 May 2016.

### 3. Interpretation

In these regulations –

**Act** means the Radiation Protection Act 2005 ;

**air cushion vehicle** means a vehicle that is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the water or other surface beneath the vehicle;

**ambient dose equivalent** has the same meaning as in the document entitled "Quantities and Units in Radiation Protection Dosimetry" published by the International Commission on Radiation Units and Measurements as ICRU Report 51 in 1993;

**ambient dose equivalent rate** means the ambient dose equivalent measured in joules of energy per kilogram per hour;

**approved disposal site** means an area of land or place approved, for the disposal of radioactive materials, by both –

(a) the Director, Environment Protection Authority appointed under section 18 of the Environmental Management and Pollution Control Act 1994 ; and

(b) the relevant local government authority;

**approved radiation safety officer** means a person specified as the radiation safety officer in an approved radiation management plan;

**ARPANSA** means that part of the Commonwealth department responsible for the administration of the *Australian Radiation Protection and Nuclear Safety Act 1998* of the Commonwealth that is known as ARPANSA or the Australian Radiation Protection and Nuclear Safety Agency;

**AS** means a standard published by Standards Australia as amended or substituted from time to time;

**AS/NZS** means a standard published jointly by Standards Australia and Standards New Zealand as amended or substituted from time to time;

**carrier** means any person or government department, government agency or government authority undertaking the transport of radioactive material by any means;

**CEO of ARPANSA** means the Chief Executive Officer of ARPANSA appointed under section 45 of the *Australian Radiation Protection and Nuclear Safety Act 1998* of the Commonwealth;

**consignor** means any person or government department, government agency or government authority that –

(a) prepares a consignment of radioactive material for transport; and

(b) is named as consignor in the transport documents;

**directional dose equivalent** has the same meaning as in the document entitled "Quantities and Units in Radiation Protection Dosimetry" published by the International Commission on Radiation Units and Measurements as ICRU Report 51 in 1993;

***directional dose equivalent rate*** means the directional dose equivalent measured in joules of energy per kilogram per hour;

***Disposal Code*** means the Code of Practice for the Disposal of Radioactive Wastes by the User (1985) published by the NHMRC under the *National Health and Medical Research Council Act 1992* of the Commonwealth, as in force immediately before its rescission by the NHMRC;

***domestic smoke alarm*** means a smoke alarm that –

- (a) is designed for use for domestic purposes; and
- (b) contains no more than 37 kilobecquerels of americium-241; and
- (c) complies with AS 3786-1993;

***Dose Coefficients Document*** means the document entitled "Dose Coefficients for Intakes of Radionuclides by Workers" that is Publication 68 of the International Commission on Radiological Protection (Annals of the International Commission on Radiological Protection Publication Volume 24, No. 4 1994), as amended or substituted from time to time;

***effective dose***, in relation to any human organ or human tissue that is exposed to ionising radiation, means a dose for the organ or tissue that –

- (a) takes into account the type of radiation involved and the radiological sensitivities of the organs and tissues irradiated; and
- (b) is calculated in accordance with the document entitled "Recommendations for limiting exposure to ionizing radiation (1995) (Guidance note [NOHSC:3022(1995)])" (republished 2002) that is published by the CEO of ARPANSA, as amended or substituted from time to time;

***equivalent dose***, in relation to any human organ or human tissue that is exposed to ionising radiation, means a measure of the dose for the organ or tissue that –

- (a) takes into account the type of radiation involved; and
- (b) is calculated in accordance with the document entitled "Recommendations for limiting exposure to ionizing radiation (1995) (Guidance note [NOHSC:3022(1995)])" (republished 2002) that is published by the CEO of ARPANSA, as amended or substituted from time to time;

***external effective dose***, in relation to a dose of radiation received by a person, means the total of the weighted equivalent doses for all the organs and tissues of the person as a result of exposure of the organs and tissues to radiation emitted from an ionising radiation source external to the person's body;

***internal effective dose***, in relation to a dose of radiation received by a person, means the effective dose from a radionuclide inhaled, ingested or introduced into the person's body calculated in accordance with the Dose Coefficients Document;

***International Regulations*** means the Regulations for the Safe Transport of Radioactive Material (1996 edition), published by the International Atomic Energy Agency in 2000 as adopted by the Safe Transport Code, as amended or substituted from time to time;

***medical exposure*** means –

- (a) exposure of a person to radiation received as a –
  - (i) treated person; or
  - (ii) volunteer in medical research; or
- (b) exposure received as a consequence of assisting a treated person if –
  - (i) the person assisting the treated person is aware of the exposure and accepts any associated risks; and
  - (ii) the exposure is not occupational exposure;

***natural background exposure***, of a person to ionising radiation, means the exposure of the person to ionising radiation that occurs naturally in the environment (including radiation from potassium-40 in the body, cosmic radiation at the surface of the earth and unmodified concentrations of naturally occurring radionuclides in most raw materials), other than exposure to ionising radiation that –

- (a) is directly attributable to the carrying out of a radiation practice; or
- (b) may have a harmful effect on persons working in an industry, or business, where those persons may be exposed to that ionising radiation;

***NDRP*** means the National Directory for Radiation Protection produced by ARPANSA and published by the CEO of ARPANSA;

***NHMRC*** means the National Health and Medical Research Council, established by section 5B of the *National Health and Medical Research Council Act 1992* of the Commonwealth;

***occupational exposure***, of a person to ionising radiation, means the exposure of the person to the ionising radiation in the course of the person's work while the person is directly involved in the carrying out of a radiation practice, other than –

- (a) natural background exposure to ionising radiation, unless that exposure is directly attributable to carrying out the radiation practice; or
- (b) medical exposure to ionising radiation; or
- (c) public exposure to ionising radiation;

***package*** means the packaging together with its radioactive contents as presented for transport;

***packaging*** means the assembly of components necessary to enclose the radioactive contents completely;

***public exposure***, of a person to ionising radiation, means the exposure of the person to the ionising radiation, other than –

- (a) medical exposure to ionising radiation; or
- (b) natural background exposure to ionising radiation; or
- (c) occupational exposure to ionising radiation;

***radioactive contents***, of a package, means the radioactive material together with any contaminated solids, liquids and gases within the packaging;

***register*** means the register of authorities required to be kept by the Director of Public Health under section 82 of the Act;

***Safe Transport Code*** means the code of practice entitled "Safe Transport of Radioactive Material" (2008) produced by ARPANSA and published by the CEO of ARPANSA, as amended or substituted from time to time;

***smoke alarm*** means a combined smoke detector and audible alarm device that is designed to sound an alarm when it detects smoke in the area in which it is located;

***smoke detector*** means a device that is designed to detect the presence of particles or aerosols produced by combustion;

***total effective dose***, for a person for a period, means the total of the external effective dose and internal effective dose received by the person during the period;

***unsealed radioactive material*** means radioactive material that is not a sealed source;

***vessel*** means –

- (a) a ship, boat or other vessel used or capable of being used in navigation; or
- (b) a seaplane; or
- (c) an air cushion vehicle or similar type of craft;

***weighted equivalent dose***, in relation to any human organ or human tissue that is exposed to radiation, means the product of –

- (a) the tissue weighting factor for the organ or tissue stated in Table 2 of the document entitled "Recommendations for limiting exposure to ionizing radiation (1995) (Guidance note [NOHSC:3022(1995)])" (republished 2002) that is published by the CEO of ARPANSA, as amended or substituted from time to time; and
- (b) the equivalent dose for the organ or tissue.

## PART 2 - Licensing, Registration, Accreditation and Issue of Certificates of Compliance

### 4. Criteria for determining applications for authorities

(1) For the purposes of section 21(2)(a), (b) and (c) of the Act, the following are prescribed criteria:

- (a) whether a person specified in the application as likely to be dealing with the radiation source has adequate training in radiation protection measures;
- (b) whether a person specified in the application as likely to be dealing with the radiation source has experience and qualifications relevant to the dealing with the radiation source to be conducted by the person;
- (c) whether a person specified in the application as likely to be dealing with the radiation source is licensed or registered with, or has an authority issued by, an appropriate board in Tasmania that is relevant to the person's profession and role in the radiation practice;
- (d) whether any of the following persons has been convicted of an offence that the Director of Public Health considers relevant, whether in Tasmania or elsewhere:
  - (i) the applicant;
  - (ii) a person specified in the application as likely to be dealing with the radiation source;
  - (iii) if the applicant is a body corporate, a director or person concerned in the management of the body corporate;
  - (iv) if the applicant is a partnership, a partner of the partnership;
- (e) whether any of the following persons has had any licence, registration, accreditation or other authorisation relating to any dealing with a radiation source revoked, whether in Tasmania or elsewhere:
  - (i) the applicant;
  - (ii) a person specified in the application as likely to be dealing with the radiation source;
  - (iii) if the applicant is a body corporate, a director or person concerned in the management of the body corporate;
  - (iv) if the applicant is a partnership, a partner of the partnership.

(2) For the purposes of subregulation (1)(c) –

***an appropriate board*** includes a Board established under the Health Practitioner Regulation National Law (Tasmania).

### 5. Requirements for issue of certificates of compliance for radiation sources and radiation places

(1) In this regulation –

***ISO Standard*** means a standard published by the International Organization for Standardization, as amended or substituted from time to time;

***overpack*** has the meaning given in Section II, paragraph 229 of the International Regulations.

(2) For the purposes of section 17(1)(a)(i) of the Act, the following are prescribed specifications relating to sealed source capsules used for industrial radiography:

- (a) the capsules must –
  - (i) meet the requirements of ISO Standard 2919:2012, as expressed in table 3 of that ISO Standard; or
  - (ii) be otherwise designed and constructed so that the radioactive material remains enclosed within the capsule so as to prevent escape of the radioactive material during normal use and in

the event of an accident;

(b) the design of the capsules must have current unilateral approval as special form radioactive material as required by paragraph 803 of the International Regulations.

(3) For the purposes of section 17(1)(a)(ii) of the Act, the following are prescribed specifications relating to a container for a sealed source used for industrial radiography, other than a sealed source used for an X-ray crawler control source:

(a) the container must comply with the Code of practice for the safe use of industrial radiography equipment (1989) published by the NHMRC under the *National Health and Medical Research Council Act 1992* of the Commonwealth, as in force immediately before its rescission by the NHMRC;

(b) the container must –

(i) have current unilateral approval as a Type B(U) package as required by paragraph 806 of the International Regulations; or

(ii) be transported in an overpack that has been approved by the Director of Public Health.

(4) For the purposes of section 17(2) of the Act, the following are prescribed specifications:

(a) a place where any radioactive material is usually or primarily stored must –

(i) be firmly constructed of durable materials; and

(ii) be able to resist fire and unauthorised entry; and

(iii) be kept locked, except if the radioactive material is being put into storage or removed from storage; and

(iv) have a clear sign, in accordance with AS 1319:1994, on the outside of the place incorporating the word "caution" and a symbol warning of the radiation hazard contained in the place; and

(v) have sufficient shielding to protect persons from radiation exposure from the radiation source stored or used in the radiation place; and

(vi) not be situated near to explosives, combustible or corrosive materials, photographic or X-ray film, areas that are subject to flooding, or other natural or man-made hazards; and

(vii) if unsealed radioactive materials are stored or used at the place, comply with the design requirements of AS/NZS 2982.1:2010; and

(viii) if the radioactive materials stored or used at the place are to be used for industrial radiography, comply with the Code of practice for the safe use of industrial radiography equipment (1989) published by the NHMRC under the *National Health and Medical Research Council Act 1992* of the Commonwealth, as in force immediately before its rescission by the NHMRC;

(b) a place where any radiation apparatus is usually or primarily used must –

(i) have a clear sign, in accordance with AS 1319:1994, on the outside of the place incorporating the word "caution" and a symbol warning of the radiation hazard contained in the place; and

(ii) have sufficient shielding to protect persons from radiation exposure when the apparatus is in use; and

(iii) if the radiation apparatus is to be used for industrial radiography, comply with the Code of practice for the safe use of industrial radiography equipment (1989) published by the NHMRC under the *National Health and Medical Research Council Act 1992* of the Commonwealth, as in force immediately before its rescission by the NHMRC.

## **6. Terms of certificates of compliance**

Certificates of compliance are valid for the following periods:

- (a) for an ionising radiation apparatus used for medical diagnosis, other than a mammography unit, bone densitometry unit or ionising radiation apparatus used for dentistry, 2 years;
- (b) for a mammography unit, one year;
- (c) for a bone densitometry unit, 4 years;
- (d) for an ionising radiation apparatus used for dentistry, 4 years;
- (e) for an ionising radiation apparatus used for medical therapy, 2 years;
- (f) for an ionising radiation apparatus used for a purpose other than medical diagnosis, medical therapy or industrial radiography, 4 years;
- (g) for an ionising radiation apparatus used for industrial radiography, 2 years;
- (h) for a radiation source that is a sealed source, one year;
- (i) for a non-ionising radiation apparatus, 4 years.

## **7. Renewal of certificate of compliance**

- (1) A certificate of compliance may be renewed at any time within the period of 6 weeks immediately before its expiry.
- (2) If a certificate of compliance is renewed, the renewal takes effect on the expiry of the original certificate.

## **8. Notification of change of circumstances**

For the purposes of section 45 of the Act, the following are prescribed changes in circumstances for an authority:

- (a) a change in the holder's postal or email address;
- (b) a change in the holder's business name;
- (c) if the holder is a partnership, a change in the partners of the partnership;
- (d) if the holder is a body corporate, a change in the directors or chief executive officer of the body corporate.

## PART 3 - Radiation Management Plans

### 9. Information to be contained in radiation management plans

(1) In this regulation –

***radiation incident*** means an incident adversely affecting, or likely to adversely affect, the environment or the health or safety of any person because of the emission of radiation;

***radiation safety officer*** means a person specified as the radiation safety officer in the proposed radiation management plan.

(2) For the purposes of section 21(2)(e) of the Act, the proposed radiation management plan for any radiation practice must contain the following information:

- (a) a brief description of the type and scope of the radiation practice;
- (b) a list of the radiation sources dealt with in the radiation practice;
- (c) an assessment of the potential hazards from the radiation sources dealt with in the radiation practice;
- (d) details of the environment likely to be exposed to radiation during the radiation practice;
- (e) the radiation principles, work practices (including quality-assurance procedures) and equipment (including personal radiation monitors) used to ensure that radiation exposure of persons or the environment is as low as is reasonably achievable during typical types of work carried out within the radiation practice;
- (f) details of the classes of persons likely to be exposed to radiation during the radiation practice, including –
  - (i) children; and
  - (ii) pregnant women; and
  - (iii) volunteers in biomedical research; and
  - (iv) persons exempt from section 13(1) of the Act under Part 10 ;
- (g) the maximum dose of radiation it is anticipated that a person of a class of persons specified in paragraph (f) will receive while the radiation principles, work practices and equipment referred to in paragraph (e) are being used, and the action to be taken if those doses are exceeded;
- (h) details of a course of study or training that –
  - (i) is being or will be undertaken by a person who is expected to be dealing with a radiation source in the radiation practice; and
  - (ii) requires, as part of that course of study or training, the person to deal with the radiation source in the radiation practice;
- (i) the name, qualifications and experience of the supervisor of a person referred to in paragraph (h)(i) while undertaking that part of a course of study or training referred to in paragraph (h)(ii) ;
- (j) the training and information to be provided to persons involved in carrying out the radiation practice;
- (k) the name and contact details of the radiation safety officer for the radiation practice;
- (l) a brief description of the role of the radiation safety officer;
- (m) a brief description of the resources available to the radiation safety officer to enable him or her to perform his or her role under the proposed radiation management plan;
- (n) a description of the roles and responsibilities, that are relevant to a dealing with the radiation source in the radiation practice, of all persons expected to be dealing with the radiation source in the radiation practice;

(o) the methods used to ensure that the persons referred to in paragraph (n) are aware of their obligations under the Act and the licence;

(p) details of how the radiation source in the radiation practice will be prepared for use, repaired, maintained, transported, stored and disposed of;

(q) details of any emergency response plans for the radiation practice including reporting to the Director of Public Health;

(r) details of procedures that are designed to minimise the radiation hazard arising from a radiation incident;

(s) details of reporting procedures for incidents adversely affecting, or likely to adversely affect –

(i) equipment used in the radiation practice; or

(ii) the environment; or

(iii) the health or safety of any person;

(t) details of record-keeping requirements including details of the records that will be kept of movement of any mobile radiation source in the radiation practice;

(u) details of the use of radiation warning signs and labels in the radiation practice.

(3) A person may not be specified as a radiation safety officer in the proposed radiation management plan for any radiation practice unless the person has received sufficient training to enable the person to –

(a) supervise the radiation protection aspects of the radiation practice that are specified in the proposed radiation management plan; and

(b) operate and interpret the readings from radiation monitoring equipment that is required for the radiation practice; and

(c) understand the precautions (including the use of protective clothing and equipment) to be taken in carrying out the radiation practice; and

(d) understand the extent to which the precautions referred to in paragraph (c) will restrict exposure to radiation; and

(e) know the actions required to carry out the emergency procedures specified in the proposed radiation management plan; and

(f) in the case of a radiation practice involving ionising radiation, assist the holder of the licence to implement the employer's duties specified in Chapter 5 of the *National standard for limiting occupational exposure to ionizing radiation* [NOHSC:1013(1995)] republished in 2002 by the CEO of ARPANSA; and

(g) carry out the duties specified for a radiation safety officer in any codes of practice, guidelines and standards relevant to the radiation practice.

## PART 4 - Dose Limits

### 10. Dose limits for occupational exposure of persons

For the purposes of sections 9(a) and 10(1) of the Act, the following are the prescribed dose limits that apply to the occupational exposure of a person to ionising radiation:

- (a) the average of the annual total effective doses for the person, over a 5-year period, must not be more than 20 millisieverts a year;
- (b) the total effective dose for the person must not be more than 50 millisieverts in any one year;
- (c) the equivalent dose for each lens of the person's eyes must not be more than –
  - (i) an average of 20 millisieverts per year over a 5-year period; or
  - (ii) 50 millisieverts in any one year;
- (d) the equivalent dose for each of the person's hands and feet must not be more than 500 millisieverts in any one year;
- (e) the equivalent dose for a square centimetre of the person's skin must not be more than 500 millisieverts in any one year.

### 11. Dose limits for public exposure of persons

For the purposes of section 10(1) of the Act, the following are prescribed dose limits that apply to the public exposure of a person to ionising radiation:

- (a) the average of the annual total effective doses for the person, over a 5-year period, must not be more than one millisievert a year;
- (b) the equivalent dose for each lens of the person's eyes must not be more than 15 millisieverts in any one year;
- (c) the equivalent dose for a square centimetre of the person's skin must not be more than 50 millisieverts in any one year.

### 12. Occupational exposure to radon-222

- (1) In this regulation –

*person-in-charge of a workplace* has the same meaning as in section 11 of the Act;

*workplace* has the same meaning as in section 11 of the Act.

- (2) For the purposes of section 11 of the Act, the prescribed dose limit that applies to the exposure of a person to radon-222 in the workplace is 20 millisieverts in any one year.

- (3) If a person-in-charge of a workplace suspects that, over the next 12 months, the average concentration of radon-222 will exceed 1 000 becquerels of radon per cubic metre of air in the workplace, the person must –

- (a) increase ventilation in the workplace so that the average concentration of radon-222, over the next 12 months, does not exceed 1 000 becquerels of radon per cubic metre of air; or
- (b) if such an increase of ventilation is not possible in the workplace, a person-in-charge of a workplace must –
  - (i) prepare a plan that contains the methods used to ensure that the total effective dose to any person in the workplace is not more than the prescribed dose limit specified in subregulation (2) ;
  - and
  - (ii) submit the plan to the Director of Public Health for approval; and
  - (iii) implement the plan as approved by the Director of Public Health.

Penalty: Fine not exceeding 500 penalty units.

(4) A person-in-charge of a workplace must notify the Director of Public Health if the average concentration of radon-222, over a 12-month period, exceeds 1 000 becquerels of radon per cubic metre of air in the workplace.

Penalty: Fine not exceeding 100 penalty units.

## **PART 5 - Storage**

### **13. Storage in accordance with Disposal Code**

A person must not, other than in accordance with the Disposal Code, store radioactive material, of a type to which the Disposal Code applies, that is awaiting disposal.

Penalty: Fine not exceeding 300 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

## **PART 6 - Transport**

### **14. Competent authority**

The Director of Public Health is designated as the competent authority for the purposes of the International Regulations.

### **15. Consignor's responsibilities**

A consignor must comply with clause 2.8 of the Safe Transport Code in relation to the consignment of radioactive material.

Penalty: Fine not exceeding 250 penalty units.

### **16. Carrier's responsibilities**

A carrier must comply with clause 2.9 of the Safe Transport Code in relation to the conveyance of radioactive material.

Penalty: Fine not exceeding 250 penalty units.

### **17. Training**

(1) Before a person becomes involved in the transport of radioactive material on behalf of a carrier or consignor, the carrier or consignor must ensure that the person receives adequate training about –

- (a) the radiation hazards involved in the transport of radioactive material; and
- (b) the precautions and work practices to be observed in the course of that transport.

Penalty: Fine not exceeding 100 penalty units.

(2) For the purposes of subregulation (1), in determining whether or not a person has received adequate training, regard is to be had to any relevant codes of practice or guidelines, including the Safe Transport Code.

### **18. Security of load**

A carrier must ensure that all packages of radioactive material transported in a freight container or vehicle are stowed and secured so that each package –

- (a) remains in position during transport; and
- (b) is kept away from heavy articles or goods likely to cause damage to it; and
- (c) if transported on a vehicle, does not project beyond the periphery of the vehicle.

Penalty: Fine not exceeding 250 penalty units.

### **19. Damage during transport**

A carrier must, unless he or she has a reasonable excuse –

- (a) immediately notify the consignor and the Department of any damage or suspected damage to a package of radioactive material being transported by the carrier; and
- (b) advise the consignor and the Department of –
  - (i) the location of the package; and
  - (ii) the location of any vehicle involved; and
  - (iii) the circumstances in which the damage or suspected damage was caused or may have been caused; and
- (c) take all reasonable steps to prevent access to the package by any person other than –

- (i) the consignor; or
- (ii) an authorised officer; or
- (iii) a member of the Police Service; or
- (iv) a member of the Fire Service as defined in the Fire Service Act 1979 ; or
- (v) in the event of an emergency, within the meaning of the Emergency Management Act 2006 , a person authorised by that Act to perform or exercise functions or powers in respect of the package.

Penalty: Fine not exceeding 100 penalty units.

## PART 7 - Disposal

### 20. Disposal

- (1) In this regulation –

*prescribed radiation apparatus* means a radiation apparatus which a person must not possess other than in accordance with a licence.

- (2) A person must not dispose of any radioactive material or prescribed radiation apparatus into –
- (a) a natural or artificial waterway except in accordance with this Part; or
  - (b) an inland body of water; or
  - (c) the sea.

Penalty: Fine not exceeding 500 penalty units.

- (3) A person must not dispose of any radioactive material to which the Disposal Code applies except in accordance with the Disposal Code and –
- (a) at an approved disposal site; or
  - (b) into the atmosphere in a manner approved by the Director of Public Health; or
  - (c) by disposal into a sewer in accordance with this Part.

Penalty: Fine not exceeding 250 penalty units.

- (4) As soon as practicable after a person discontinues using a sealed source, the person must dispose of it in a method approved by the Director of Public Health if –
- (a) no further use for the sealed source by any other person is foreseen; or
  - (b) the sealed source is no longer permitted to be used.

Penalty: Fine not exceeding 500 penalty units.

- (5) A person must not dispose of a prescribed radiation apparatus other than –
- (a) by –
    - (i) hiring out or leasing the radiation apparatus; or
    - (ii) transferring the ownership or custody of, or the responsibility for, the radiation apparatus; or
  - (b) in a manner that renders the radiation apparatus incapable of operation and unable to be reassembled or repaired so as to emit radiation.

Penalty: Fine not exceeding 250 penalty units.

### 21. Disposal into sewer

A person must not dispose of radioactive material into a sewer without the prior written approval of each of the following:

- (a) the Director of Public Health;
- (b) the Secretary of the department responsible for administering the Water and Sewerage Industry Act 2008 ;
- (c) the regulated entity, within the meaning of the Water and Sewerage Industry Act 2008 , responsible for the sewer.

Penalty: Fine not exceeding 250 penalty units.

## 22. Methods of disposal into sewer

- (1) A person who disposes of radioactive material into a sewer must ensure that the radioactive material is –
  - (a) an aqueous solution; or
  - (b) macerated biological matter.

Penalty: Fine not exceeding 250 penalty units.

- (2) A person who disposes of radioactive material by means of a sink on any premises must ensure that –
  - (a) the plumbing leads to a sewer and not to a stormwater drain; and
  - (b) the radioactive material is –
    - (i) disposed of through a slow drip system; and
    - (ii) well diluted by running water; and
  - (c) reasonable effort is made to prevent splashing.

Penalty: Fine not exceeding 250 penalty units.

## 23. Disposal into sewer by treated person

For the purposes of this Part, the disposal of radioactive material into a sewer by a treated person at the place at which he or she was treated is taken to be disposal by the holder of the licence to possess, store and use the radioactive material used in the irradiation of the treated person.

## 24. Maximum radiation activity into sewer

- (1) In this regulation –

***annual limit on intake***, for a radionuclide, means the amount of that radionuclide that, if taken into the body of a person in a single intake, would irradiate that person to an internal effective dose of 20 millisieverts in the 50-year period commencing on the date of the intake.
- (2) A person who disposes of radioactive material into a sewer must ensure that the quantity of that radioactive material does not exceed –
  - (a) in any 7-day period, 20 times the annual limit on intake for a radionuclide; or
  - (b) such other quantity as may be approved in advance of the disposal, either generally or by reference to a period of time, by each of the following:
    - (i) the Director of Public Health;
    - (ii) the Secretary of the department responsible for administering the Water and Sewerage Industry Act 2008 ;
    - (iii) the regulated entity, within the meaning of the Water and Sewerage Industry Act 2008 , responsible for the sewer.

Penalty: Fine not exceeding 250 penalty units.

## 25. Allowable concentration level

- (1) In this regulation –

***connection point***, in relation to any premises and a sewer, means the point at which the plumbing for the premises joins the sewer.
- (2) A person who disposes of radioactive material into a sewer from any premises must ensure that the concentration of radioactive material in sewage, immediately before the connection point, does not exceed –

- (a) in any 24-hour period, one-tenth of the amount specified in the Dose Coefficients Document for each 730 litres of sewage; or
- (b) such other concentration as may be approved in advance of the disposal, either generally or by reference to a period of time, by each of the following:
  - (i) the Director of Public Health;
  - (ii) the Secretary of the department responsible for administering the Water and Sewerage Industry Act 2008 ;
  - (iii) the regulated entity, within the meaning of the Water and Sewerage Industry Act 2008 , responsible for the sewer.

Penalty: Fine not exceeding 250 penalty units.

(3) A person who disposes of radioactive material into a sewer from any premises must be able to prove, by calculation or measurement, that the concentration level of the radioactive material in sewage, immediately before the connection point, does not exceed the allowable concentration under subregulation (2) .

Penalty: Fine not exceeding 250 penalty units.

## **26. Biological re-concentration**

If a person disposing of radioactive material into a sewer believes that biological re-concentration of diluted radiocompounds contained in the radioactive material may occur following the disposal, the person must ensure that the radioactive material is doped with sufficient stable compounds of the same type as the radioactive material to prevent biological re-concentration from occurring.

Penalty: Fine not exceeding 250 penalty units.

## **27. Plumbing standards**

A person who disposes of radioactive material into a sewer from any premises must ensure that –

- (a) the plumbing is in good condition; and
- (b) *[Regulation 27 Amended by S.R. 2016, No. 115, Applied:01 Jan 2017]* there are no low points in the plumbing, other than those required under the Building Act 2016 , in which the radioactive material could collect.

Penalty: Fine not exceeding 250 penalty units.

## **28. Application for licence to dispose of smoke detector**

A person who uses a smoke detector that contains radioactive material and complies with AS 1603.2-1997 must, within 7 days of discontinuing the use of the smoke detector, apply for a licence to dispose of the smoke detector.

Penalty: Fine not exceeding 50 penalty units.

## **29. Application for licence to dispose of gaseous tritium light device**

The occupier of the premises where a gaseous tritium light device that contains less than 74 gigabecquerels of tritium and is used for safety purposes is stored must, within 7 days of discontinuing the use of the device, apply for a licence to dispose of the device.

Penalty: Fine not exceeding 50 penalty units.

## **30. Records**

- (1) In this regulation –

***prescribed radiation apparatus*** means a radiation apparatus which a person must not possess other than in accordance with a licence.

(2) A person who disposes of any radioactive material or prescribed radiation apparatus must keep a written record of the disposal for –

- (a) a period of 7 years after the disposal; or
- (b) if a longer period is specified in the licence authorising the disposal, that period.

Penalty: Fine not exceeding 50 penalty units.

(3) A person is to include in the record –

- (a) the name and address of the supplier or manufacturer of the radiation source; and
- (b) the type of radiation source being disposed of; and
- (c) details of any preparation for disposal; and
- (d) the method of disposal; and
- (e) the date of disposal; and
- (f) the name and address of any other person involved in the disposal.

## PART 8 - Fees

### 31. Fees – general

- (1) Subject to regulation 32 , the fees specified in Schedule 1 are the fees prescribed for the purposes of the Act.
- (2) For the purposes of Schedule 1 , a gauge or other measuring device that is portable and contains multiple sealed sources is to be treated as a single sealed source.

### 32. Pro-rata calculation of licence fees

- (1) In this regulation –

*licensing period* means a period of 12 months.

- (2) The applicable fee payable in respect of a licence issued for a part of a licensing period is to be calculated in accordance with the following formula:

$$A \times \frac{R}{F}$$

where –

*A* is the annual licence fee specified in Schedule 1 ;

*R* is the number of days for which the licence will be in effect during the licensing period;

*F* is the number of days in the licensing period.

### 33. Refund of fees

If –

(a) the Director of Public Health refuses to grant an application for an authority or the renewal of an authority; or

(b) the applicant for such an authority or renewal withdraws the application before it is decided –

the Director of Public Health, as soon as practicable, must refund the fees, other than the application fee, paid in respect of the application.

### 34. Waiver of fees

The Director of Public Health may waive all or part of a fee in any circumstances he or she considers relevant.

## **PART 9 - Banned Radiation Sources**

### **35. Banned radiation sources**

For the purposes of section 19(1) of the Act, the radiation sources specified in Schedule 2 are prescribed to be banned radiation sources.

## PART 10 - Exemptions

### 36. Exemptions for servicing radiation apparatus

Servicing a radiation apparatus, if that service consists only of an earth leakage current check, is a dealing that is exempt from the operation of section 13(1) of the Act.

### 37. Exemptions for certain small quantities of radioactive material

The following amounts of radioactive material are exempt from the operation of sections 13(1) , 14 and 38 of the Act and Parts 5 and 7 of these regulations:

- (a) less than one tonne of radioactive material that has an activity, or, in the case of solids, an activity concentration, that is less than the exemption level specified in Schedule 4 of the NDRP;
- (b) less than one tonne of a mixture of radioactive materials that complies with section 3.2.2(c) of the NDRP.

### 38. Exemptions for certain large quantities of radioactive material

- (1) An amount of more than one tonne of radioactive material that contains less than one becquerel per gram of naturally occurring radioactive material is exempt from the operation of sections 13(1) , 14 and 38 of the Act and Parts 5 and 7 of these regulations.
- (2) For the purposes of subregulation (1) , if the radioactive material forms part of a decay chain, the quantity of one becquerel per gram is to be measured in relation to the parent radionuclide.

### 39. Exemptions for excepted packages

- (1) In this regulation –

*excepted package* means a package that complies with the conditions and specifications set out for excepted packages in the International Regulations.

- (2) The following dealings with a radiation source that is contained in an excepted package are exempt from the operation of section 13(1) of the Act:

- (a) possession of the radiation source during its transport;
- (b) storage of the radiation source during its transport;
- (c) transport of the radiation source.

- (3) A radiation source that is contained in an excepted package and stored during its transport is exempt from the operation of section 14 of the Act.

### 40. Exemptions for transport of radiation apparatus

- (1) The following dealings with a radiation apparatus are exempt from the operation of section 13(1) of the Act and Part 6 of these regulations:

- (a) possession of the radiation apparatus during its transport;
- (b) storage of the radiation apparatus during its transport;
- (c) transport of the radiation apparatus.

- (2) A radiation apparatus that is stored during its transport is exempt from the operation of section 14 of the Act.

### 41. Exemptions for transport of radiation source that is not excepted package

- (1) The following dealings with a radiation source that is not contained in an excepted package, within the meaning of regulation 39 , are exempt from the operation of section 13(1) of the Act:

- (a) possession of the radiation source during its transport;

(b) storage of the radiation source during its transport.

(2) A radiation source that is stored during its transport is exempt from the operation of section 14 of the Act.

#### **42. Exemptions for certain radiation apparatus**

(1) A radiation apparatus that is specified in Schedule 5 of the NDRP is exempt from the operation of sections 13(1), 14 and 38 of the Act.

(2) A radiation generator or electronic tube is exempt from the operation of sections 13(1), 14 and 38 of the Act if –

(a) in normal operating conditions it does not cause an ambient dose equivalent rate or a directional dose equivalent rate that exceeds one microsievert per hour at a distance of 0.1 metre from any accessible surface of the radiation generator or electronic tube; or

(b) the maximum energy of the radiation produced by the radiation generator or electronic tube is not more than 5 thousand electronvolts.

#### **43. Exemptions for certain non-ionising radiation sources**

(1) In this regulation –

*chiropractor* means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the chiropractic profession;

*physiotherapist* means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the physiotherapy profession;

*podiatrist* means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the podiatry profession.

(2) A non-ionising radiation source is exempt from the operation of sections 13(1), 14 and 38 of the Act if it is not –

(a) a class 3B or class 4 laser within the meaning of AS/NZS IEC 60825.1:2011; or

(b) a nuclear magnetic resonance unit; or

(c) an artificial, incoherent pulsed source of electromagnetic radiation, in the wavelength range of 100 nanometres to 3 000 nanometres, that –

(i) is used for cosmetic purposes; and

(ii) produces exposure levels that exceed the maximum permissible exposure levels specified in AS/NZS 2211.9:2002.

(3) A non-ionising radiation source that is a class 3B laser within the meaning of AS/NZS IEC 60825.1:2011 and which is used by a physiotherapist, podiatrist or chiropractor is exempt from –

(a) section 13(1) of the Act, unless the dealing relates to the possession, acquisition or disposal of the laser; and

(b) section 14 of the Act.

#### **44. Exemptions for domestic smoke alarms and smoke detectors**

(1) A person who deals with a domestic smoke alarm is exempt from the operation of section 13(1) of the Act in respect of the following dealings:

(a) use of the domestic smoke alarm;

(b) acquisition of the domestic smoke alarm;

(c) possession of the domestic smoke alarm;

(d) storage of the domestic smoke alarm;

(e) transport of the domestic smoke alarm;

(f) service of the domestic smoke alarm if that service does not consist of a service of the radioactive material contained in the domestic smoke alarm;

(g) repair of the domestic smoke alarm if that repair does not consist of a repair of the radioactive material contained in the domestic smoke alarm.

(2) A person who disposes of less than 6 domestic smoke alarms in domestic rubbish within any 30-day period is exempt from the operation of section 13(1) of the Act and regulations 20(3) and 30 in respect of the disposal of those domestic smoke alarms.

(3) A domestic smoke alarm is exempt from the operation of section 14 of the Act.

(4) A person who abandons less than 6 domestic smoke alarms within any 30-day period is exempt from the operation of section 38 of the Act in respect of the abandonment.

(5) A person who deals with a smoke detector that contains radioactive material and complies with AS 1603.2-1997 is exempt from the operation of section 13(1) of the Act in respect of the following dealings:

(a) use of the smoke detector;

(b) acquisition of the smoke detector;

(c) possession of the smoke detector;

(d) storage of the smoke detector;

(e) service of the smoke detector if that service does not consist of a service of the radioactive material contained in the smoke detector;

(f) repair of the smoke detector if that repair does not consist of a repair of the radioactive material contained in the smoke detector.

(6) A smoke detector that contains radioactive material and complies with AS 1603.2-1997 is exempt from the operation of section 14 of the Act.

#### **45. Exemptions for low-exposure radiation sources**

(1) Each of the following dealings with a luminous item, or a lighting product, which contains radioactive material that is unlikely to cause a person to receive a dose of radiation higher than 100 microsieverts in any one year, is exempt from the operation of section 13(1) of the Act:

(a) use of the radiation source;

(b) sale of the radiation source;

(c) acquisition of the radiation source;

(d) possession of the radiation source;

(e) storage of the radiation source;

(f) transport of the radiation source;

(g) disposal of the radiation source.

(2) A luminous item, or a lighting product, which contains radioactive material that is unlikely to cause a person to receive a dose of radiation higher than 100 microsieverts in any one year, is exempt from the operation of section 14 of the Act and regulation 30 .

#### **46. Exemptions for gaseous tritium light devices**

(1) Each of the following dealings with a gaseous tritium light device that contains less than 74 gigabecquerels of tritium and is used for safety purposes is exempt from the operation of section 13(1) of the Act:

(a) sale of the device;

(b) acquisition of the device;

(c) possession of the device;

(d) storage of the device;

(e) transport of the device.

(2) It is a condition of the exemption specified in subregulation (1)(a) that any person who sells one or more of the devices in any one financial year provide to the Director of Public Health, as soon as practicable after the end of that financial year and not later than 1 October, an annual sales report specifying the name and address of each person who purchased such a device from the vendor during that year.

(3) A gaseous tritium light device that contains less than 74 gigabecquerels of tritium and is used for safety purposes is exempt from the operation of section 14 of the Act.

#### **47. Exemptions for radiation sources used in educational institutions**

(1) In this regulation –

***educational institution*** means –

(a) a school within the meaning of the Education Act 1994 that provides secondary education; or

(b) the Tasmanian Academy established by the Education and Training (Tasmanian Academy) Act 2008 ; or

(c) TasTAFE created by the Training and Workforce Development Act 2013 ;

***Safety Guide*** means the document entitled "Safety Guide for the Use of Radiation in Schools – Part 1: Ionizing Radiation (2009)" published by the CEO of ARPANSA, as amended or substituted from time to time.

(2) The use, acquisition, possession and storage of a radiation source in an educational institution are exempt from the operation of section 13(1) of the Act.

(3) The following are conditions of the exemption specified in subregulation (2) :

(a) the use, acquisition, possession and storage must be done in accordance with the Safety Guide;

(b) the person dealing with the radiation source must provide to the Director of Public Health an inventory of the radiation source –

(i) as soon as practicable after first dealing with the radiation source; and

(ii) subsequently every 4 years.

(4) A radiation source used or stored in an educational institution is exempt from the operation of section 14 of the Act.

(5) It is a condition of the exemption specified in subregulation (4) that the use or storage be done in accordance with the Safety Guide.

#### **48. Exemptions for radioactive mineral samples**

(1) In this regulation –

***radioactive mineral sample*** means a sample of radioactive minerals that –

(a) does not cause an ambient dose equivalent rate or a directional dose equivalent rate of more than 5 microsieverts in any one hour at 10 centimetres from the surface of the sample; and

(b) is used as a sample in teaching or as a geological specimen.

(2) The use, acquisition, possession, storage and disposal of a radioactive mineral sample are dealings that are exempt from the operation of section 13(1) of the Act.

(3) A radioactive mineral sample is exempt from the operation of section 14 of the Act and regulation 30 .

#### **49. Exemptions for unsealed radioactive material**

Unsealed radioactive material is exempt from the operation of sections 20(1)(b)(i) and 21(2)(d) of the Act.

#### **50. Exemptions for gas chromatographs containing Ni-63 or tritium sources**

- (1) A person is exempt from the operation of section 13(1) of the Act in relation to the use of a gas chromatograph that contains up to 750 megabecquerels of Ni-63 or up to 20 gigabecquerels of tritium.
- (2) It is a condition of the exemption specified in subregulation (1) that the person has received the training specified in the approved radiation management plan in respect of the use of a gas chromatograph that contains up to 750 megabecquerels of Ni-63 or up to 20 gigabecquerels of tritium.
- (3) A gas chromatograph that contains up to 750 megabecquerels of Ni-63 or up to 20 gigabecquerels of tritium is exempt from the operation of section 14 of the Act.

#### **51. Exemptions for cabinet X-ray equipment**

- (1) A person, other than an approved radiation safety officer, is exempt from the operation of section 13(1) of the Act in relation to the use of cabinet X-ray equipment that –
  - (a) contains an X-ray tube; and
  - (b) operates at a voltage of less than 200 kilovolt peak; and
  - (c) is used for the purpose of examining letters, baggage, goods or other articles.
- (2) It is a condition of the exemption specified in subregulation (1) that the person has received the training specified in the approved radiation management plan in respect of the use of the cabinet X-ray equipment.
- (3) Cabinet X-ray equipment is exempt from the operation of section 14 of the Act if it –
  - (a) contains an X-ray tube; and
  - (b) operates at a voltage of less than 200 kilovolt peak; and
  - (c) is used for the purpose of examining letters, baggage, goods or other articles.

#### **52. Exemptions for portable, battery-powered X-ray units**

- (1) A person, other than an approved radiation safety officer, is exempt from the operation of section 13(1) of the Act in relation to the use of a portable, battery-powered X-ray unit for security purposes.
- (2) It is a condition of the exemption specified in subregulation (1) that the person has received the training specified in the approved radiation management plan in respect of the use of the portable, battery-powered X-ray unit.
- (3) A portable, battery-powered X-ray unit that is used for security purposes is exempt from the operation of section 14 of the Act.

#### **53. Exemptions for chemical analysis units**

- (1) A person, other than an approved radiation safety officer, is exempt from the operation of section 13(1) of the Act in relation to the use of a chemical analysis unit that contains a sealed source.
- (2) It is a condition of the exemption specified in subregulation (1) that the person has received the training specified in the approved radiation management plan in respect of the use of the chemical analysis unit.
- (3) A chemical analysis unit that contains a sealed source is exempt from the operation of section 14 of the Act.

#### **54. Exemptions for students and trainees**

- (1) A person is exempt from the operation of section 13(1) of the Act in a dealing with a radiation source if –
  - (a) the person is undergoing a course of study or training that is specified in an approved radiation management plan in accordance with regulation 9(2)(h) ; and
  - (b) the dealing is supervised by another person who is specified in the approved radiation management plan in accordance with regulation 9(2)(i) .
- (2) A person who is supervising another person who is undergoing a course of study or training referred to in subregulation (1)(a) must –

- (a) give any direction necessary to ensure that the dealing with the radiation source is correctly conducted; and
- (b) personally ensure that the dealing with the radiation source is correctly conducted; and
- (c) ensure that records relating to the dealing with the radiation source conducted by the person who is undergoing the course of study or training are kept and include –
  - (i) the name of the person who is undergoing the course of study or training; and
  - (ii) the name of the person who is supervising the person who is undergoing the course of study or training.

Penalty: Fine not exceeding 100 penalty units.

## **55. Exemption for treated persons**

A treated person is exempt from the operation of section 13(1) of the Act, and Part 7 of these regulations, in respect of the radiation source used in the irradiation of that person.

## **56. Exemptions in respect of lost or stolen radiation source**

A radiation source referred to in the following regulations is exempt from section 12 of the Act, where the radiation source is, or appears to have been, lost or stolen:

- (a) regulation 37 ;
- (b) regulation 38 ;
- (c) regulation 42 ;
- (d) regulation 43 ;
- (e) regulation 44 ;
- (f) regulation 45 ;
- (g) regulation 48 .

## **57. Exemption for approved disposal sites**

If, for the purposes of disposing of radioactive material to which the Disposal Code applies, the operator of, or other person employed at, an approved disposal site takes custody of that material, the operator or other person is exempt from the operation of section 13(1) of the Act in respect of the acquisition, possession and disposal of that material in accordance with the Disposal Code.

## **58. Exemptions for aircraft and vessels**

- (1) In this regulation –

***local vessel*** means a vessel –

- (a) that is required to be registered or licensed under the Marine and Safety Authority Act 1997 ;
- or
- (b) with a home port in Tasmania and for which a certificate of survey or certificate of operation is required under the National Law; or
- (c) that is required to be registered (with a home port in Tasmania) under the *Shipping Registration Act 1981* of the Commonwealth;

***National Law*** has the same meaning as in the Marine and Safety Authority Act 1997 ;

***visiting vessel*** means a vessel that is not a local vessel.

- (2) A radiation apparatus on an aircraft or visiting vessel is exempt from the operation of section 13(1) of the Act in respect of the following dealings:

- (a) possession of the radiation apparatus;
  - (b) storage of the radiation apparatus.
- (3) A radiation apparatus on an aircraft or visiting vessel is exempt from the operation of section 14 of the Act.
- (4) It is a condition of the exemptions specified in subregulations (2) and (3) that the radiation apparatus not be used.
- (5) Radioactive material on an aircraft or visiting vessel is exempt from the operation of section 13(1) of the Act in respect of the following dealings:
- (a) possession of the radioactive material;
  - (b) storage of the radioactive material;
  - (c) transport of the radioactive material.
- (6) Radioactive material on an aircraft or visiting vessel is exempt from the operation of section 14 of the Act.
- (7) It is a condition of the exemption specified in subregulations (5) and (6) that the radioactive material not be used.

## **59. Exemptions for depleted uranium**

- (1) In this regulation –

***depleted uranium*** means uranium that –

- (a) contains less than 0.72% of the radionuclide uranium-235; and
  - (b) is being used as –
    - (i) radiation shielding for a container that is designed to contain radioactive substances;  
or
    - (ii) ballast in an aircraft or vessel; and
  - (c) is totally encased in a metallic sheath; and
  - (d) is in solid massive form.
- (2) Each of the following dealings with depleted uranium is exempt from the operation of section 13(1) of the Act:
- (a) possession of the depleted uranium;
  - (b) storage of the depleted uranium;
  - (c) transport of the depleted uranium.
- (3) Depleted uranium is exempt from the operation of section 14 of the Act.

## PART 11 - Registers

### 60. Register of authorities

- (1) The register is to include the following information about a licence:
  - (a) the name of the holder of the licence;
  - (b) the licence number;
  - (c) the licence type;
  - (d) each radiation source to which the licence relates;
  - (e) the location of each radiation source to which the licence relates;
  - (f) the name of each person specified in the licence as likely to be dealing with a radiation source;
  - (g) the expiry date of the licence;
  - (h) any conditions of the licence.
- (2) The register is to include the following information about a certificate of registration:
  - (a) the address of the radiation place;
  - (b) the name of the occupier of the radiation place;
  - (c) the radiation source to which the certificate of registration relates;
  - (d) the name of the person who issued the certificate of compliance for the radiation place.
- (3) The register is to include the following information about certificates of accreditation:
  - (a) the name and contact details of the holder of the certificate;
  - (b) the certificate number;
  - (c) the expiry date of the certificate;
  - (d) any conditions of the certificate;
  - (e) the type of radiation source or premises for which the holder of the certificate may issue a certificate of compliance.

### 61. Inspection and publication of register

For the purposes of section 82(5) of the Act, each of the following is a prescribed person:

- (a) the CEO of ARPANSA;
- (b) a person engaged as an employee under the *Public Service Act 1999* of the Commonwealth for the purposes of ARPANSA;
- (c) any person who is responsible under the laws of another jurisdiction for the licensing or other authorisation of a radiation source, a dealing with a radiation source, a place where a radiation source is used or stored, the testing of a radiation source or the issue of a certificate that has substantially the same effect as a certificate of compliance.

## **PART 12 - Infringement Notices**

### **62. Infringement notices**

For the purposes of section 70A of the Act –

- (a) an infringement offence is an offence against a provision of the Act, or of these regulations, specified in column 2 of the tables in Parts 1 and 2 of Schedule 3 ; and
- (b) the penalty specified in column 3 of those tables in relation to an infringement offence is the penalty payable for that offence.

### **63. Confidentiality**

For the purposes of section 59(3)(g) of the Act –

- (a) each of the following is a prescribed person:
  - (i) the CEO of ARPANSA;
  - (ii) a person engaged as an employee under the *Public Service Act 1999* of the Commonwealth for the purposes of ARPANSA; and
- (b) reporting information, to ARPANSA, for inclusion in the Australian Radiation Incident Register is a prescribed purpose.

## SCHEDULE 1 - Fees

*[Schedule 1 Substituted by S.R. 2016, No. 116, Applied: 28 Dec 2016]*

Regulation 31

| Column 1 – Item | Column 2                                                                                                                          | Column 3 – Fee units                                                                           |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1.              | Application –                                                                                                                     |                                                                                                |
|                 | (a) licence                                                                                                                       | 128                                                                                            |
|                 | (b) certificate of registration                                                                                                   | 0                                                                                              |
|                 | (c) certificate of accreditation                                                                                                  | 0                                                                                              |
|                 | (d) renewal of authority                                                                                                          | 0                                                                                              |
| 2.              | Licence to possess and use radiation apparatus or sealed source –                                                                 |                                                                                                |
|                 | (a) Annual fee payable for licence to possess and use radiation apparatus, other than a linear accelerator, or sealed source –    |                                                                                                |
|                 | (i) 1 radiation apparatus or sealed source                                                                                        | 206                                                                                            |
|                 | (ii) 2 radiation apparatus or sealed sources                                                                                      | 287                                                                                            |
|                 | (iii) 3 radiation apparatus or sealed sources                                                                                     | 492                                                                                            |
|                 | (iv) 4 radiation apparatus or sealed sources                                                                                      | 564                                                                                            |
|                 | (v) 5 radiation apparatus or sealed sources                                                                                       | 770                                                                                            |
|                 | (vi) more than 5 radiation apparatus or sealed sources                                                                            | 141 multiplied by the number of authorised radiation apparatus or sealed sources               |
|                 | (b) Additional fee payable for storage of radiation apparatus or sealed source                                                    | 32 for each authorised radiation apparatus or sealed source authorised for storage but not use |
| 3.              | Annual fee payable for licence to possess and store but not use radiation apparatus or radioactive material                       | 128 plus 32 for each radiation apparatus or sealed source                                      |
| 4.              | Annual fee payable for licence to possess but not store or use radiation apparatus or radioactive material                        | 128 plus 32 for each radiation apparatus or sealed source                                      |
| 5.              | Annual fee payable for licence to possess and use radiation apparatus that is a linear accelerator                                | 680 for each linear accelerator                                                                |
| 6.              | Annual fee payable for licence to use radiation apparatus or sealed source                                                        | 128                                                                                            |
| 7.              | Annual fee payable for licence to sell, repair, service or install radiation apparatus or sealed source –                         |                                                                                                |
|                 | (a) if 1 to 5 persons are specified in application for licence as likely to be dealing with radiation apparatus or sealed source  | 206                                                                                            |
|                 | (b) if 6 to 10 persons are specified in application for licence as likely to be dealing with radiation apparatus or sealed source | 287                                                                                            |
|                 | (c) if more than 10 persons are specified in                                                                                      | 411                                                                                            |

|     |                                                                                                                                                                                                                 |                                                                                                                      |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| 8.  | application for licence as likely to be dealing with radiation apparatus or sealed source<br>Annual fee payable for licence to possess, store and use radioactive material for the practice of nuclear medicine | 1 282                                                                                                                |
| 9.  | Annual fee payable for licence to possess, store and use radioactive material that is not sealed for the purpose of research, teaching or pathology                                                             | 137 for each place where radioactive material is stored or used for which a certificate of registration is in effect |
| 10. | Annual fee payable for licence to sell radiation source                                                                                                                                                         | 128                                                                                                                  |
| 11. | Annual fee payable for licence to transport radioactive material as a commercial operation                                                                                                                      | 206                                                                                                                  |
| 12. | Annual fee payable for licence to dispose of radioactive material as a commercial operation                                                                                                                     | 206                                                                                                                  |
| 13. | Application to amend authority                                                                                                                                                                                  | 51                                                                                                                   |
| 14. | Application to amend or substitute an approved radiation management plan                                                                                                                                        | 51                                                                                                                   |
| 15. | Fee for certificate of registration for a radiation place                                                                                                                                                       | 206                                                                                                                  |
| 16. | Fee for certificate of accreditation authorising holder to test radiation source for the purpose of issuing certificate of compliance for radiation source –<br>(a) 1 year<br>(b) 2 years<br>(c) 3 years        | 102<br>180<br>250                                                                                                    |
| 17. | Fee for certificate of accreditation authorising holder to issue certificate of compliance for radiation place<br>(a) 1 year<br>(b) 2 years<br>(c) 3 years                                                      | 102<br>180<br>250                                                                                                    |
| 18. | Fee for replacement of authority                                                                                                                                                                                | 60                                                                                                                   |

## **SCHEDULE 2 - Banned radiation sources**

Regulation 35

| <b>Item</b> | <b>Banned radiation source</b>                                                                                                                                                              |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.          | X-ray equipment, for dento-maxillofacial radiography, that is designed for use with an intra-oral X-ray image receptor that operates at an X-ray tube voltage of less than 60 kilovolt peak |
| 2.          | Direct fluoroscopy X-ray equipment                                                                                                                                                          |
| 3.          | Shoe-fitting X-ray units                                                                                                                                                                    |

## SCHEDULE 3 - Infringement Notices

Regulation 62

### PART 1 - Offences under the Act

| Column 1 –<br>Item | Column 2 – Infringement offence | Column 3 – Penalty<br>(Penalty units) |
|--------------------|---------------------------------|---------------------------------------|
| 1.                 | Section 13(1)                   | 2                                     |
| 2.                 | Section 14                      | 2                                     |
| 3.                 | Section 15                      | 2                                     |
| 4.                 | Section 16(1)                   | 2                                     |
| 5.                 | Section 16(2)                   | 2                                     |
| 6.                 | Section 18                      | 1                                     |
| 7.                 | Section 23(4)                   | 1                                     |
| 8.                 | Section 30(1)                   | 1                                     |
| 9.                 | Section 36                      | 1                                     |
| 10.                | Section 38                      | 2                                     |
| 11.                | Section 40(3)                   | 1                                     |
| 12.                | Section 43                      | 2                                     |
| 13.                | Section 45                      | 1                                     |

## PART 2 - Offences under the Regulations

| Column 1 –<br>Item | Column 2 – Infringement offence | Column 3 – Penalty<br>(Penalty units) |
|--------------------|---------------------------------|---------------------------------------|
| 1.                 | Regulation 12(3)                | 2                                     |
| 2.                 | Regulation 12(4)                | 1                                     |
| 3.                 | Regulation 13                   | 2                                     |
| 4.                 | Regulation 15                   | 2                                     |
| 5.                 | Regulation 16                   | 2                                     |
| 6.                 | Regulation 17(1)                | 1                                     |
| 7.                 | Regulation 18                   | 2                                     |
| 8.                 | Regulation 19(a)                | 1                                     |
| 9.                 | Regulation 19(b)                | 1                                     |
| 10.                | Regulation 19(c)                | 1                                     |
| 11.                | Regulation 20(2)                | 2                                     |
| 12.                | Regulation 20 (3)               | 1                                     |
| 13.                | Regulation 20 (4)               | 2                                     |
| 14.                | Regulation 20 (5)               | 1                                     |
| 15.                | Regulation 21                   | 1                                     |
| 16.                | Regulation 24(2)                | 1                                     |
| 17.                | Regulation 25 (2)(a)            | 1                                     |
| 18.                | Regulation 25 (2)(b)            | 1                                     |
| 19.                | Regulation 25 (3)               | 1                                     |
| 20.                | Regulation 26                   | 1                                     |
| 21.                | Regulation 28                   | 1                                     |
| 22.                | Regulation 29                   | 1                                     |
| 23.                | Regulation 30(2)                | 1                                     |
| 24.                | Regulation 54 (2)(a)            | 1                                     |
| 25.                | Regulation 54 (2)(b)            | 1                                     |
| 26.                | Regulation 54 (2)(c)            | 1                                     |

Displayed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 24 May 2016

These regulations are administered in the Department of Health and Human Services.