

EXPLANATORY STATEMENT

Australian Radiation Protection and Nuclear Safety Act 1998

Australian Radiation Protection and Nuclear Safety Regulations 2018

The object of the *Australian Radiation Protection and Nuclear Safety Act 1998* (the Act) is to protect the health and safety of people, and to protect the environment, from the harmful effects of radiation. Under the Act, the CEO of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is responsible for regulating the possession, use, control of, and disposal of radioactive sources and activities related to nuclear installation and radiation facilities by Commonwealth entities and their contractors.

Subsection 85(1) of *Australian Radiation Protection and Nuclear Safety Act 1998* (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed; or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The purpose of the *Australian Radiation Protection and Nuclear Safety Regulations 2018* (the proposed Regulations) would be to remake and improve the *Australian Radiation Protection and Nuclear Safety Regulations 1999* (the ARPANS Regulations) which are due to sunset on 1 April 2019. No change to the substantive meaning or operation of the provisions of the ARPANS Regulations are being proposed, however, various changes would be made to:

- (1) remake the instrument in accordance with current Office of Parliamentary Counsel drafting principles;
- (2) make language and formatting changes to reflect contextual changes and align with current drafting practices, such as referring to ‘sections’ rather than ‘regulations’
- (3) repeal redundant provisions, such as those that relate to dates which have passed and now have no effect;
- (4) renumber the Regulations; and
- (5) improve clarity and readability.

The regulations are a legislative instrument for the purposes of the *Legislation Act 2003*.

The regulations commenced on the day after being registered on the Federal Register of Legislation.

Details of the regulations are set out in [Attachment A](#) below. A Finding Table comparing the numbering of the old Regulations with the new Regulations is at [Attachment B](#). A Statement of Compatibility with Human Rights is at [Attachment C](#).

The regulations were brought forward concurrently with the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulation 2018* and the *Australian Radiation Protection and Nuclear Safety (Repeal and Consequential Amendments) Regulations 2018*.

The Act does not specify any condition that needs to be met before the power to make the Regulation may be exercised.

Consultation:

No consultation was undertaken among licence holders (all of whom are Commonwealth entities) as the proposed amendments are considered machinery in nature and no substantive amendment is proposed.

Prior to the making of the Regulations and in accordance with the Office of Best Practice Regulation's Guidance Note on sunseting instruments, ARPANSA self-assessed that the Licence Charges Regulations were operating effectively and efficiently. The Office of Best Practice Regulation (OBPR) exempted ARPANSA from the need to prepare a regulatory impact statement for the amendments (OBPR ID: 22587).

Authority: Subsection 85(1) of the *Australian Radiation Protection and Nuclear Safety Act 1998*

Details of the proposed *Australian Radiation Protection and Nuclear Safety Regulations 2018*

This Attachment sets out further details of the Australian Radiation Protection and Nuclear Safety Regulations 2018 (the ‘Regulations’). A finding table to assist in identifying which provision in the Regulations corresponds to a provision in the remade regulations that has been rewritten is at Attachment B.

Changes of a minor or machinery nature, such as the increased use of headings and references to ‘section’ rather than ‘regulation’ in accordance with modern drafting practices, are generally not specifically identified in this Attachment. Where the proposed Regulations makes changes that require further explanation, these are identified and explained in this Attachment.

Part 1 - Preliminary

Section 1 – Name

This section would provide that the name of the Regulations is the *Australian Radiation Protection and Nuclear Safety Regulations 2018*.

Section 2 – Commencement

This section would provide for the regulations to commence on the day after being registered on the Federal Register of Legislation.

Section 3 – Authority

This section would provide that the *Australian Radiation Protection and Nuclear Safety Regulations 2018* is made under the *Australian Radiation Protection and Nuclear Safety Act 1998*.

Section 4 – Definitions

This section contains defined terms used in the Regulations. A number of Australian Standards are referenced in the definitions and each can be made available for viewing without charge at the offices of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). Alternatively, public libraries holding copies of the Standard can be identified by contacting ARPANSA.

The Standards may also be purchased from SAI Global (www.saiglobal.com).

The definitions also refer to a number of Codes which can be viewed on, or accessed from, ARPANSA’s website (<https://www.arpansa.gov.au>).

Section 5 – Parent nuclides and progeny included in secular equilibrium

This section would make clear that when necessary to determine the activity of a parent nuclide for the purposes of the Regulations, the activity of any progeny nuclide which is in secular equilibrium with the parent nuclide should be included.

Part 2 – CEO’s Functions

Section 6 – Simplified outline of this Part

This section would contain a simplified outline of Part 2.

Section 7 – CEO’s functions

This section would provide that granting permissions to export high activity radioactive sources or import radioactive substances under the Customs (Prohibited Exports) Regulations and Customs (Prohibited Imports) Regulations 1958 respectively are functions of the CEO for the purposes of paragraph 15(1)(i) of the Act.

Granting approvals under the Transport Code and making guidelines about certain reporting activities of licence holders and inspection processes are also specified as functions of the CEO.

Part 3 – Controlled Apparatus, controlled facilities and controlled persons

Division 1 – Simplified outline of this Part

Section 8 - Simplified outline of this Part

This section would contain a simplified outline of Part 3.

Division 2 – Controlled apparatus

Section 9 – Kinds of apparatus that are controlled apparatus

This section would prescribe a number of specified apparatus to be controlled apparatus, but allows the CEO, under certain prescribed circumstances, to declare in writing that a specified apparatus is not a controlled apparatus. Such a declaration must be published on ARPANSA’s website as soon as practicable after making it.

Division 3 - Controlled facilities

Subdivision A - Activity levels for certain facilities to be nuclear installations

Section 10 - Activity level for radioactive waste storage facilities to be nuclear installations

This section would provide for the circumstances in which a radioactive waste storage facility will be classified as a nuclear installation.

Section 11 - Activity level for radioactive waste disposal facilities to be nuclear installations

This section would provide for the circumstances in which a radioactive waste disposal facility will be classified as a nuclear installation.

Section 12 - Activity level for facilities for production of radioisotopes to be nuclear installations

This section would provide for the circumstances in which a facility for the production of radioisotopes will be classified as a nuclear installation.

Subdivision B - Prescribed radiation facilities

Section 13 - Prescribed radiation facility

This section would prescribe a number of specified facilities and installation to be prescribed radiation facilities, but allows the CEO, under certain prescribed circumstances, to declare in writing that a specified facility or installation is not a prescribed radiation facility. Such a declaration must be published on ARPANSA's website as soon as practicable after making it.

Subdivision C - Prescribed legacy sites

Section 14 - Prescribed legacy site

This section would provide that the place known as the Little Forest Legacy Site is prescribed as a prescribed legacy site. A site drawing showing the location of the site is available from ARPANSA's website

(https://www.arpansa.gov.au/sites/g/files/net3086/f/legacy/pubs/comment/lfls/LFBG-PC-LA-FD_LFLS_FacilityDecription.pdf)

Division 4 - Controlled persons

Section 15 - Prescribed Commonwealth place

This section would provide that Building 64 at the Lucas Heights Science and Research Centre is prescribed as a prescribed Commonwealth place.

Part 4 – The Radiation health and Safety Advisory Council and advisory committees

Division 1 – Introduction

Section 16 - Simplified outline of this Part

This section would provide for a simplified outline of Part 4.

Section 17 – Authority for this Part

This section would provide that Part 4 has effect for the purposes of section 29 of the Act.

Division 2 - Radiation Health and Safety Advisory Council

Subdivision A - Provisions about membership of the Council

Section 18 - Term of appointment

This section would provide for the terms of appointment for members and the Chair of the Council.

Section 19 – Resignation

This section would provide for the method by which a member of the Council may resign.

Section 20 - Disclosure of interests to the Minister

This section would provide that a member of the Council must declare all actual or potential conflicts of interest to the Minister.

Section 21 - Disclosure of interests to the Council

This section would provide that a member of the Council who has an actual or potential conflict of interest in a matter to be considered by the Council must declare that conflict to the Council.

Section 22 - Termination of appointment

This section would provide for the circumstances in which the Minister may terminate the appointment of a member of the Council.

Section 23 - Leave of absence

This section would provide for the Minister to grant a leave of absence to the Chair of the Council and for the Chair to grant a leave of absence to any other member of the Council.

Subdivision B - Provisions about Council procedure

Section 24 - Council procedures generally

This section would provide for how the Council must act in performing its functions and how it may obtain information. The Minister or the CEO can give directions to the Council about the performance of its function and the Council must comply with such directions.

Section 25 – Meetings

This section would provide for the Minister or the CEO to direct by written notice the Council to hold meetings at times and places specified in the notice and to deal with matters specified in the notice. If no notice has been given, the Council may hold meetings and deal with matters as the Council considers necessary. Subject to Division 2, the Council may determine the procedure of a meeting of the Council.

Section 26 - Presiding at meetings

This section would provide that the Chair of the Council must preside at all Council meetings at which the Chair is present. If the Chair is absent from a meeting, the other members of the Council present at the meeting must appoint one of themselves to preside at the meeting.

Section 27 – Quorum

This section would provide that a quorum at a meeting of the Council is constituted by a majority of the members of the Council.

Section 28 - Voting at meetings

This section would provide that a question arising at a meeting of the Council is to be determined by a majority of the votes of the members of the Council present at the meeting. The person presiding at the meeting has a deliberative vote and, if votes are equal, a casting vote.

Section 29 - Records and reports

This section would provide that the Council must keep minutes of its meetings and by 31 July of each year provide to the CEO a report on the Council's activities for the previous financial year.

Division 3—Radiation Health Committee and Nuclear Safety Committee

Subdivision A—Provisions about membership of the Committees

Section 30 - Term of appointment

This section would provide for the terms of appointment for members and the Chair of an advisory committee.

Section 31 – Resignation

This section would provide for the method by which a member of an advisory committees may resign.

Section 32 - Disclosure of interests to the CEO

This section would provide that a member of an advisory committee must declare all actual or potential conflicts of interest to the CEO.

Section 33 - Disclosure of interests to the Committee

This section would provide that a member of an advisory committee who has an actual or potential conflict of interest in a matter to be considered by the Committee must declare that conflict to the Committee.

Section 34 - Termination of appointment

This section would provide for the circumstances in which the CEO may terminate the appointment of a member of an advisory committee.

Section 35 - Leave of absence

This section would provide for the CEO to grant a leave of absence to the Chair of an advisory committee and for the Chair to grant a leave of absence to any other member of the Committee.

Subdivision B - Provisions about Committee procedure

Section 36 - Committee procedures generally

This section would provide for how an advisory committee must act in performing its functions and how it may obtain information. The CEO can give directions to an advisory committee about the performance of its function and the Committee must comply with such a direction.

Section 37 – Meetings

This section would provide for the CEO to direct by written notice an advisory committee to hold meetings at times and places specified in the notice and to deal with matters specified in the notice. If no notice has been given, the Committee may hold meetings and deal with matters as the Committee considers necessary. Subject to the Regulation, an advisory committee may determine the procedure of a meeting of the Committee.

Section 38 - Presiding at meetings

This section would provide that the Chair of an advisory committee must preside at all Committee meetings at which the Chair is present. If the Chair is absent from a meeting, the other members of the Committee present at the meeting must appoint one of themselves to preside at the meeting.

Section 39 – Quorum

This section would provide that a quorum at a meeting of an advisory committee is constituted by a majority of the members of the Committee.

Section 40 - Voting at meetings

This section would provide that a question arising at a meeting of an advisory committee is to be determined by a majority of the votes of the members of the Committee present at the meeting. The person presiding at the meeting has a deliberative vote and, if votes are equal, a casting vote.

Section 41 - Records and reports

This section would provide that an advisory committee must keep minutes of its meetings. If a Committee prepares a report on any matter it must give a copy of the report to the CEO and must prepare a report that is requested by the CEO.

Part 5 - Licences

Division 1 - Simplified outline of this Part

Section 42 - Simplified outline of this Part

This section would provide for a simplified outline of Part 5.

Division 2 - Exemptions

Section 43 - Exemption of controlled person from requirement for facility licence for conduct relating to controlled facility

This section would provide for the CEO to declare in writing that particular current or future conduct of a kind mentioned in paragraph 30(1)(a), (b), (c), (d), (e) or (ea) of the Act by a particular controlled person in relation to a particular controlled facility, does not, or will not, pose an unacceptable potential hazard to the health and safety of people or to the environment. Where such a declaration is in force, the controlled person is exempt from the requirement to hold a licence for the declared conduct.

If the CEO proposes to make such a declaration, the CEO must, as soon as practicable, publish a notice in a daily newspaper circulating nationally, and on ARPANSA's website, stating that the CEO proposes to make the declaration. The minimum content of such a notice is prescribed, including the condition that, if the proposed declaration relates to a nuclear installation, the CEO must make provision for public consultation in relation to the proposed declaration.

If the CEO makes a declaration, the CEO must publish on ARPANSA's website a copy of the declaration as soon as practicable after making it.

Section 44 - Exempt dealings with controlled material or controlled apparatus

This section would include a table describing a number of kinds of dealings with controlled material or controlled apparatus that are considered exempt from the requirement to hold a licence authorising the dealing. However, the CEO, in certain prescribed circumstances, may declare that a dealing described in the table is not exempt from the requirement to hold a licence.

This section would also provide for the CEO to make a declaration, in certain prescribed circumstances, that a dealing not described in the table is, nevertheless, an exempt dealing.

Where the CEO makes a declaration under this section, the CEO must publish as soon as practicable a copy of the declaration on ARPANSA's website.

Division 3 - Applications for licences

Section 45 - How application for facility licence or source licence for Commonwealth entity is to be made

This section would provide for the method by which a Commonwealth entity must make a licence application.

Section 46 - Application for facility licence

This section would provide for the mandatory information that must be included in all applications for a facility licence. This section would also provide for the CEO to ask for extra information that is relevant to deciding whether to issue a licence.

Section 47 - Application for source licence

This section would provide for the mandatory information that must be included in all applications for a source licence. This section would also provide for the CEO to ask for extra information that is relevant to deciding whether to issue a licence.

Section 48 - Public notice and consultation before facility licence issued

This section would provide that as soon as practicable after receiving an application for a facility licence, the CEO must publish a notice in a daily newspaper circulating nationally, and on ARPANSA's website, stating that the CEO intends to make a decision on the application.

If the licence application relates to a nuclear installation, the CEO must make provision for public consultation in relation to application.

Division 4 - Application fees for licences

Section 49 - Application fees for facility licences relating to nuclear installations

This section would provide for a table that lists the fees that must accompany an application for a facility licence for particular activities in relation to nuclear installations.

Section 50 - Application fees for facility licences relating to prescribed radiation facilities

This section would provide for a table that lists the fees that must accompany an application for a facility licence for particular kinds of prescribed radiation facilities.

Section 51 - Application fees for facility licences relating to prescribed legacy sites

This section would provide for a table that lists the application fees that must accompany an application for a facility licence for particular activities in relation to prescribed legacy sites.

Section 52 - Application fees for source licences

This section would provide for a table that lists the application fees that must accompany an application for a source licence to deal with particular kinds of controlled apparatus or controlled material. For purposes of source licence application fees, controlled material and controlled apparatus have been divided into three groups, namely Group 1, Group 2 and Group 3, in ascending order of risk to people and the environment.

Division 5 - Deciding whether to issue licence

Section 53 - Issue of facility licence - matters to be taken into account by CEO

This section would provide for a non-exhaustive list of the matters that the CEO must take into account when deciding whether to issue a facility licence.

Section 54 - Issue of source licence - matters to be taken into account by CEO

This section would provide for a non-exhaustive list of the matters that the CEO must take into account when deciding whether to issue a source licence.

Division 6 - Licence conditions

Section 55 - Authority for this Division

This section would provide that Division 6 has effect for the purposes of paragraph 35(1)(b) of the Act.

Section 56 - Taking steps to prevent breaches of other conditions

This section would provide that a licence holder must take all reasonably practicable steps to prevent breaches of licence conditions.

Section 57 - Investigating and rectifying breaches of conditions

This section would provide that a licence holder must investigate suspected breaches of licence conditions and, if a breach is identified, rectify the breach and any consequences of the breach and tell the CEO about the breach as soon as reasonably practicable.

Section 58 - Preventing, controlling and minimising accidents

This section would provide that a licence holder must take all reasonably practicable steps to prevent accidents involving controlled materials, controlled apparatus or controlled facilities described in the licence. However, if such an accident happens, the licence holder must take all reasonably practicable steps to control the accident, minimise its consequences, tell the CEO about the accident within 24 hours of it happening and give the CEO a written report within 14 days.

Section 59 - Complying with Codes

This section would provide that a holder of facility or source licence must comply with specified Codes. However, the holder of a licence authorising dealings with controlled apparatus does not have to comply with the specified Codes in relation to the types of controlled apparatus identified in section 9.

Section 60 - Managing safety

This section would provide that holders of facility and source licences must take all reasonably practicable steps to manage the safety of the facilities and the sources specified in the licence.

Section 61 - Reviewing and updating plans and arrangements for managing safety

This section would provide that at least every three years a licence holder must review and update the plans and arrangements that were submitted as part of the licence application and keep records of any changes made.

However, a licence may make provision for such plans and arrangements to be reviewed more or less frequently.

Section 62 - Keeping accurate inventory of controlled apparatus and materials

This section would provide that the holder of a licence must keep an accurate inventory of the controlled apparatus and controlled materials that the holder deals with.

Section 63 Obtaining - CEO's approval for certain changes

This section would provide that a licence holder must obtain the approval of the CEO before changing anything described in the licence application or modifying the controlled material, apparatus or facility described in the licence if that change or modification would have significant implications for safety.

Section 64 - Telling CEO about other changes

This section would provide that a licence holder must tell the CEO within 3 months of changing anything described in the licence application or modifying the controlled material, apparatus or facility described in the licence if that change or modification would be unlikely to have significant implications for safety.

However, a licence may make provision for the time to tell the CEO about such changes or modifications to be of shorter or longer duration.

Section 65 - Telling CEO about disposal and transfer of controlled apparatus, controlled materials and controlled facilities

This section would provide that a licence holder must have the approval of the CEO to dispose of or transfer to another person a controlled facility, controlled material or controlled apparatus; however, the licence holder may transfer controlled apparatus or controlled material to the holder of another licence issued by the CEO if that other licence holder's licence authorises them to deal with that controlled apparatus or controlled material.

Where a licence holder transfers controlled apparatus or controlled material to another licence holder, the transferring licence holder must tell the CEO certain specified things about the transfer within 7 days of the transfer.

However, a licence may impose different conditions for the transfer or disposal of controlled facilities, controlled apparatus or controlled material.

Section 66 - Obtaining approval for constructing safety item

This section would provide that the holder of a licence, or a person covered by a licence, must not construct an item that is important for safety, and that is identified in a safety analysis report, as part of the construction of a controlled facility, unless the CEO has given the holder, or the person, approval to construct the item.

Section 67 - Obtaining approval for loading nuclear fuel

This section would provide that the holder of a licence, or a person covered by a licence, must not load nuclear fuel into a controlled facility described in the licence, as part of the construction of the facility, unless the CEO has given the holder, or the person, approval to load the fuel.

Division 7 - Annual charge

Section 68 - Authority for this Division

This section would provide that Division 7 has effect for the purposes of paragraph 85(2)(e) of the Act.

Section 69 - Time for payment of annual charge

This section would provide for the due date for a licence holder to make payment of the annual charge for a facility or source licence.

Section 70 - Pro-rating of annual charge

This section would provide for a method by which the amount of annual charge can be calculated for a facility or source licence that is held for less than a full year.

Section 71 - Refund of annual charge

This section would provide that licence holder may obtain a refund of an annual charge if the charge has been paid, but the licence holder holds the licence for a shorter period than which has been paid for. A method for calculating the amount of the refund is prescribed.

Part 6 - Practices and procedures to be followed

Division 1 - Introduction

Section 72 - Simplified outline of this Part

This section would provide for a simplified outline of Part 6.

Section 73 - Application of this Part

This section would provide that Part 7 is to give effect to paragraph 85(2)(a) of the Act to require practices and procedures to be followed and measures to be taken by controlled persons

in relation to activities relating to controlled facilities and dealings with controlled apparatus and controlled material.

Section 74 - Limits on the operation of this Part

This section would provide that Part 6 applies to controlled person who is the holder of a licence or a person covered by a licence only to the extent that compliance with conditions of the licence is possible without discriminating unlawfully under the *Sex Discrimination Act 1984*. If the controlled person cannot comply with the conditions of the licence without discriminating unlawfully under a provision of the *Sex Discrimination Act 1984*—the person is exempted, under section 44 of that Act, from the operation of that provision.

Division 2 - Dose limits

Section 75 - Scope of this Division

This section would provide for Division 2 to set out practices and procedures to be followed and measures to be taken in relation to dose limits.

Section 76 - Practices to be followed by holders of licences

This section would provide that a licence holder must ensure that doses to which a person is exposed inside or in connection with a controlled facility or while controlled material or controlled apparatus is in the licence holder's control do not exceed the effective or equivalent dose limits.

This section would also provide that licence holders must ensure that the magnitude of individual doses, the number of people exposed and the likelihood of incurring exposures to radiation in relation to activities with controlled facilities or dealings with controlled material or controlled apparatus are as low as reasonably achievable after taking into account economic and societal factors and in accordance with established source-related dose constraints.

The holder of a licence that authorises dealing with prescribed apparatus that produce harmful non-ionizing radiation when energised must ensure that exposure of people to such radiation produced by the apparatus is kept to the lowest level that can be achieved, consistent with best practice.

Section 77 - Effective dose limits for ionizing radiation

This section would provide for effective dose limits for occupational and public exposure.

Section 78 - Effective doses

This section would provide for a method for determining the effective dose received by a person for a relevant period.

Section 79 - Annual equivalent dose limit for ionizing radiation

This section would provide for a method for determining the equivalent dose limit to the lens of the eye, the hands and feet, and to the skin in occupational and public exposure situations.

Section 80 - Dealings with controlled apparatus generating non-ionizing radiation to comply with non-ionizing radiation exposure limits

This section would provide that the holder of a source licence or a facility licence must ensure that all dealings with controlled apparatus generating non-ionizing radiation (that are authorised by the licence) comply with the appropriate non-ionizing radiation exposure limits.

Division 3 - Practices and procedures

Section 81 - Practices and procedures to be followed by controlled persons

This section would provide for specified Codes that describe practices and procedures which controlled persons must follow.

The Codes can be viewed on ARPANSA's website (<https://arpansa.gov.au>).

Part 7 - Miscellaneous

Section 82 - Simplified outline of this Part

This section would provide for a simplified outline of Part 7.

Section 83 - Inspector's identity card

This section would provide for a schedule in the Regulations to contain the prescribed form of an inspector's identity card.

Section 84 - State and Territory laws that do not apply to activities of controlled or permitted persons

This section would provide for a list of State and Territory laws which are prescribed to not apply to certain activities of controlled persons as specified in section 83 of the Act.

Section 85 - International agreements

This section would provide for a list of international agreements that are relevant international agreements for the purposes of section 85 of the Act.

Copies of these agreements can be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Section 86 - Review of decisions by CEO

This section would provide for a mechanism for certain decisions of the CEO in relation to making or not making declarations under the Regulations to be reconsidered by the Minister by a controlled person affected by the decision and for decisions of the Minister to be reviewed by the Administrative Appeals Tribunal.

Part 8 - Application, saving and transitional provisions

Division 1 - Provisions for this instrument as originally made

Section 87 - Things done under the Australian Radiation Protection and Nuclear Safety Regulations 1999

This section would provide for a thing that was validly done under the *Australian Radiation Protection and Nuclear Safety Regulations 1999* as in force immediately before those Regulations were repealed to have effect for the purposes of these Regulations as if the thing had been under these Regulations.

Schedule 1 - Activity concentration values and activity values for nuclides

Part 1 - Activity concentration values and activity values for nuclides

This section would provide for a table specifying activity concentration values and activity values for a list of 780 nuclides.

Part 2 - Parent and progeny nuclides

This section would provide for a table listing progeny nuclides for 51 parent nuclides.

Schedule 2 - Form of inspector's identity card

This section would provide for the form of an inspector's identity card and what must be included on the card.

FINDING TABLE

As a result of some of the changes described above, it became necessary to renumber provisions of the proposed Regulations. This Explanatory Statement includes a finding table to assist in identifying which provision in the Regulation corresponds to a provision in the remade regulations that has been rewritten or consolidated, and vice versa.

Finding table

<i>Australian Radiation Protection and Nuclear Safety Regulations 1999</i>	<i>Australian Radiation Protection and Nuclear Safety Regulations 2018</i>
^1	^1
^2	^2
^3	^3
^3AB	^4
^3A	^5
^3AA	^6
^3B	^7
^3C	^8
^4	^9
^7	^10
^8	^11
^11	^12
^6	^13
^6AA	^14
^6A	^15
^10	^16
^10A	^17
^13	^18
^14	^19
^15	^20
^15A	^21
^16	^22
^17	^23
^18	^24
^19	^25
^20	^26
^21	^27
^22	^28
^23	^29
^25	^30
^26	^31
^27	^32

^27A	^33
^28	^34
^29	^35
^30	^36
^31	^37
^32	^38
^33	^39
^34	^40
^35	^41
^36	^42
^37	^43
^38	^44
^39A	^45
^39B	^46
^39C	^47
^40	^48
^40B	^49
^40C	^50
^40CA	^51
^40D	^52
^41	^53
^42	^54
^43	^55
^44	^56
^45	^57
^46	^58
^48	^59
^49	^60
^50	^61
^50A	^62
^51	^63
^52	^64
^53	^65
^54	^66
^55	^67
^55AA	^68
^55A	^69
^55B	^70
^55C	^71
^56AA	^72
^56AB	^73
^56	^74
^57	^75
^58	^76

^59	^77
^60	^78
^62	^79
^61	^80
^62A	^81
^64B	^82
^64	^83
^65A	^84
^65	^85
^66	^86
^67	^87

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Australian Radiation Protection and Nuclear Safety Regulations 2018

This legislative instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

The Regulations remake the *Australian Radiation Protection and Nuclear Safety Regulations 1999* (the ARPANS Regulations).

Human Rights Implications

The amendments are compatible with the right to an adequate standard of living and the right to the enjoyment of the highest attainable standard of physical and mental health as contained in article 11(1) and article 12(1) of the International Covenant on Economic, Social and Cultural Rights.

Conclusion

This Instrument is compatible with human rights as it promotes the human right to an adequate standard of living and the highest attainable standard of physical and mental health.

Senator the Hon. Bridget McKenzie, Minister for Regional Services, Sport, Local Government and Decentralisation