

EXPLANATORY STATEMENT

Issued by authority of the Minister of State
for Resources and Energy

Statutory Rule No. 75

Nuclear Non-Proliferation (Safeguards) Act 1987
Nuclear Non-Proliferation (Safeguards) Regulations

Section 74 of the Nuclear Non-Proliferation (Safeguards) Act 1987 provides that the Governor-General may make regulations for the purposes of the Act.

The regulations have been made in pursuance of paragraph 9(c), subsection 20(2) and paragraph 29(2)(b) of the Act which require various matters to be prescribed by regulations. Paragraph 9(c) of the Act provides that nuclear material may be exempted from the application of Part II of the Act by regulations.

Regulation 1 cites the Regulations as the Nuclear Non-Proliferation (Safeguards) Regulations. Regulation 2 provides relevant definitions.

Regulation 3 exempts nuclear material that is of no proliferation significance and is not subject to safeguards under Australia's safeguards agreement with the International Atomic Energy Agency or any of Australia's safeguards agreements with other countries. The prescribed nuclear material includes depleted uranium contained in counterweights in foreign aircraft or keels of foreign ships in transit through Australia, thorium incorporated in small amounts in certain industrial products, uranium chemical reagents or ceramic glazing and limited amounts of uranium ore concentrates (yellowcake) and thorium concentrates.

Subsection 20(2) of the Act provides that a notice published in the Gazette in relation to the grant, variation or revocation of a permit or an authority shall include such particulars as are prescribed by regulations. Regulation 4 provides that these particulars shall include the name and address of the grantee, the number and nature of the permit or authority and the dates of grant, variation and revocation as appropriate.

Paragraph 29(2)(b) of the Act requires the prescribing of a period which should elapse before a person may commence to construct a nuclear facility or to carry out significant modifications to a facility after providing information requested by the Director in relation to the proposed construction or modification. Regulation 5 prescribes a period of 60 days.

(S.R. 61/87)

A handwritten signature in black ink, consisting of a stylized, cursive letter 'A' followed by a small flourish.