

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 1999 (No. 1) 1999 No. 278

EXPLANATORY STATEMENT

Statutory Rules 1999 No. 278

Issued by the Authority of the Minister for Foreign Affairs

Nuclear Non-Proliferation (Safeguards) Act 1987

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 1999 (No. 1)

The Nuclear Non-Proliferation (Safeguards) Act 1987 ("the Act") gives effect to certain of Australia's obligations under international agreements relating to the peaceful use of nuclear material and facilities, including the Safeguards Agreement between Australia and the International Atomic Energy Agency (IAEA) pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and various bilateral safeguards agreements.

Section 74 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, 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 Nuclear Safeguards (Producers of Uranium Ore Concentrates) Charge Act 1993 imposes a charge on producers of uranium ore concentrates due on 1 December each year. The Act specifies the amount of this charge payable by these producers. The amount, charged per kilogram of uranium produced by each producer, is set in the regulations each year.

The amount calculated to be due, for each person paying the charge, on 1 December 1999 is 8.6456 cents per kilogram of uranium in the uranium ore concentrates produced by the person in the previous financial year. The Act sets a maximum limit of \$500,000 on the charge.

The regulations:

- a) set the amount of charge payable by a producer of uranium ore concentrates as the lesser of 8.6456 cents per kilogram of uranium in the uranium ore concentrates produced by the producer in the previous financial year and \$500,000.

The Regulations commence on gazettal.

Details of the Regulations are as follows:

Regulation 1

Regulation 1 names the amendment regulations as the Nuclear Non-Proliferation (Safeguards) Amendment Regulations 1999 (No. 1)

Regulation 2

Regulation 2 provides for the amendments to commence on gazettal.

Regulation 3

Regulation 3 amends the Nuclear Non-Proliferation (Safeguards) Regulations 1987 ("the principal regulations") by omitting 9.5359 in Paragraph 6(a) and inserting 8.6456.