

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No. 2) 2000 No. 69

EXPLANATORY STATEMENT

Statutory Rules 2000 No. 69

Issued by the Authority of the Minister for Foreign Affairs

Nuclear Non-Proliferation (Safeguards) Act 1987

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No. 2)

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.

Section 70 of the Act provides that actions authorised by the Act, are authorised only to the extent they are not inconsistent with Australia's obligations under relevant international agreements. Relevant international agreements are listed in subsections 70(4) and (5) of the Act, or are to be prescribed by regulation for this purpose.

The Agreement for Cooperation between Australia and the United States of America concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation, and the related Agreed Minute and Exchange of Notes were done at Washington on 28 October 1999. In order to ensure implementation of the Act is consistent with this new Agreement it is being made a prescribed agreement for the purposes of the Act.

These regulations give effect to the Agreement for Cooperation between Australia and the United States of America concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation, along with the related Agreed Minute and Exchange of Notes as a "prescribed international agreement" in terms of the Act.

Details of the Regulations are in the Attachment.

The Regulations commenced on gazettal.

ATTACHMENT

DETAILS OF PROPOSED NUCLEAR NON-PROLIFERATION (SAFEGUARDS) AMENDMENT REGULATIONS 2000 (No. 2)

Regulation 1 provides that these amendment regulations are known as the *Nuclear NonProliferation (Safeguards) Amendment Regulations 2000 (No. 2)*.

Regulation 2 provides that the Regulations commence on gazettal.

Regulation 3 provides for an amendment to Schedule 1 of the Regulations to list the Agreement for Cooperation between Australia and the United States of America concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation, along with the related Agreed Minute and Exchange of Notes as a prescribed international agreement.