



2000B00330

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Australian Radiation Protection and Nuclear Safety Amendment Regulations 2000 (No. 1)¹

Statutory Rules 2000 No. 2

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Australian Radiation Protection and Nuclear Safety Act 1998*.

Dated 9 NOV 2000 2000

WILLIAM DEANE

Governor-General

By His Excellency's Command

GRANT TAMBLING

Parliamentary Secretary to the Minister for Health
and Aged Care

1 Name of Regulations

These Regulations are the *Australian Radiation Protection and Nuclear Safety Amendment Regulations 2000 (No. 1)*.

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Australian Radiation Protection and Nuclear Safety Regulations 1999*

Schedule 1 amends the *Australian Radiation Protection and Nuclear Safety Regulations 1999*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 4 (3)

substitute

- (3) However, the CEO may declare, in writing, on a case by case basis, that an apparatus is not a controlled apparatus.

Note A decision to refuse to make a declaration is reviewable under regulation 66.

- (3A) The CEO must not make a declaration under subregulation (3) unless the CEO is satisfied that:
- (a) the apparatus does not pose an unacceptable potential hazard to the health and safety of people or to the environment; and
 - (b) it would be inappropriate, in all the circumstances, for the apparatus to be a controlled apparatus.

[2] Subregulation 6 (3)*substitute*

- (3) However, the CEO may declare, in writing, on a case by case basis, that a facility is not a prescribed radiation facility.

Note A decision to refuse to make a declaration is reviewable under regulation 66.

- (3A) The CEO must not make a declaration under subregulation (3) unless the CEO is satisfied that:
- (a) the facility does not pose an unacceptable potential hazard to the health and safety of people or to the environment; and
 - (b) it would be inappropriate, in all the circumstances, for the facility to be a prescribed radiation facility.

[3] Subregulation 6 (5)*omit***[4] Part 2, after Division 2***insert***Division 2A Controlled person****6A Prescribed Commonwealth place**

For paragraph (d) of the definition of *controlled person* in section 13 of the Act, the place known as Building 64, as shown on site plan drawing No. A3E 111993 dated November 1999, Lucas Heights Science and Research Centre, New Illawarra Road, Lucas Heights, in the local government area of Sutherland, Parish of Eckersley, County of Cumberland, erected on part of the land contained in Certificate of Title folio identifier 1/89876, is a prescribed Commonwealth place.

[5] Subregulations 8 (2), (3) and (4)

after

contains

insert

, or is designed to contain,

[6] Subregulations 37 (1) and (2)

substitute

- (1) The CEO may declare, in writing, on a case by case basis, that conduct of a kind mentioned in paragraph 30 (1) (a), (b), (c), (d) or (e) of the Act by a specified controlled person in relation to a specified controlled facility (including any future conduct by the controlled person in relation to the controlled facility) does not, or will not pose, an unacceptable potential hazard to the health and safety of people or to the environment.

Note A decision to refuse to make a declaration is reviewable under regulation 66.

[7] Subregulations 37 (3) and (4)

renumber as subregulations 37 (2) and (3)

[8] Subregulations 37 (5) and (6)

substitute

- (4) For paragraph 30 (1) (g) of the Act, a controlled person is exempted in relation to conduct of a kind mentioned in paragraph 30 (1) (a), (b), (c), (d) or (e) of the Act in relation to a controlled facility if:
 - (a) the controlled person, the kind of conduct and the controlled facility are specified in a declaration that is made and published under this regulation; and
 - (b) the declaration is in effect at the time the conduct is undertaken.

[9] Subregulation 37A (1)

omit

subregulation 37 (2)

insert

subregulation 37 (1)

[10] Paragraph 37A (2) (b)

substitute

- (b) a description of the controlled person, the kind of conduct and the controlled facility that are to be the subject of the declaration, and the text of any statements permitted under subregulation 37 (2).

[11] Subregulations 38 (1) and (2)

substitute

- (1) For paragraph 31 (1) (b) of the Act, a dealing that is described in Part 1 of Schedule 2 is an exempt dealing.

[12] Subregulation 38 (3)

after

in writing,

insert

on a case by case basis,

[13] After subregulation 38 (3)

insert

Note A decision to refuse to make a declaration is reviewable under regulation 66.

[14] Subregulation 38 (5)

after

in writing,

insert

on a case by case basis,

[15] After subregulation 38 (5)

insert

Note A decision to refuse to make a declaration is reviewable under regulation 66.

[16] Subregulation 38 (6)

after

in writing,

insert

on a case by case basis,

[17] After subregulation 38 (6)

insert

Note A decision to refuse to make a declaration is reviewable under regulation 66.

[18] Part 4, Division 2A*substitute***Division 2A Licence application fees****40A Purpose of Division 2A**

For paragraph 34 (b) of the Act, this Division prescribes:

- (a) the fee that must accompany an application for a facility licence; and
- (b) the fee that must accompany an application for a source licence.

40B Facility licences — nuclear installations

- (1) This regulation applies to an application for a facility licence that authorises persons to do a thing mentioned in column 2 of an item in Schedule 3A in relation to a controlled facility that is a nuclear installation.
- (2) The application fee for the licence is the fee mentioned in column 3 of the item.

40C Facility licences — prescribed radiation facilities

- (1) This regulation applies to an application for a facility licence that authorises persons to do a thing mentioned in paragraph 30 (1) (a), (b), (c), (d) or (e) of the Act in relation to a controlled facility that is a prescribed radiation facility of a kind mentioned in column 2 of an item in Part 1 of Schedule 3B.
- (2) The application fee for the licence is:
 - (a) subject to paragraph (b), the fee mentioned in column 3 of the relevant item in Part 1 of Schedule 3B; or
 - (b) if the thing authorised to be done by the licence is mentioned in column 2 of an item in Part 2 of

Schedule 3B — the fee mentioned in column 3 of that item.

- (3) If the application is for a licence that authorises persons to do 2 or more of the things mentioned in paragraphs 30 (1) (a), (b), (c), (d) and (e) of the Act in relation to the controlled facility, the application fee for the licence is the sum of the application fees for each thing authorised to be done by the licence.

40D Source licences

- (1) This regulation applies to an application for a source licence that authorises persons to deal with a controlled apparatus or a controlled material of a kind mentioned in column 2 of an item in Group 1, 2 or 3 of Part 1 of Schedule 3C.
- (2) The application fee for the licence is the fee mentioned in column 3 of the item in Part 2 of Schedule 3C that relates to the number of controlled apparatus or controlled materials from the same Group of Part 1 of Schedule 3C that:
- (a) are sought to be dealt with under the application; and
 - (b) are in the same location.
- (3) A controlled apparatus or controlled material (the *first controlled apparatus or controlled material*) is in the *same location* as another controlled apparatus or controlled material (the *other controlled apparatus or controlled material*) if the first controlled apparatus or controlled material is in an area within a radius of 5 kilometres of the other controlled apparatus or controlled material.

[19] Regulations 54 and 55

substitute

54 Approval required to construct safety item

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.

55 Approval required to load nuclear fuel

The holder of a licence, or a person covered by a licence, must not load nuclear fuel into a controlled facility, as part of the construction of the facility, unless the CEO has given the holder, or the person, approval to load the fuel.

[20] Part 4, after Division 4

insert

Division 5 Licence annual charges**55A Time for payment of annual charge**

The annual charge for a facility licence or a source licence must be paid:

- (a) for a licence held during the financial year ending on 30 June 2000 — on or before 30 days after the commencement of this regulation; and
- (b) for a licence held during the financial year ending on 30 June 2001 — on or before the later of:
 - (i) 30 days after the commencement of this regulation; and
 - (ii) 30 days after the date when the licence was issued; and

- (c) for a licence held during a later financial year — on or before the later of:
 - (i) 31 July in that financial year; and
 - (ii) 30 days after the date when the licence was issued.

55B Pro-rating of annual charge

- (1) If a facility licence or source licence is not held during the whole of a financial year, the CEO may decide to pro-rate the amount of the annual charge for the licence for the year.
- (2) If the CEO decides to pro-rate the amount of the annual charge, the amount must be pro-rated in accordance with regulation 55D.
- (3) This regulation applies to:
 - (a) an annual charge, unpaid in part, or in full, at the commencement of this regulation, for a financial year that commenced before the commencement of this regulation; and
 - (b) an annual charge for each financial year that commences after the commencement of this regulation.

55C Refund of annual charge

- (1) This regulation applies in relation to the annual charge for a facility licence or a source licence for a financial year if:
 - (a) the whole, or part, of the annual charge for the licence for the year has been paid; and
 - (b) the licence is suspended, cancelled or surrendered before the end of the year.
- (2) The CEO may decide to refund to the holder of the licence part of the amount of the annual charge that has been paid for the licence for the year.

- (3) If the CEO decides to refund part of the amount of the annual charge, the amount of the refund must be calculated in accordance with regulation 55D.

55D Method for pro-rating annual charge or calculating amount of refund

- (1) This regulation sets out:
- (a) for regulation 55B, the method for pro-rating the amount of annual charge for a facility licence or a source licence for a financial year; and
 - (b) for regulation 55C, the method for calculating the amount of annual charge for a facility licence or a source licence for a financial year that may be refunded to the holder of the licence.
- (2) The method is:

$$AC \times \frac{M}{12}$$

where:

AC is the amount of the annual charge for the licence for the year.

M is the number of months of the year during which the licence is held.

Note The amount of the annual charge for a facility licence or a source licence for a year is prescribed in the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000*.

- (3) For subregulation (2), a licence that is held for part of a month only is taken to be held for the whole of that month.

[21] Subregulations 58 (2) and (3)

omit

regulation 64.

insert

regulation 62.

[22] After Part 6

insert

Part 7 Miscellaneous

65 International agreements

For paragraph 84 (3) (b) of the Act, each international agreement mentioned in Schedule 5 is prescribed.

66 Review of decisions by CEO

- (1) A controlled person who is affected by a decision of the CEO to refuse to make a declaration under subregulation 4 (3), 6 (3), 37 (1), 38 (3), 38 (5) or 38 (6) may request that the Minister reconsider the CEO's decision.
- (2) The request must be:
 - (a) in writing; and
 - (b) given to the Minister within 90 days after the making of the decision.
- (3) The Minister must reconsider the CEO's decision and confirm, vary or set aside the decision.

Note Under section 27A of the *Administrative Appeals Tribunal Act 1975*, the Minister must give to any person whose interests are affected by the decision notice, in writing or otherwise, of the making of the decision and of the person's right to have the decision reviewed. In giving that notice, the Minister must have regard to the Code of Practice determined under section 27B of that Act (Gazette No. S 432, 7 December 1994), accessible on the Internet at:

<http://scaleplus.law.gov.au/html/instruments/0/14/0/IN000020.htm>

- (4) The Minister is taken to have confirmed the CEO's decision under subregulation (3) if the Minister does not give written notice of the Minister's decision under that subregulation within 60 days after the request is received.
- (5) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Minister under subregulation (3) to confirm, vary or set aside the CEO's decision.

[23] Schedule 2, Part 1, after item 7

insert

- 8 The dealing involves a controlled apparatus or controlled material that is part of, used in connection with, produced by, incorporated in, stored in, or disposed of in, a controlled facility for which a facility licence is in force.

[24] Schedules 3A to 3F*substitute*

Schedule 3A Facility licence application fees — nuclear installations

(regulation 40B)

Item	Thing authorised to be done by licence	Fee (\$)
1	Preparing a site for a controlled facility, being a nuclear reactor that is designed: <ul style="list-style-type: none"> (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) to have maximum thermal power of less than 1 megawatt 	20 000
2	Constructing a controlled facility, being a nuclear reactor that is designed: <ul style="list-style-type: none"> (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) to have maximum thermal power of less than 1 megawatt 	125 000
3	Possessing or controlling a controlled facility, being a nuclear reactor: <ul style="list-style-type: none"> (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) with maximum thermal power of less than 1 megawatt 	100 000

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Item	Thing authorised to be done by licence	Fee (\$)
4	Operating a controlled facility, being a nuclear reactor: (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) with maximum thermal power of less than 1 megawatt	50 000
5	De-commissioning, disposing of or abandoning a controlled facility, being a nuclear reactor that: (a) was used for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) had maximum thermal power of less than 1 megawatt	50 000
6	Preparing a site for a controlled facility, being a nuclear reactor that is designed: (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) to have maximum thermal power of 1 megawatt or more	100 000
7	Constructing a controlled facility, being a nuclear reactor that is designed: (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) to have maximum thermal power of 1 megawatt or more	400 000

Item	Thing authorised to be done by licence	Fee (\$)
8	Possessing or controlling a controlled facility, being a nuclear reactor: (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) with maximum thermal power of 1 megawatt or more	20 000
9	Operating a controlled facility, being a nuclear reactor: (a) for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) with maximum thermal power of 1 megawatt or more	300 000
10	De-commissioning, disposing of or abandoning a controlled facility, being a nuclear reactor that: (a) was used for research or production of nuclear materials for industrial or medical use (including critical and subcritical assemblies); and (b) had maximum thermal power of 1 megawatt or more	100 000
11	Preparing a site for a controlled facility, being a plant for preparing or storing fuel for use in a nuclear reactor of a kind mentioned in any of items 1 to 9	10 000
12	Constructing a controlled facility, being a plant for preparing or storing fuel for use in a nuclear reactor of a kind mentioned in any of items 1 to 9	45 000
13	Possessing or controlling a controlled facility, being a plant for preparing or storing fuel for use in a nuclear reactor of a kind mentioned in any of items 1 to 9	10 000

Item	Thing authorised to be done by licence	Fee (\$)
14	Operating a controlled facility, being a plant for preparing or storing fuel for use in a nuclear reactor of a kind mentioned in any of items 1 to 9	45 000
15	De-commissioning, disposing of or abandoning a controlled facility, being a plant that was used for preparing or storing fuel for use in a nuclear reactor of a kind mentioned in any of items 1 to 9	20 000
16	Preparing a site for a controlled facility, being a nuclear waste storage or disposal facility that is designed to contain waste with an activity that is more than the relevant activity level prescribed by regulation 8	100 000
17	Constructing a controlled facility, being a nuclear waste storage or disposal facility that is designed to contain waste with an activity that is more than the relevant activity level prescribed by regulation 8	150 000
18	Possessing or controlling a controlled facility, being a nuclear waste storage or disposal facility with an activity that is more than the relevant activity level prescribed by regulation 8	10 000
19	Operating a controlled facility, being a nuclear waste storage or disposal facility with an activity that is more than the relevant activity level prescribed by regulation 8	150 000
20	De-commissioning, disposing of or abandoning a controlled facility, being a nuclear waste storage or disposal facility that formerly contained waste with an activity that is more than the relevant activity level prescribed by regulation 8	20 000
21	Preparing a site for a controlled facility, being a facility to produce radioisotopes, containing a mixture of controlled materials, with an activity that is more than the activity level prescribed by regulation 11	50 000

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Item	Thing authorised to be done by licence	Fee (\$)
22	Constructing a controlled facility, being a facility to produce radioisotopes, containing a mixture of controlled materials, with an activity that is more than the activity level prescribed by regulation 11	100 000
23	Possessing or controlling a controlled facility, being a facility to produce radioisotopes, containing a mixture of controlled materials, with an activity that is more than the activity level prescribed by regulation 11	10 000
24	Operating a controlled facility, being a facility to produce radioisotopes, containing a mixture of controlled materials, with an activity that is more than the activity level prescribed by regulation 11	90 000
25	De-commissioning, disposing of, or abandoning a controlled facility, being a facility that formerly produced radioisotopes, containing a mixture of controlled materials, with an activity that was more than the activity level prescribed by regulation 11	20 000

Schedule 3B Facility licence application fees — prescribed radiation facilities

(regulation 40C)

Part 1 Fees — general

Item	Kind of prescribed radiation facility	Fee (\$)
1	Particle accelerator with a beam energy of more than 1 MeV	9 000
2	Particle accelerator capable of producing neutrons	9 000
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Item	Kind of prescribed radiation facility	Fee (\$)
3	Irradiator containing more than 10^{15} Bq of a controlled material	9 000
4	Irradiator containing more than 10^{13} Bq of a controlled material but not including shielding as an integral part of its construction	9 000
5	Irradiator containing more than 10^{13} Bq of a controlled material and including shielding as an integral part of its construction, but the shielding does not prevent a person from being exposed to the source	9 000
6	Irradiator containing more than 10^{13} Bq of a controlled material and including shielding as an integral part of its construction, and with a source that is not inside the shielding during the operation of the irradiator	9 000
7	Facility for the production, processing, use, storage, management or disposal of sealed sources of controlled materials of activity in a quantity more than 10^9 times that mentioned in column 4 of Part 2 of Schedule 2	18 000
8	Facility for the production, processing, use, storage, management or disposal of unsealed sources of controlled materials of activity in a quantity more than 10^6 times that mentioned in column 4 of Part 2 of Schedule 2	18 000
9	Facility for the production, processing, use, storage, management or disposal of a mixture of controlled materials, the activity of which, worked out using the method set out in subregulation 6 (2), is more than the applicable level mentioned in that subregulation	18 000

Note If the application is for a licence that authorises persons to do 2 or more of the things mentioned in paragraphs 30 (1) (a), (b), (c), (d) and (e) of the Act in relation to the prescribed radiation facility, the application fee for the licence is the sum of the application fees for each thing authorised to be done by the licence — see subregulation 40C (3).

Part 2 Fees — other

Item	Thing authorised to be done by licence	Fee (\$)
1	De-commissioning a controlled facility, being a prescribed radiation facility that was formerly used as a nuclear or atomic weapon test site	30 000
2	Disposing of or abandoning a controlled facility, being a prescribed radiation facility that was formerly used as a nuclear or atomic weapon test site	20 000
3	De-commissioning a controlled facility, being a prescribed radiation facility that was formerly used for the mining, processing, use, storage, management or disposal of radioactive ores	30 000
4	Disposing of or abandoning a controlled facility, being a prescribed radiation facility that was formerly used for the mining, processing, use, storage, management or disposal of radioactive ores	20 000

Schedule 3C Source licence application fees

(regulation 40D)

Part 1 Kinds of controlled apparatus or controlled material

Item	Controlled apparatus or controlled material
Group 1	
1	Sealed source for calibration purposes of activity of 40 MBq or less
2	Sealed source in a fully enclosed analytical device

Item	Controlled apparatus or controlled material
3	Sealed source with activity of 400 MBq or less in a fixed gauge
4	Sealed source in a blood irradiator
5	Sealed source in a bone densitometer
6	Sealed source that: <ul style="list-style-type: none"> (a) is in storage and awaiting disposal; and (b) has a nuclide with a maximum activity of not more than 10^9 times the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide
7	Unsealed source, or sources, in a laboratory or premises, having nuclides of 1 kind only with a maximum activity not more than 100 times the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide
8	Unsealed source, or sources, in a laboratory or premises, having nuclides such that when the maximum activity of each nuclide in the source, or sources, is divided by the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide, the total of the results for all nuclides in the source, or sources, is not more than 100
9	Mammographic x-ray unit
10	Conventional dental x-ray unit
11	X-ray unit used for bone densitometry
12	X-ray unit used for veterinary radiography
13	Fully enclosed x-ray analysis unit
14	Baggage inspection x-ray unit
15	Mobile or portable medical x-ray unit
16	Magnetic field non-destructive testing device
17	Induction heater or induction furnace
18	Industrial radiofrequency heater or welder
19	Radiofrequency plasma tube
20	Microwave or radiofrequency diathermy equipment
21	Industrial microwave or radiofrequency processing system

Item	Controlled apparatus or controlled material
22	Optical source, other than a laser product, emitting ultraviolet radiation, infra-red or visible light.
23	Laser product with accessible emission level more than the accessible emission limit of a Class 3B (Restricted) laser product, set out in Australia/New Zealand Standard AS/NZA 2211.1:1997
24	Optical fibre communication system exceeding Hazard Level 3A, as set out in Australia/New Zealand Standard AS/NZS 2211.2:1997
Group 2	
25	Sealed source for calibration purposes of activity of more than 40 MBq
26	Sealed source in a partially enclosed analytical device
27	Sealed source of activity of more than 400 MBq in a fixed gauge
28	Sealed source in a mobile gauge
29	Sealed source for medical or veterinary diagnostic nuclear medicine use
30	Unsealed source, or sources, in a laboratory or premises, having nuclides of 1 kind only with a maximum activity of more than 100, but not more than 10 000, times the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide
31	Unsealed source, or sources, in a laboratory or premises, having nuclides such that when the maximum activity of each nuclide in the source, or sources, is divided by the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide, the total of the results for all nuclides in the source, or sources, is more than 100 but not more than 10 000
32	Unsealed sources used for tracer studies
33	Industrial radiography x-ray unit
34	Fixed medical x-ray unit, including a unit used for fluoroscopy, tomography and chiropractic radiography
35	Partially enclosed x-ray analysis unit

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Item	Controlled apparatus or controlled material
36	Medical therapy simulator
37	CT scanner
Group 3	
38	Sealed source for industrial radiography
39	Sealed source for medical and veterinary radiotherapy
40	Sealed source in a bore hole logger
41	Sealed source of controlled material not mentioned in another item of this Schedule
42	Unsealed source, or sources, in a laboratory or premises, having nuclides of 1 kind only with a maximum activity of more than 10 000, but not more than 1 000 000, times the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide
43	Unsealed source, or sources, in a laboratory or premises, having nuclides such that when the maximum activity of each nuclide in the source, or sources, is divided by the amount mentioned in column 4 of Part 2 of Schedule 2 for that kind of nuclide, the total of the results for all nuclides in the source, or sources, is more than 10 000 but not more than 1 000 000
44	Veterinary or medical radiotherapy unit
45	Controlled apparatus that produces ionizing radiation not mentioned in another item of this Schedule

Note The dictionary in these Regulations defines *sealed source* and *unsealed source*.

Part 2 Fees

Item	Number of controlled apparatus or controlled materials in the same location to be dealt with under application	Fee (\$)
1	For less than 4 controlled apparatus or controlled materials from:	
	(a) Group 1	500
	(b) Group 2	2 000
	(c) Group 3	6 000
2	For more than 3, but less than 11, controlled apparatus or controlled materials from:	
	(a) Group 1	1 300
	(b) Group 2	4 000
	(c) Group 3	12 000
3	For 11 or more controlled apparatus or controlled materials from:	
	(a) Group 1	2 500
	(b) Group 2	7 520
	(c) Group 3	22 000

[25] After Schedule 4

insert

Schedule 5 International agreements

(regulation 65)

Item	Title of agreement	Date agreement signed on behalf of Australia
1	Agreement between the Government of Australia and the Government of New Zealand concerning the Transfer of Uranium	14 September 1999
24	Australian Radiation Protection and Nuclear Safety Amendment Regulations 2000 (No.)	2000,

Item	Title of agreement	Date agreement signed on behalf of Australia
2	Agreement for Cooperation between Australia and the United States of America concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation, Agreed Minute, and Exchange of Notes	28 October 1999

[26] Dictionary, after definition of *action level*

insert

application fee, for a licence, includes the ordinary costs of processing the application for the licence, but does not include any additional expenses that may be incurred by the CEO in respect of any peer review or consultancy that the CEO considers necessary for the purpose of deciding whether to issue the licence.

[27] Dictionary, after definition of *external exposure*

insert

holder, of a licence, means the controlled person to whom the licence is issued.

[28] Dictionary, after definition of *Remuneration Tribunal*

insert

same location, in relation to a controlled apparatus or controlled material — see subregulation 40D (3).

Notes

1. These Regulations amend Statutory Rules 1999 No. 37, as amended by 1999 No. 97.
2. Notified in the *Commonwealth of Australia Gazette* on / 2000.

16 November