Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000

Statutory Rules 2000 No. 307 as amended

made under the

Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998

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1 Name of Regulations [see Note 1]

These Regulations are the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000*.

2 Commencement

These Regulations commence on gazettal.

3 Interpretation

(1) In these Regulations:

Act means the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998*.

ARPANS Act means the *Australian Radiation Protection and Nuclear Safety Act 1998*.

ARPANS Regulations means the *Australian Radiation Protection and Nuclear Safety Regulations 1999*.

(2) Unless the contrary intention appears, an expression used in these Regulations that is defined in the ARPANS Act or the ARPANS Regulations has the same meaning in these Regulations as it has in the ARPANS Act or the ARPANS Regulations.

4 Annual charge for facility licence — nuclear installations

(1) For subsection 4 (2) of the Act, this regulation prescribes the amount of the charge for a financial year for a facility licence that authorises persons to do a thing mentioned in column 2 of an item in Schedule 1 in relation to a controlled facility that is a nuclear installation.

(2) The amount of the charge for the licence for the year is the amount mentioned in column 3 of the item.

Note Division 5 of Part 4 of the ARPANS Regulations makes provision in relation to the time for payment of the annual charge, pro-rating and refunds.

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5 Annual charge for facility licence — prescribed radiation facilities

(1) For subsection 4 (2) of the Act, this regulation prescribes the amount of the charge for a financial year for a facility licence that authorises persons to do a thing mentioned in paragraph 30 (1) (a), (b), (c), (d) or (e) of the ARPANS 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 2.

(2) The amount of the charge for the licence for the year is:

(a) subject to paragraph (b), the amount mentioned in column 3 of the relevant item in Part 1 of Schedule 2; 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 2 — the amount mentioned in column 3 of that item.

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

Note Division 5 of Part 4 of the ARPANS Regulations makes provision in relation to the time for payment of the annual charge, pro-rating and refunds.

6 Annual charge for source licence

(1) For subsection 5 (2) of the Act, this regulation prescribes the amount of the charge for a financial year 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 3.

(2) Subject to subregulation (3), the amount of the charge is:

(a) for a licence that authorises persons to deal with controlled apparatus or controlled materials in the same location:

(i) if the controlled apparatus or controlled materials are from the same Group — the amount mentioned in column 3 of the provision in Part 2 of Schedule 3

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that relates to the number of controlled apparatus or controlled materials from that Group; and

(ii) if the controlled apparatus or controlled materials are from 2 or more Groups — the sum of the amounts mentioned in column 3 of the provisions in Part 2 of Schedule 3 that relate to the number of controlled apparatus or controlled materials from each of those Groups; and

(b) for a licence that authorises persons to deal with controlled apparatus or controlled materials in 2 or more locations — the sum of the amounts mentioned in column 3 of the provisions in Part 2 of Schedule 3 that relate to the number of controlled apparatus or controlled materials from each Group that persons are authorised to deal with in each location.

Note ***Same location*** is defined in subregulation 40D (3) of the ARPANS Regulations (see the Dictionary to those Regulations).

(3) If the holder of the licence is a controlled person mentioned in column 2 of an item in Part 3 of Schedule 3, the amount of the charge for the year for all source licences held by that person for the year is the amount mentioned in that item.

Note Division 5 of Part 4 of the ARPANS Regulations makes provision in relation to the time for payment of the annual charge, pro-rating and refunds.

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Schedule 1 Facility licence annual charges — nuclear installations

(regulation 4)

Item	Thing authorised to be done by licence	Charge ($)
1	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 less than 1 megawatt	20 948
2	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 less than 1 megawatt	52 369
3	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 less than 1 megawatt	20 948
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	104 738

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Item	Thing authorised to be done by licence	Charge ($)
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	52 369
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	41 895
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	104 738
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	104 738
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	806 479

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Item	Thing authorised to be done by licence	Charge ($)
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	209 475
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	10 474
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	20 948
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	10 474
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	52 369
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	20 948
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 of the ARPANS Regulations	10 474
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 of the ARPANS Regulations	20 948

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Item	Thing authorised to be done by licence	Charge ($)
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 of the ARPANS Regulations	10 474
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 of the ARPANS Regulations	52 369
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 of the ARPANS Regulations	20 948
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 of the ARPANS Regulations	20 948
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 of the ARPANS Regulations	52 369
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 of the ARPANS Regulations	20 948
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 of the ARPANS Regulations	83 790

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Item	Thing authorised to be done by licence	Charge ($)
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 of the ARPANS Regulations	52 369

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Schedule 2 Facility licence annual charges — prescribed radiation facilities

(regulation 5)

Part 1 Charges — general

Item	Kind of prescribed radiation facility	Charge ($)
1	Particle accelerator with a beam energy of more than 1 MeV	10 773
2	Particle accelerator capable of producing neutrons	10 773
3	Irradiator containing more than 10^{15} Bq of a controlled material	10 773
4	Irradiator containing more than 10^{13} Bq of a controlled material but not including shielding as an integral part of its construction	10 773
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	10 773
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	10 773
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 to the ARPANS Regulations	21 546

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Item	Kind of prescribed radiation facility	Charge ($)
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 to the ARPANS Regulations	21 546
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) of the ARPANS Regulations, is more than the applicable level mentioned in that subregulation	21 546

Note If the licence authorises persons to do 2 or more of the things mentioned in paragraphs 30 (1) (a), (b), (c), (d) and (e) of the ARPANS Act in relation to the prescribed radiation facility, the annual charge for the licence is the sum of the charges for each thing authorised to be done by the licence — see subregulation 5 (3).

Part 2 Fees — other

Item	Thing authorised to be done by licence	Charge ($)
1	De-commissioning a controlled facility, being a prescribed radiation facility that was formerly used as a nuclear or atomic weapon test site	35 910
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	23 940
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	35 910
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	23 940

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Schedule 3 Source licence annual charges

(regulation 6)

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
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: (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 to the ARPANS Regulations 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 to the ARPANS Regulations 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 to the ARPANS Regulations 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

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Item	Controlled apparatus or controlled material
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
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 to the ARPANS Regulations for that kind of nuclide

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Item	Controlled apparatus or controlled material
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 to the ARPANS Regulations 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
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 to the ARPANS Regulations 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 to the ARPANS Regulations 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

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Part 2 Charges — general

Item	Number of controlled apparatus or controlled materials in the same location that persons are authorised to deal with under the licence	Charge ($)
1	For less than 4 controlled apparatus or controlled materials from:	
	(a) Group 1	599
	(b) Group 2	2 394
	(c) Group 3	7 182
2	For more than 3, but less than 11, controlled apparatus or controlled materials from:	
	(a) Group 1	1 556
	(b) Group 2	4 788
	(c) Group 3	14 364
3	For 11 or more controlled apparatus or controlled materials from:	
	(a) Group 1	2 993
	(b) Group 2	9 001
	(c) Group 3	26 334

Part 3 Charges for certain licence-holders

Item	Licence-holder	Charge ($)
1	Department of Defence	691 866
2	Australian Nuclear Science and Technology Organisation	230 782
3	Commonwealth Scientific and Industrial Research Organisation	230 782

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Notes to the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000*

Note 1

The *Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000* (in force under the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998*) as shown in this compilation comprise Statutory Rules 2000 No. 307 amended as indicated in the Tables below.

Table of Instruments

Year and number	Date of notification in *Gazette* or FRLI registration	Date of commencement	Application, saving or transitional provisions
2000 No. 307	16 Nov 2000	16 Nov 2000	
2004 No. 214	15 July 2004	15 July 2004	—
2010 No. 102	25 May 2010 (*see* F2010L01073)	26 May 2010	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 6	am. 2004 No. 214
Examples to r. 6 (2)	rep. 2004 No. 214
Note to r. 6 (2)	rs. 2004 No. 214
Schedule 1	
Schedule 1	am. 2004 No. 214; 2010 No. 102
Schedule 2	
Schedule 2	am. 2004 No. 214; 2010 No. 102
Schedule 3	
Schedule 3	am. 2004 No. 214; 2010 No. 102

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