

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2001 (No. 1) 2001 No. 311

EXPLANATORY STATEMENT

Statutory Rules 2001 No. 311

Issued by the Authority of the Minister for Foreign Affairs

Nuclear Non-Proliferation (Safeguards) Act 1987

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2001 (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 2001 is 5.7433 cents per kilogram of uranium in the uranium ore concentrates produced by the person in the previous financial year taking account of the level of production for 2000/2001 relative to the Australian Safeguards and Non-proliferation Office's operating costs. The Act sets a maximum limit of \$500,000 on the charge.

The Regulations set the amount of charge payable by a producer of uranium ore concentrates as the lesser of 5.7433 cents per kilogram of uranium in the uranium ore concentrates produced by the producer in the previous financial year or \$500,000.

Details of the Regulations are attached.

The Regulations commence on gazettal.

ATTACHMENT

DETAILS OF AMENDMENTS TO THE NUCLEAR NON-PROLIFERATION (SAFEGUARDS) REGULATIONS 2001 (THE REGULATIONS)

Regulation 1 provides that these amendment regulations should be known as the *Nuclear NonProliferation (Safeguards) Amendment Regulations 2001 (No. 1)*.

Regulation 2 provides that the Regulations commence on gazettal.

Regulation 3 provides that Schedule 1 amends the *Nuclear Non-Proliferation (Safeguards) Regulations 1987* ("the principal regulations").

Schedule 1

Item [1] provides that in Paragraph 6(a) of the principal regulations 6.7463 be omitted and 5.7433 be inserted.