



Australian Radiation Protection and Nuclear Safety Amendment (2014 Measures No. 1) Regulation 2014

Select Legislative Instrument No. 78, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 12 June 2014

Peter Cosgrove
Governor-General

By His Excellency's Command

Fiona Nash
Assistant Minister for Health

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1 Name of regulation

This regulation is the *Australian Radiation Protection and Nuclear Safety Amendment (2014 Measures No. 1) Regulation 2014*.

2 Commencement

This regulation commences on 1 July 2014.

3 Authority

This regulation is made under the *Australian Radiation Protection and Nuclear Safety Act 1998*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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Schedule 1—Amendments

Australian Radiation Protection and Nuclear Safety Regulations 1999

1 Subregulation 3(1)

Omit all the words after “defines certain words and expressions”.

2 Subregulation 3(1) (example)

Repeal the example.

3 Subparagraphs 4(2)(a)(viii) and (ix)

Repeal the subparagraphs, substitute:

- (viii) a laser product with an accessible emission level more than the accessible emission limit of a Class 3R laser product, as set out in Australian/New Zealand Standard AS/NZS IEC 60825.1:2011 *Safety of laser products, Part 1: Equipment classification and requirements*; or
- (ix) an optical fibre communication system exceeding Hazard Level 3R, as defined by Australian/New Zealand Standard AS/NZS IEC 60825.2:2011 *Safety of laser products, Part 2: Safety of optical fibre communication systems (OFCS)*; and

4 Subregulation 55B(1)

Omit “pro-rate”, substitute “make a pro-rata adjustment of”.

5 Subregulations 55B(2) and (3)

Repeal the subregulations, substitute:

- (2) If the CEO decides to make a pro-rata adjustment, the amount of the annual charge 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 calendar months 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 only part of a calendar month is taken to be held for the whole of the calendar month.

6 Subregulation 55C(3)

Repeal the subregulation, substitute:

- (3) If the CEO decides to refund part of the amount of the annual charge, the amount of the refund is:

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

where:

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

M is the number of calendar months during which the licence was 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*.

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

7 Regulation 55D

Repeal the regulation.

8 Schedule 1 (table items 4 and 5)

Repeal the items, substitute:

- | | |
|---|---|
| 4 | The maximum permissible exposure limits mentioned in Australian/New Zealand Standard AS/NZS IEC 60825.1:2011 <i>Safety of laser products, Part 1: Equipment classification and requirements</i> . |
| 5 | The exposure limits mentioned in Australian/New Zealand Standard AS/NZS IEC 62471:2011 <i>Photobiological safety of lamps and lamp systems</i> . |

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9 Schedule 1 (table item 7)

Repeal the item, substitute:

- 7 For static magnetic fields—the limits mentioned in the International Commission on Non-Ionizing Radiation Protection *Guidelines on limits of exposure to static magnetic fields*, published in *Health Physics* 96(4):504-514; 2009.

10 Part 1 of Schedule 2 (table item 7)

Repeal the item, substitute:

- 7 The dealing involves any of the following items and no other controlled apparatus or controlled material:
- (a) a clock, watch or other device with a luminous dial that includes a quantity of a controlled material that is not more than the quantity in Part 4;
 - (b) a gaseous tritium light device that:
 - (i) is used solely for safety purposes; and
 - (ii) includes less than 74 GBq of tritium;
 - (c) a television receiver;
 - (d) a visual display terminal;
 - (e) a cathode ray tube;
 - (f) an electron microscope;
 - (g) arc welding equipment.

11 Amendments of listed provisions—Schedule 3A

The items of the table in Schedule 3A listed in the following table are amended as set out in the table.

Amendments relating to fees for nuclear installations			
Item	Table item	Omit	Substitute
1	Item 1	26 594	27 285
2	Item 2	166 210	170 531
3	Item 3	132 969	136 426
4	Items 4 and 5	66 484	68 212
5	Item 6	132 969	136 426
6	Item 7	531 873	545 701
7	Item 8	132 969	136 426
8	Item 9	569 865	584 681

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Amendments relating to fees for nuclear installations			
Item	Table item	Omit	Substitute
9	Item 10	132 969	136 426
10	Item 11	13 297	13 642
11	Item 12	59 835	61 390
12	Item 13	13 297	13 642
13	Item 14	59 835	61 390
14	Item 15	26 594	27 285
15	Item 16	316 592	324 823
16	Item 17	379 910	389 787
17	Item 18	13 297	13 642
18	Item 19	199 453	204 638
19	Item 20	26 594	27 285
20	Item 21	66 484	68 212
21	Item 22	132 969	136 426
22	Item 23	13 297	13 642
23	Item 24	119 672	122 783
24	Item 25	26 594	27 285

12 Amendments of listed provisions—Part 1 of Schedule 3B

The items of the table in Part 1 of Schedule 3B listed in the following table are amended as set out in the table.

Amendments relating to general fees for prescribed radiation facilities			
Item	Table item	Omit	Substitute
1	Items 1 to 6	11 967	12 278

13 Part 1 of Schedule 3B (table items 7 and 8)

Repeal the items, substitute:

7	Facility for the production, processing, use, storage, management or disposal of:	24 557
	(a) unsealed sources for which the result worked out using the steps mentioned in subregulation 6(2) is greater than 10^6 ; or	
	(b) sealed sources for which the result worked out using the steps mentioned in subregulation 6(2) is greater than 10^9	

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14 Amendments of listed provisions—Part 2 of Schedule 3B

The items of the table in Part 2 of Schedule 3B listed in the following table are amended as set out in the table.

Amendments relating to other fees for prescribed radiation facilities			
Item	Table item	Omit	Substitute
1	Item 1	39 890	40 927
2	Item 2	26 594	27 285
3	Item 3	39 890	40 927
4	Item 4	26 594	27 285

15 Part 1 of Schedule 3C (table items 23 and 24)

Repeal the items, substitute:

- | | |
|-----|---|
| 23 | Laser product with an accessible emission level more than the accessible emission limit of a Class 3R laser product, as set out in Australian/New Zealand Standard AS/NZS IEC 60825.1:2011 <i>Safety of laser products, Part 1: Equipment classification and requirements</i> |
| 24 | Optical fibre communication system exceeding Hazard Level 3R, as set out in Australian/New Zealand Standard AS/NZS IEC 60825.2:2011 <i>Safety of laser products, Part 2: Safety of optical fibre communication systems (OFCS)</i> |
| 24A | Sealed source of controlled material not mentioned in another item of this Schedule, dealings with which have the potential for accidental exposure but the exposure would be unlikely to exceed the dose limits mentioned in regulations 59 and 62 |
| 24B | Controlled apparatus that produces ionizing radiation not mentioned in another item of this Schedule, dealings with which have the potential for accidental exposure but the exposure would be unlikely to exceed the dose limits mentioned in regulations 59 and 62 |

16 Part 1 of Schedule 3C (after table item 37)

Insert:

- | | |
|-----|---|
| 37A | Sealed source of controlled material not mentioned in another item of this Schedule, dealings with which have the potential for accidental exposure that is likely to exceed a dose limit mentioned in regulations 59 and 62 but that is unlikely to result in acute effects |
| 37B | Controlled apparatus that produces ionizing radiation not mentioned in another item of this Schedule, dealings with which have the potential for accidental exposure that is likely to exceed a dose limit mentioned in regulations 59 and 62 but that is unlikely to result in acute effects |

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17 Part 1 of Schedule 3C (at the end of table items 41 and 45)

Add “, dealings with which have the potential for accidental exposure that is likely to exceed a dose limit mentioned in regulations 59 and 62 and that is likely to result in acute effects”.

18 Amendments of listed provisions—Part 2 of Schedule 3C

The items of the table in Part 2 of Schedule 3C listed in the following table are amended as set out in the table.

Amendments relating to source licence application fees			
Item	Table item	Omit	Substitute
1	Item 1	665	682
2	Item 1	2 659	2 728
3	Item 1	7 978	8 185
4	Item 2	1 728	1 772
5	Item 2	5 319	5 457
6	Item 2	15 956	16 370
7	Item 3	3 325	3 411
8	Item 3	9 998	10 257
9	Item 3	29 252	30 012

19 Schedule 6 (item 8)

Repeal the item, substitute:

8. *Radiation Protection Act* (NT).