

Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment (2015 Measures No. 1) Regulation 2015

Select Legislative Instrument No. 74, 2015

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 28 May 2015

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Fiona Nash

Assistant Minister for Health

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1 Name

 This is the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment (2015 Measures No. 1) Regulation 2015*.

2 Commencement

 This instrument commences on 1 July 2015.

3 Authority

 This instrument is made under the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998.*

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Part 1—Amendments of charge amounts

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

1 Amendments of listed provisions—Schedule 1

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

| Amendments relating to annual charge for facility licence—nuclear installations |
| --- |
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 23 873 | 24 517 |
| 2 | Item 2 | 59 686 | 61 297 |
| 3 | Item 3 | 23 873 | 24 517 |
| 4 | Item 4 | 119 373 | 122 596 |
| 5 | Item 5 | 59 686 | 61 297 |
| 6 | Item 6 | 47 749 | 49 038 |
| 7 | Item 7 | 119 373 | 122 596 |
| 8 | Item 8 | 119 373 | 122 596 |
| 9 | Item 9 | 919 166 | 943 983 |
| 10 | Item 10 | 238 745 | 245 191 |
| 11 | Item 11 | 11 937 | 12 259 |
| 12 | Item 12 | 23 873 | 24 517 |
| 13 | Item 13 | 11 937 | 12 259 |
| 14 | Item 14 | 59 686 | 61 297 |
| 15 | Item 15 | 23 873 | 24 517 |
| 16 | Item 16 | 11 937 | 12 259 |
| 17 | Item 17 | 23 873 | 24 517 |
| 18 | Item 18 | 11 937 | 12 259 |
| 19 | Item 19 | 59 686 | 61 297 |
| 20 | Item 20 | 23 873 | 24 517 |
| 21 | Item 21 | 23 873 | 24 517 |
| 22 | Item 22 | 59 686 | 61 297 |
| 23 | Item 23 | 23 873 | 24 517 |
| 24 | Item 24 | 95 498 | 98 076 |
| 25 | Item 25 | 59 686 | 61 297 |

2 Amendments of listed provisions—Part 1 of Schedule 2

The items of the table in Part 1 of Schedule 2 listed in the following table are amended as set out in the table.

| Amendments relating to annual charge for facility licence—prescribed radiation facilities (general) |
| --- |
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 12 278 | 12 609 |
| 2 | Item 2 | 12 278 | 12 609 |
| 3 | Item 3 | 12 278 | 12 609 |
| 4 | Item 4 | 12 278 | 12 609 |
| 5 | Item 5 | 12 278 | 12 609 |
| 6 | Item 6 | 12 278 | 12 609 |
| 7 | Item 7 | 24 557 | 25 220 |

3 Amendments of listed provisions—Part 2 of Schedule 2

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

| Amendments relating to annual charge for facility licence—prescribed radiation facilities (other) |
| --- |
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 40 927 | 42 032 |
| 2 | Item 2 | 27 285 | 28 021 |
| 3 | Item 3 | 40 927 | 42 032 |
| 4 | Item 4 | 27 285 | 28 021 |

4 Amendments of listed provisions—Part 2 of Schedule 3

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

| Amendments relating to annual charge for source licence—charges (general) |
| --- |
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 1 121 | 1 151 |
| 2 | Item 1 | 4 485 | 4 606 |
| 3 | Item 1 | 13 452 | 13 815 |
| 4 | Item 2 | 2 913 | 2 991 |
| 5 | Item 2 | 8 968 | 9 210 |
| 6 | Item 2 | 26 901 | 27 627 |
| 7 | Item 3 | 5 606 | 5 757 |
| 8 | Item 3 | 16 856 | 17 311 |
| 9 | Item 3 | 49 318 | 50 649 |

5 Amendments of listed provisions—Part 3 of Schedule 3

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

| Amendments relating to annual charge for source licence—charges for certain licence‑holders |
| --- |
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 788 539 | 809 829 |
| 2 | Item 2 | 263 029 | 270 130 |
| 3 | Item 3 | 289 707 | 297 529 |

Part 2—Technical amendments

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

6 Subregulation 4(1)

Omit “column 2 of an item in”, substitute “an item in the table in clause 1 of”.

7 Subregulation 4(2)

Omit “column 3 of”.

8 Subregulation 5(1)

Omit “column 2 of an item in Part 1”, substitute “an item in the table in clause 1”.

9 Paragraph 5(2)(a)

Repeal the paragraph, substitute:

 (a) subject to paragraph (b) and subregulation (3), the amount mentioned in the item mentioned in subregulation (1); or

10 Paragraph 5(2)(b)

Omit “column 2 of an item in Part 2 of Schedule 2—the amount mentioned in column 3 of that item”, substitute “an item in the table in clause 2 of Schedule 2 (the ***clause 2 item***)—the amount mentioned in the clause 2 item”.

11 Subregulation 5(3)

Omit “the sum of the amounts of charge for each thing authorised to be done by the licence”, substitute “the sum of the amounts of charge that would have been applicable under subregulation (2) if there had been separate licences for each of those things”.

12 Subregulation 6(1)

Omit “column 2 of an item in Group 1, 2 or 3 of Part 1”, substitute “an item in a Group in the table in clause 1”.

13 Subparagraph 6(2)(a)(i)

Omit “column 3 of the provision in Part 2”, substitute “the item in the table in clause 2”.

14 Subparagraph 6(2)(a)(ii)

Omit “column 3 of the provisions in Part 2”, substitute “the items in the table in clause 2”.

15 Paragraph 6(2)(b)

Omit “column 3 of the provisions in Part 2”, substitute “the items in the table in clause 2”.

16 Subregulation 6(2) (note)

Omit “the Dictionary to”, substitute “regulation 3 of”.

17 Subregulation 6(3)

Omit “column 2 of an item in Part 3”, substitute “an item in the table in clause 3”.

18 Schedule 1 (before the table)

Insert:

1 Facility licence annual charges—nuclear installations

 The following table sets out the amount of the charge for a financial year for a facility licence that authorises a person to do a thing mentioned in an item in the table in relation to a controlled facility that is a nuclear installation.

19 Schedule 1 (table, headings)

Repeal the headings, substitute:

| Facility licence annual charges—nuclear installations |
| --- |
| Item | Thing authorised to be done by licence | Amount ($) |

20 Part 1 of Schedule 2 (after the heading)

Insert:

1 Facility licence annual charges—prescribed radiation facilities (general)

 The following table sets out the amount of the charge for a financial year for a facility licence that authorises a person to do a thing in relation to a controlled facility that is a prescribed radiation facility of a kind mentioned in an item in the table (except if the thing is mentioned in an item in the table in clause 2).

21 Part 1 of Schedule 2 (table, headings)

Repeal the headings, substitute:

| Facility licence annual charges—prescribed radiation facilities (general) |
| --- |
| Item | Kind of prescribed radiation facility | Amount ($) |

22 Part 1 of Schedule 2 (note)

Omit “the sum of the charges for each thing authorised to be done by the licence”, substitute “the sum of the amounts of the charges that would have been applicable if there had been separate licences for each of those things”.

23 Part 2 of Schedule 2 (after the heading)

Insert:

2 Facility licence annual charges—prescribed radiation facilities (other)

 The following table sets out the amount of the charge for a financial year for a facility licence that authorises a person to do a thing mentioned in an item in the table in relation to a prescribed radiation facility.

24 Part 2 of Schedule 2 (table, headings)

Repeal the headings, substitute:

| Facility licence annual charges—prescribed radiation facilities (other) |
| --- |
| Item | Thing authorised to be done by licence | Amount ($) |

25 Part 1 of Schedule 3 (after the heading)

Insert:

1 Source licence annual charges—kinds of controlled apparatus or controlled material

 The following table sets out kinds of controlled apparatus and controlled materials for the purpose of determining the amount of the charge for a financial year for a source licence.

26 Part 1 of Schedule 3 (table, headings)

Omit:

| Item | Controlled apparatus or controlled material |
| --- | --- |

substitute:

| Source licence annual charges—kinds of controlled apparatus or controlled material |
| --- |
| Item | Controlled apparatus or controlled material |

27 Part 1 of Schedule 3 (table items 6, 7, 8, 30, 31, 42 and 43)

Omit “amount mentioned in column 4 of Part 2 of Schedule 2 to the ARPANS Regulations for that kind of nuclide”, substitute “activity value for that nuclide set out in an item in the table in clause 2 of Schedule 2 to the ARPANS Regulations”.

28 Part 2 of Schedule 3 (after the heading)

Insert:

2 Source licence annual charges—amount of charge (general)

 The following table sets out amounts for the purpose of determining the amount of the charge for a financial year for a source licence.

Note: The amount of the charge for a source licence is based on:

(a) the number of controlled apparatus or controlled materials in the same location that persons are authorised to deal with under the licence; and

(b) the Group in the table in clause 1 of this Schedule that covers the controlled apparatus or controlled materials.

29 Part 2 of Schedule 3 (table, headings)

Repeal the headings, substitute:

| Source licence annual charges—amount of charge (general) |
| --- |
| Item | Number of controlled apparatus or controlled materials in the same location that persons are authorised to deal with under the licence | Amount ($) |

30 Part 3 of Schedule 3 (after the heading)

Insert:

3 Source licence annual charges—charges for certain licence‑holders

 The following table sets out the amount of the charge for a financial year for all source licences held by a controlled person mentioned in an item in the table.

31 Part 3 of Schedule 3 (table, headings)

Repeal the headings, substitute:

| Source licence annual charges—charges for certain licence‑holders |
| --- |
| Item | Licence‑holder | Amount ($) |