



Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment (2016 Measures No. 1) Regulation 2016

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 05 May 2016

Peter Cosgrove
Governor-General

By His Excellency's Command

Ken Wyatt AM
Assistant Minister for Health and Aged Care
Parliamentary Secretary to the Minister for Health

Contents

| | | |
|--|--------------------|----------|
| 1 | Name..... | 1 |
| 2 | Commencement | 1 |
| 3 | Authority..... | 1 |
| 4 | Schedules | 1 |
| Schedule 1—Amendments | | 2 |
| Part 1—Amendments of charge amounts | | 2 |
| <i>Australian Radiation Protection and Nuclear Safety (Licence Charges)</i> <i>Regulations 2000</i> | | 2 |
| Part 2—Other amendments | | 5 |
| <i>Australian Radiation Protection and Nuclear Safety (Licence Charges)</i> <i>Regulations 2000</i> | | 5 |

1 Name

This is the *Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment (2016 Measures No. 1) Regulation 2016*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|--------------|--------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | 1 July 2016. | 1 July 2016 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 clause 1 of 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 | 24 517 | 25 178 |
| 2 | Item 2 | 61 297 | 62 952 |
| 3 | Item 3 | 24 517 | 25 178 |
| 4 | Item 4 | 122 596 | 125 906 |
| 5 | Item 5 | 61 297 | 62 952 |
| 6 | Item 6 | 49 038 | 50 362 |
| 7 | Item 7 | 122 596 | 125 906 |
| 8 | Item 8 | 122 596 | 125 906 |
| 9 | Item 9 | 943 983 | 969 470 |
| 10 | Item 10 | 245 191 | 251 811 |
| 11 | Item 11 | 12 259 | 12 589 |
| 12 | Item 12 | 24 517 | 25 178 |
| 13 | Item 13 | 12 259 | 12 589 |
| 14 | Item 14 | 61 297 | 62 952 |
| 15 | Item 15 | 24 517 | 25 178 |
| 16 | Item 16 | 12 259 | 12 589 |
| 17 | Item 17 | 24 517 | 25 178 |
| 18 | Item 18 | 12 259 | 12 589 |
| 19 | Item 19 | 61 297 | 62 952 |
| 20 | Item 20 | 24 517 | 25 178 |
| 21 | Item 21 | 24 517 | 25 178 |
| 22 | Item 22 | 61 297 | 62 952 |
| 23 | Item 23 | 24 517 | 25 178 |
| 24 | Item 24 | 98 076 | 100 724 |
| 25 | Item 25 | 61 297 | 62 952 |

2 Amendments of listed provisions—Part 1 of Schedule 2

The items in the table in clause 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 | 12 609 | 12 949 |
| 2 | Item 2 | 12 609 | 12 949 |
| 3 | Item 3 | 12 609 | 12 949 |
| 4 | Item 4 | 12 609 | 12 949 |
| 5 | Item 5 | 12 609 | 12 949 |
| 6 | Item 6 | 12 609 | 12 949 |
| 7 | Item 7 | 25 220 | 25 900 |

3 Amendments of listed provisions—Part 2 of Schedule 2

The items in the table in clause 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 | 42 032 | 43 166 |
| 2 | Item 2 | 28 021 | 28 777 |
| 3 | Item 3 | 42 032 | 43 166 |
| 4 | Item 4 | 28 021 | 28 777 |

4 Amendments of listed provisions—Part 2 of Schedule 3

The items in the table in clause 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 | 1 151 | 1 182 |
| 2 | Item 1 | 4 606 | 4 730 |
| 3 | Item 1 | 13 815 | 14 188 |
| 4 | Item 2 | 2 991 | 3 071 |
| 5 | Item 2 | 9 210 | 9 458 |
| 6 | Item 2 | 27 627 | 28 372 |
| 7 | Item 3 | 5 757 | 5 912 |
| 8 | Item 3 | 17 311 | 17 778 |
| 9 | Item 3 | 50 649 | 52 016 |

5 Amendments of listed provisions—Part 3 of Schedule 3

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

Schedule 1 Amendments

Part 1 Amendments of charge amounts

| Amendments relating to annual charge for source licence—charges for certain licence holders | | | |
|--|-------------------|-------------|-------------------|
| Item | Table item | Omit | Substitute |
| 1 | Item 1 | 809 829 | 381 463 |
| 2 | Item 2 | 270 130 | 159 632 |
| 3 | Item 3 | 297 529 | 296 512 |

Part 2—Other amendments

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

6 Subregulation 3(1)

Insert:

designated licence holder: if a licence holder mentioned in an item in the table in clause 1 of Schedule 2B holds one or more facility licences during a financial year, the licence holder is a ***designated licence holder*** for the year.

7 Subregulation 4(1)

After “facility licence”, insert “(other than a facility licence held by a designated licence holder for the year)”.

8 At the end of subregulation 4(1)

Add:

Note: The amount of the charge for a financial year for all facility licences held by a designated licence holder is set out in Schedule 2B (see regulation 5B).

9 Subregulation 5(1)

After “facility licence”, insert “(other than a facility licence held by a designated licence holder for the year)”.

10 At the end of subregulation 5(1)

Add:

Note: The amount of the charge for a financial year for all facility licences held by a designated licence holder is set out in Schedule 2B (see regulation 5B).

11 After regulation 5

Insert:

5A Annual charge for facility licence—prescribed legacy sites

- (1) For subsection 4(2) of the Act, this regulation prescribes the amount of the charge for a financial year for a facility licence (other than a facility licence held by a designated licence holder for the year) that authorises persons to do a thing mentioned in an item in the table in clause 1 of Schedule 2A in relation to a controlled facility that is a prescribed legacy site.

- (2) The amount of the charge for the licence for the year is the amount mentioned in 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.

5B Annual charge for facility licence—designated licence holders

- (1) For subsection 4(2) of the Act, this regulation prescribes the amount of the charge for a financial year for all facility licences held by a licence holder that is a designated licence holder for the year.
- (2) The amount of the charge for the facility licences for the year is the amount mentioned in the item in the table in clause 1 of Schedule 2B that relates to the designated licence holder.

12 Clause 1 of Schedule 1

After “facility licence”, insert “(other than a facility licence held by a designated licence holder for the year)”.

13 Clause 1 of Schedule 2

After “facility licence”, insert “(other than a facility licence held by a designated licence holder for the year)”.

14 Clause 2 of Schedule 2

After “facility licence”, insert “(other than a facility licence held by a designated licence holder for the year)”.

15 After Schedule 2

Insert:

Schedule 2A—Facility licence annual charges— prescribed legacy sites

Note: See regulation 5A.

1 Facility licence annual charges—prescribed legacy sites

The following table sets out the amount of the charge for a financial year for a facility licence (other than a facility licence held by a designated licence holder for the year) that authorises a person to do a thing mentioned in an item in the table in relation to a controlled facility that is a prescribed legacy site.

| Facility licence annual charges—prescribed legacy sites | | |
|--|---|--------------------|
| Item | Thing authorised to be done by licence | Amount (\$) |
| 1 | Possess or control a controlled facility that is a prescribed legacy site | 14 010 |
| 2 | Remediate a controlled facility that is a prescribed legacy site | 210 163 |
| 3 | Abandon a controlled facility that is a prescribed legacy site | 28 021 |

Schedule 2B—Facility licence annual charges— designated licence holders

Note: See regulation 5B.

1 Total facility licence annual charges—designated licence holders

The following table sets out the amount of the charge for a financial year for all facility licences held by a designated licence holder for the year mentioned in an item in the table.

| Total facility licence annual charges—designated licence holders | | |
|--|--|-------------|
| Item | Licence holder | Amount (\$) |
| 1 | Australian Nuclear Science and Technology Organisation | 2 267 954 |
| 2 | Department of Defence | 276 051 |

16 Amendments of listed provisions—Schedule 1

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

| Amendments relating to nuclear materials | | | |
|--|------------------------|-------------------|-----------------------|
| Item | Table item | Omit | Substitute |
| 1 | Item 1, paragraph (a) | nuclear materials | radioactive materials |
| 2 | Item 2, paragraph (a) | nuclear materials | radioactive materials |
| 3 | Item 3, paragraph (a) | nuclear materials | radioactive materials |
| 4 | Item 4, paragraph (a) | nuclear materials | radioactive materials |
| 5 | Item 5, paragraph (a) | nuclear materials | radioactive materials |
| 6 | Item 6, paragraph (a) | nuclear materials | radioactive materials |
| 7 | Item 7, paragraph (a) | nuclear materials | radioactive materials |
| 8 | Item 8, paragraph (a) | nuclear materials | radioactive materials |
| 9 | Item 9, paragraph (a) | nuclear materials | radioactive materials |
| 10 | Item 10, paragraph (a) | nuclear materials | radioactive materials |
| 11 | Item 16 | nuclear waste | radioactive waste |
| 12 | Item 17 | nuclear waste | radioactive waste |
| 13 | Item 18 | nuclear waste | radioactive waste |
| 14 | Item 19 | nuclear waste | radioactive waste |
| 15 | Item 20 | nuclear waste | radioactive waste |