



Radiation Control Amendment Regulation 2004

under the

Radiation Control Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Radiation Control Act 1990*.

BOB DEBUS, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to amend the *Radiation Control Regulation 2003* as follows:

- (a) to specify certain radioactive substances that may be kept and used at premises without the necessity for the occupier of the premises to register the premises concerned under the *Radiation Control Act 1990*,
- (b) to remove a requirement for certain records to be kept in relation to personal monitoring devices,
- (c) to extend an existing exemption from licensing requirements for persons who use radioactive substances in gas chromatography detectors to persons who possess or sell those substances,
- (d) to make other amendments of a consequential or machinery nature.

This Regulation is made under the *Radiation Control Act 1990*, including sections 9, 25A, 39 and 40 (the general regulation-making power).

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Clause 1 Radiation Control Amendment Regulation 2004

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under the

Radiation Control Act 1990

1 Name of Regulation

This Regulation is the *Radiation Control Amendment Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Radiation Control Regulation 2003

The *Radiation Control Regulation 2003* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 11A

Insert after clause 11:

11A Exemption from requirement for premises to be registered under section 8

An occupier of premises is exempt from the requirement for the premises to be registered under section 8 of the Act in relation to the keeping or use at the premises of any of the kinds of radioactive substances specified in Schedule 3B.

[2] Clause 12 Consulting radiation experts

Omit clause 12 (1) (c) and (d). Insert instead:

- (c) measuring and assessing radiation doses from ionising radiation apparatus used for medical therapy,
- (d) measuring and assessing radiation doses from ionising radiation apparatus used for diagnostic purposes,

[3] Clause 19 Area monitoring devices

Insert after clause 19 (4):

- (5) An employer must ensure that, for each monitoring device with which premises are equipped for the purposes of this clause, a record is kept of the following particulars:
 - (a) the date on which the device was acquired,
 - (b) the date of each occasion on which the device was repaired and the details of the repairs,
 - (c) the date on which the device was last calibrated.

Maximum penalty: 25 penalty units.

[4] Clause 21 Records to be kept of monitoring devices

Omit the clause.

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Schedule 1 Amendments

[5] Part 3, Division 4, heading

Insert “, **discharge**” after “**Disposal**”.

[6] Clause 26 Certain occurrences are taken to be radiation accidents

Omit “such as” from clause 26 (1). Insert instead “including”.

[7] Schedule 3 Exemptions from licensing

Omit item 1 of Part 1.

[8] Schedule 3, Part 1, item 3

Omit the item. Insert instead:

- 3 Americium 241 in industrial smoke detectors that do not contain any other radioactive substance

[9] Schedule 3, Part 2, items 1 and 2

Omit the items. Insert instead:

- 1 Radioactive substances in luminous dials on any devices, including on clocks and watches
- 2 Gaseous tritium in luminous devices, including in self luminous “EXIT” signs

[10] Schedule 3, Part 2, item 5

Omit “and”. Insert instead “or”.

[11] Schedule 3, Part 2, item 6

Insert “is used” after “substances or”.

[12] Schedule 3, Part 2, item 7

Insert after item 6:

- 7 Radioactive substances in gas chromatography detectors

[13] Schedule 3B

Insert before Schedule 4:

Schedule 3B Exemptions from application of section 8 of the Act

(Clause 11A)

- 1 Americium 241 in industrial smoke detectors that do not contain any other radioactive substance
- 2 Radioactive substances in luminous dials on any devices, including on clocks and watches
- 3 Gaseous tritium in luminous devices, including in self luminous "EXIT" signs
- 4 Radioactive substances used in nuclear medicine for checking gamma cameras and dose calibrators and having a level of activity of less than 40 megabecquerels
- 5 Radioactive substances used as laboratory reference sources and having a level of activity of less than 40 megabecquerels
- 6 Radioactive substances for demonstration, teaching or training having a level of activity of less than 40 megabecquerels
- 7 Uranium metal of natural isotopic composition, or depleted in uranium 235, which is used as radiation shielding in transport packages for radioactive substances or is used in any other manner

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Schedule 1 Amendments

[14] Schedule 4 Penalty notice offences

Insert after the matter relating to clause 19 (4):

Clause 19 (5)	\$250
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[15] Schedule 4

Omit the matter relating to clause 21 from Columns 1 and 2.

BY AUTHORITY
