

Radiation Protection (Student) Exemption 2014 (No 1)

Disallowable instrument DI2014–7

made under the

Radiation Protection Act 2006, 114 (Minister may exempt people, radiation sources etc)

EXPLANATORY STATEMENT

The *Radiation Protection Act 2006* (the Act) regulates the use of radiation sources in the ACT.

Section 114(1) of the Act provides that the Minister may exempt a person, a radiation source or a dealing with a radiation source from the Act if the Minister is satisfied that the person's conduct does not pose a significant risk to the health or safety of people or of damage to property or the environment.

This instrument exempts undergraduate students undertaking course work or research at a university, or other similar educational institution, from the Act while under the supervision of a licensed person.

Section 114(2) of the Act provides that the exemption may be conditional.

The exemption of students is conditional to being appropriately supervised. The person supervising must hold a licence that allows the dealing for that regulated radiation source.

The supervision of a student must be 'immediate supervision' during clinical work. 'Immediate supervision' is defined as supervision by a licensed person who is present at all times during, and is observing and directing, the use of regulated radiation source by the student. Clinical work may include exposure to persons other than the operator, such as taking x-rays.

During all other times the student must be under 'general supervision'. 'General supervision' is defined as supervision by a licensed person who oversees the person being supervised and ensures that the person follows safe radiation work practices in relation to the use of a regulated radiation source. This work could include quality assurance or laboratory work where only the operator has a potential to be exposed.

The ACT Radiation Council (Council) issue licences under the Act. The Council considers that students should not be required to hold individual licences based on the premise that they are always supervised by someone who does hold an appropriate licence, and are therefore not individually responsible for the radiation use. As such, Council endorses the exemption of appropriately supervised students.

This allows supervised students, such as student radiographers or nuclear medicine students, to be exempted from all licensing requirements. This includes students in 3 and 4 year courses that do not hold provisional or general registration with the Australian Health Practitioners Regulatory Agency (AHPRA). Once a student graduates and is registered with AHPRA they are eligible to hold an individual radiation licence for the use of medical radiation sources. Other students in analogous situations, including dental and veterinary students, will also be covered by this exemption.

The supervised student is exempted as they do not pose any additional risk to the health or safety of people, property or the environment. The licensed person is responsible for the student at all times when the student deals with a radiation source. The student may not deal with a radiation source other than in compliance with the supervisor's licence, and must follow all procedures and institutional controls already in place. As such the student is effectively working under the licence of their supervisor. The licensed person ensures that the student works safely and that the radiation protection of all persons is optimised.