

Australian Capital Territory

Radiation Protection (Council Member, Chair and Deputy Chair) Appointment 2021 (No 1)

Disallowable instrument DI2021–221

made under the

***Radiation Protection Act 2006*, s 68 (Council members), s 70 (Chair and Deputy Chair)**

EXPLANATORY STATEMENT

The Radiation Council is established under section 65 of the *Radiation Protection Act 2006* (the RPA) and is responsible for licensing, registering regulated radiation sources, advising the Minister and exercising any other function given to it under the Act or another Territory law.

Section 68 of the RPA provides the Minister with the power to appoint members to the Radiation Council. Subsection 68 (2) of the RPA provides that the Radiation Council must include:

- (a) a member of the public;
- (b) one member who is a doctor registered under the *Health Practitioner Regulation National Law (ACT)* in the specialist area of radiology (i.e. a radiologist);
- (c) one member with expert knowledge of the physical properties or biological effects of radiation; and
- (d) a person with relevant qualifications and experience to assist the Radiation Council to carry out its functions.

In accordance with section 68, Clause 3 of the instrument appoints the members listed to the Radiation Council. These members have been selected because they have the required expertise and qualifications to satisfy the specified council member appointment requirements.

The persons appointed to the Radiation Council by this instrument are not ACT Government Public Servants. As such, the *Legislation Act 2001*, Division 19.3.3 applies. Accordingly, under section 229 of the Legislation Act, this instrument is a disallowable instrument.

In accordance with section 228 of the Legislation Act, the ACT Legislative Assembly *Standing Committee on Health, Ageing, and Community Services* has been consulted on the appointees made in this instrument.

Section 70 of the Act provides the Minister with the power to appoint a council member as the chair and another council member as deputy chair. In accordance with section 70, Clause 4 appoints Ms Elizabeth Croft as the Chair of the Radiation Council and Clause 5 appoints Ms Fiona Jolly as the Deputy Chair of the Radiation Council.

Clause 6 provides that all appointments in the instrument are for a period of 12 months, commencing 1 October 2021.