



Australian Capital Territory

Radiation Protection Regulation 2007

SL2007-18

made under the

Radiation Protection Act 2006

Republication No 2

Effective: 3 August 2007 – 1 January 2008

Republication date: 3 August 2007

Last amendment made by SL2007-21

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Radiation Protection Regulation 2007*, made under the *Radiation Protection Act 2006* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 3 August 2007. It also includes any amendment, repeal or expiry affecting the republished law to 3 August 2007.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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Radiation Protection Act 2006

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R2
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Radiation Protection Regulation 2007
Effective: 03/08/07-01/01/08

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Part 1 Preliminary

1 Name of regulation

This regulation is the *Radiation Protection Regulation 2007*.

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition '*prohibited radiation source*—see section 5.' means that the term '*prohibited radiation source*' is defined in that section.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

5 Prohibited radiation sources—Act, s 10 (1)

A radiation source mentioned in schedule 1 is a *prohibited radiation source*.

Part 2 Registration of regulated radiation sources

6 Radiation facility—Act, s 9 (4)

A *radiation facility* is a radiation facility under the national directory.

7 Regulated radiation source—Act, s 10 (2)

A *regulated radiation source* is a radiation source that emits, or is capable of emitting, ionising radiation above the exemption level for the source under the national directory.

Part 3 Exemptions

8 Criteria for exemption of radiation source—Act, s 114 (5)

The criteria the Minister must take into account in deciding whether to exempt a radiation source are the criteria for an exemption for the source under the national directory.

9 Exemptions for certain radiation apparatus—Act, s 123

A radiation source is an exempt radiation source if—

- (a) the radiation source is a radiation apparatus; and
- (b) the radiation apparatus is exempt under the national directory.

Part 4 Miscellaneous

10 **Dangerous event—Act, s 63 (3)**

A radiation incident under the national directory is a *dangerous event*.

11 **Prescribed matters for register—Act, s 86 (e)**

The following are prescribed:

- (a) a decision to refuse to issue a licence to deal with a regulated radiation source under the Act, section 17;
- (b) an amendment of a licence on the council's own initiative under the Act, section 22;
- (c) an amendment of a licence on application by a person under the Act, section 23;
- (d) a decision to refuse to register a radiation source under the Act, section 26;
- (e) an amendment of the registration of a regulated radiation source on the council's own initiative under the Act, section 31;
- (f) an amendment of the registration of a regulated radiation source on application by a person under the Act, section 32.

12 **Radiation dose limits—Act, dict, def *dose limit***

For the Act, a *dose limit* is a dose limit under the national directory.

Part 10 Transitional

50 Modification of Act, pt 10, new section 130A—Act, s 131

The Act, part 10 (Transitional) is modified by inserting the following:

130A Council members

- (1) In this section:

former radiation council means the Radiation Council established under the repealed Act.

- (2) The members of the former radiation council immediately before commencement day are taken to be members of the council appointed under this Act, section 68 until 1 January 2008.
- (3) The chairperson and deputy chairperson of the former radiation council immediately before commencement day are taken to be the chair and deputy chair of the council appointed under this Act, section 70 until 1 January 2008.
- (4) This Act applies as if the appointments under this section commenced on commencement day.
- (5) This section expires on 1 January 2008.

51 Expiry—pt 10

This part expires on 1 January 2008.

Schedule 1 Prohibited radiation sources

(see s 5)

| column 1 item | column 2 prohibited radiation source |
|--------------------------|---|
| 1 | x-ray equipment for dento-maxillofacial radiography that includes an intra-oral x-ray image receptor that operates at an x-ray tube voltage of less than 60 kilovolt peak |
| 2 | direct fluoroscopy x-ray equipment |
| 3 | shoe-fitting x-ray units |

Dictionary

(see s 3)

Note 1 The Legislation Act contains definitions and other provisions relevant to this regulation.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following term:

- Minister (see s 162).

Note 3 Terms used in this regulation have the same meaning that they have in the *Radiation Protection Act 2006* (see Legislation Act, s 148). For example, the following terms are defined in the *Radiation Protection Act 2006*, dict:

- ionising radiation (see s 8 (2))
- national directory
- radiation apparatus (see s 9 (3))
- radiation source (see s 9 (1))
- regulated radiation source (see s 10).

exempt radiation source means a radiation source that is exempt under—

- (a) the Act, section 114; or
- (b) section 9.

prohibited radiation source—see section 5.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|---|---|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | pt = part |
| exp = expires/expired | r = rule/subrule |
| Gaz = gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| IA = Interpretation Act 1967 | R[X] = Republication No |
| ins = inserted/added | RI = reissue |
| LA = Legislation Act 2001 | s = section/subsection |
| LR = legislation register | sch = schedule |
| LRA = Legislation (Republication) Act 1996 | sdiv = subdivision |
| mod = modified/modification | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | <u>underlining</u> = whole or part not commenced or to be expired |

Endnotes

3 Legislation history

3 Legislation history

Radiation Protection Regulation 2007 SL2007-18

notified LR 6 July 2007

s 1, s 2 commenced 6 July 2007 (LA s 75 (1))

remainder commenced 7 July 2007 (LA s 73 (3))

as amended by

Radiation Protection Amendment Regulation 2007 (No 1) SL2007-21

notified LR 2 August 2007

s 1, s 2 commenced 2 August 2007 (LA s 75 (1))

remainder commenced 3 August 2007 (s 2)

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Transitional

pt 10 hdg ins SL2007-21 s 4
exp 1 January 2008 (s 51)

Modification of Act, pt 10, new section 130A—Act, s 131

s 50 ins SL2007-21 s 4
exp 1 January 2008 (s 51)

Expiry—pt 10

s 51 ins SL2007-21 s 4
exp 1 January 2008 (s 51)

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|----------------------------------|----------------------------|-------------------------------|--------------------------|
| R1 7 July 2007 | 7 July 2007– 2 Aug 2007 | not amended | new regulation |

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