



Australian Capital Territory

# **Radiation Protection Regulation 2007**

**SL2007-18**

made under the

**Radiation Protection Act 2006**

**Republication No 7**

**Effective: 10 September 2022**

Republication date: 10 September 2022

Last amendment made by [A2022-12](#)

## 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 10 September 2022. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 10 September 2022.

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](http://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 includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

# Radiation Protection Regulation 2007

made under the

**Radiation Protection Act 2006**

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Australian Capital Territory

# Radiation Protection Regulation 2007

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made under the

**[Radiation Protection Act 2006](#)**

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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 source—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)

For the [Act](#), section 10 (2) (a), the exemption level for a radiation source under the national directory is prescribed.

## 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

- (1) 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.
- (2) A radiation source that is an unsealed radiation source is exempt from the following sections of the [Act](#):
  - (a) section 25 (Application for registration of radiation source);
  - (b) section 60 (Owning unregistered radiation source);
  - (c) section 60A (Dealing with unregistered radiation source).
- (3) In this section:

*unsealed radiation source* means radioactive material that is not permanently sealed in a container or closely bonded and in a solid form.

## Part 10                      Miscellaneous

### 100            **Dangerous event—Act, s 63 (3)**

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

### 101            **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.

### 102            **Radiation dose limits—Act, dict, def *dose limit***

For the [Act](#), a *dose limit* is a dose limit under the national directory.

## Schedule 1 Prohibited radiation sources

(see s 5)

<b>column 1 item</b>	<b>column 2 prohibited radiation source</b>
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
4	a tanning unit used for cosmetic purposes in a solarium

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## 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:

- 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.

***solarium*** means a commercial establishment containing 1 or more tanning units to provide a service of tanning human skin for cosmetic purposes.

***tanning unit*** means an electrically powered appliance or installation intended to produce tanning of the human skin by utilizing ultraviolet radiation.

## Endnotes

1 About the endnotes

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## 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

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

### 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)

**Radiation Protection (Tanning Units) Amendment Regulation 2010 (No 1) SL2010-29**

notified LR 5 July 2010

s 1, s 2 commenced 5 July 2010 (LA s 75 (1))

s 9 commenced 5 July 2011 (s 2)

remainder commenced 17 November 2010 (s 2 and [CN2010-11](#))

**Radiation Protection (Solariums Prohibition) Amendment Regulation 2013 (No 1) SL2013-31**

notified LR 19 December 2013

s 1, s 2 commenced 19 December 2013 (LA s 75 (1))

remainder commenced 31 December 2014 (s 2)

**Radiation Protection Amendment Act 2022 A2022-12 pt 3**

notified LR 10 August 2022

s 1, s 2 commenced 10 August 2022 (LA s 75 (1))

pt 3 commenced 10 September 2022 (s 2)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### Commencement

s 2 om LA s 89 (4)

#### Offences against regulation—application of Criminal Code etc

s 4A ins [SL2010-29](#) s 4  
om [SL2013-31](#) s 4

#### Prohibited radiation source—Act, s 10 (1)

s 5 hdg sub [SL2013-31](#) s 5

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

s 7 sub [SL2010-29](#) s 5  
am [SL2013-31](#) s 6

#### Exemptions for certain radiation apparatus—Act, s 123

s 9 am [A2022-12](#) s 30

#### Solariums and tanning units

pt 4 hdg **orig pt 4 hdg**  
renum as pt 10 hdg  
**pres pt 4 hdg**  
ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

#### Sources and facilities to which pt 4 applies

div 4.1 hdg ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

#### Definitions—pt 4

s 10 **orig s 10**  
renum as s 100  
**pres s 10**  
ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **AS/NZS 2635** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **erythemally effective dose** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **Fitzpatrick skin photo type classification system** ins  
[SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **minimum erythema dose** (or **MED**) ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **skin photo type 1** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7  
def **skin photo type 2** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

- def **skin photo type 3** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **skin photo type 4** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **skin photo type 5** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **skin photo type 6** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **solarium** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **solarium licence** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **solarium operator** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **tanning session** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7
- def **tanning unit licence** ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Disapplication of Legislation Act, s 47 (6)**

- s 11 **orig s 11**  
renum as s 101  
**pres s 11**  
ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Licence conditions—tanning units**

- div 4.2 hdg ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Licence condition for tanning units—Act, s 19 (a)**

- s 12 **orig s 12**  
renum as s 102  
**pres s 12**  
ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Certain people not to be exposed to radiation from tanning units**

- s 13 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**No exposure to radiation from tanning units without written consent**

- s 14 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Limits on exposure to radiation from tanning units**

- s 15 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

## Endnotes

4 Amendment history

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### **Frequency of exposure to radiation from tanning units**

s 16 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **People exposed to radiation from tanning units to wear protective eyewear**

s 17 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Only one person to use tanning unit at a time**

s 18 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Licence conditions—solarium licences**

div 4.3 hdg ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Licence condition for solariums—Act, s 19 (a)**

s 19 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Display of warning notices at solariums**

s 20 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Training of tanning unit operators**

s 21 ins [SL2010-29](#) s 9  
om [SL2013-31](#) s 7

### **Supervision by operator of tanning unit**

s 22 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Requirements for people who carry on solariums**

s 23 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Requirement to keep records and documents**

s 24 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Requirement to keep copy of regulation and standard**

s 25 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Offences—solarium operators**

div 4.4 hdg ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

### **Prohibition on claims of health benefits and safety from risk**

s 26 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**Claims in respect of tanning sessions**

s 27 ins [SL2010-29](#) s 8  
om [SL2013-31](#) s 7

**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)

**Miscellaneous**

pt 10 hdg **orig pt 10 hdg**  
ins [SL2007-21](#) s 4  
exp 1 January 2008 (s 51)  
**pres pt 10 hdg**  
(prev pt 4 hdg) renum as pt 10 hdg [SL2010-29](#) s 6

**Dangerous event—Act, s 63 (3)**

s 100 (prev s 10) renum as s 100 [SL2010-29](#) s 7

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

s 101 (prev s 11) renum as s 101 [SL2010-29](#) s 7

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

s 102 (prev s 12) renum as s 102 [SL2010-29](#) s 7

**Prohibited radiation sources**

sch 1 am [SL2013-31](#) s 8

**Dictionary**

dict sub [SL2013-31](#) s 9  
def **AS/NZS 2635** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **erythemally effective dose** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **exempt radiation source** sub [SL2013-31](#) s 9  
def **Fitzpatrick skin photo type classification system** ins  
[SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **minimum erythema dose** (or **MED**) ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **prohibited radiation source** sub [SL2013-31](#) s 9  
def **skin photo type 1** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **skin photo type 2** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9  
def **skin photo type 3** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9

## Endnotes

### 4 Amendment history

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- def **skin photo type 4** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **skin photo type 5** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **skin photo type 6** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **solarium** ins [SL2010-29](#) s 10  
sub [SL2013-31](#) s 9
- def **solarium licence** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **solarium operator** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **tanning session** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9
- def **tanning unit** ins [SL2010-29](#) s 10  
sub [SL2013-31](#) s 9
- def **tanning unit licence** ins [SL2010-29](#) s 10  
om [SL2013-31](#) s 9

## 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
R2 3 Aug 2007	3 Aug 2007– 1 Jan 2008	<a href="#">SL2007-21</a>	modification by SL2007-18 as amended by <a href="#">SL2007-21</a>
R3 2 Jan 2008	2 Jan 2008– 16 Nov 2010	<a href="#">SL2007-21</a>	commenced expiry
R4 17 Nov 2010	17 Nov 2010– 4 July 2011	<a href="#">SL2010-29</a>	amendments by <a href="#">SL2010-29</a>
R5 5 July 2011	5 July 2011– 30 Dec 2014	<a href="#">SL2010-29</a>	amendments by <a href="#">SL2010-29</a>
R6 31 Dec 2014	31 Dec 2014– 9 Sept 2022	<a href="#">SL2013-31</a>	amendments by <a href="#">SL2013-31</a>

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