

# JOINT NATIONAL NCP REVIEW OF RADIATION PROTECTION LEGISLATION

## REVISED LIST OF RECOMMENDATIONS

### Objectives of the legislation

- 1 Jurisdictions are to ensure that the objectives of their radiation protection legislation include the goal of protecting the health and safety of people and the environment from the harmful effects of ionising and non-ionising radiation.

**(Original recommendation:** *“Jurisdictions are to amend the objectives statement of their legislation to “the protection of public health and safety and the environment from the harmful effects of ionising and non-ionising radiation”.*)

- 2 Jurisdictions are to identify duplication and discrepancies between radiation protection legislation and other related legislation, standards or codes of practice and take action to minimise the duplication and discrepancies consistent with national uniformity policies.

- 3 Jurisdictions are to include nationally consistent provisions in radiation protection legislation to protect people from the harmful effects of non-ionising radiation.

**(Original recommendation:** *“Jurisdictions are to include nationally consistent provisions in radiation protection legislation to protect the public from the harmful effects of non-ionising radiation.”*)

### Is there a need to regulate?

- 4 Jurisdictions are to retain the regulatory approach to achieve radiation protection objectives.

### Alternative regulatory approaches

- 5 Jurisdictions are to consider using performance-based approaches where appropriate (that is, description of outcomes rather than the prescription of required action) based on risk management principles and all applicable quality and process standards. This is to be done in a nationally uniform manner within the framework of the National Directory for Radiation Protection.

- 6 Jurisdictions are to incorporate risk management principles in the National Directory for Radiation Protection.

- 7 Jurisdictions are to develop a uniform set of protocols on functions that can be outsourced to third-party service providers and establish national accreditation processes and guidelines for such providers. This could be done as part of the National Directory for Radiation Protection.

- 8 Jurisdictions are to legislate to review their radiation protection legislation at intervals of no more than 10 years.

### National uniformity

- 9 Jurisdictions are to participate fully and unconditionally in the formulation and implementation of the National Directory for Radiation Protection and conduct a review of its effectiveness and efficiency within three years of its commencement.

- 10 The National Directory for Radiation Protection should take account of all existing standards, including those produced by ARPANSA, the National Health and Medical Research Council, the National Occupational Health & Safety Commission and Standards Australia.

- 11 Standards and codes of practice that will be adopted in the National Directory for Radiation Protection are to be, as far as practicable, consistent with relevant recommendations of international organisations and international standards.

#### Licensing and registration

- 12 The current systems of licensing and registration of operators, radiation equipment and radioactive substances are to be retained.
- 13 Jurisdictions are to review the need to license dentists as part of the development of the National Directory for Radiation Protection.

#### Strict and prescriptive standards

- 14 Jurisdictions are to retain the current prescriptive approach in their legislation, while making efforts to move towards a performance-based approach as required under Recommendation 5.

**(Original recommendation:** *“Jurisdictions are to retain the prescriptive approach in their legislation.”*)

- 15 Jurisdictions are to take into account the needs of rural, remote and Aboriginal and Torres Strait Islander communities when formulating radiation protection policies.

#### Advertising and promotional activities

- 16 Jurisdictions are to remove any provision that restricts any licensee, holder of an exemption or registration from referring to that fact in any advertising or promotional material.

#### Compliance costs and cost recovery issues

- 17 Jurisdictions are to incorporate an administrative protocol in the National Directory for Radiation Protection for the application of mutual recognition principles to the grant of licences and registrations to inter-State/Territory applicants.
- 18 Jurisdictions should recover the cost of their regulatory oversight from licensing and registration fees except for activities of the regulatory authorities that are of a public good nature.
- 19 Jurisdictions should agree on a nationally uniform system of classification for radiation incidents, accidents or emergencies and develop a cost-effective national system to collect and collate information and publish a national register for radiation incidents.