



Australian Government

Australian Radiation Protection and Nuclear Safety Agency

REGULATORY & POLICY BRANCH

REGULATORY INSPECTION POLICY

RPB-MAN-280

Version: 3

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Signature:

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Date:

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1. PURPOSE

The aim of this document is to promulgate a regulatory inspection policy for monitoring compliance with the *Australian Radiation Protection and Nuclear Safety Act 1998* (the Act) Act and the Australian Radiation Protection and Nuclear Safety Regulations 1999 (the Regulations).

2. SCOPE

This policy applies to the Branch Director and Inspectors appointed by the CEO under section 62 of the Act.

3. POLICY STATEMENT

- 3.1 A Regulatory Inspection Program, underpinned by the principles set out in the *Statement of Regulatory Policy*, must be established and maintained. This policy requires that the Regulatory Inspection Program be transparent, consistent, accountable, responsive, risk-based and outcome focused.
- 3.2 The Regulatory Inspection Program must provide for identification of activities prohibited under the Act without an appropriate licence or exemption from a licence.
- 3.3 The Regulatory Inspection Program must provide for assessment and verification of licence holder activities to ensure radiation protection and nuclear safety in accordance with the Act and Regulations, licence conditions, and all applicable standards and codes of practice.
- 3.4 The Regulatory Inspection Program must provide for appropriate response to reports of non-compliance with the Act, Regulations, licence conditions, wrong-doing, operational or abnormal occurrences, or incidents and accidents by a licence holder or the licence holder's contractors or vendors.
- 3.5 Inspectors must, under direction from the CEO or Branch Director, undertake investigations in response to reports or in response to actions arising from other inspections.
- 3.6 Inspectors must acquire and maintain appropriate competency, as described in RPB-INS-SUP-280G.
- 3.7 Inspectors must conduct inspections in accordance with the Act and Regulations and apply and observe appropriate evidence gathering principles.
- 3.8 Regulatory inspections must be undertaken according to approved procedures.
- 3.9 Regulatory inspections must be planned taking into account the risk informed approach to planning of regulatory inspections.
- 3.10 Regulatory inspections may be announced or unannounced.

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4. IMPLEMENTATION

This policy is implemented through:

- 4.1 Planning, performance and reporting of inspections in accordance with RPB-INS-SOP-280A *Regulatory Inspection Procedure*.
- 4.2 Maintenance of an inspection schedule in accordance with RPB-INS-SUP-280A *Guidance on developing and maintaining the Regulatory Branch inspection schedule*.
- 4.3 Providing inspectors with appropriate training to ensure competency.
- 4.4 Ensuring inspectors maintain currency of knowledge and skills and perform (where possible) at least three inspections per year.
- 4.5 The provision of appropriate resources including maintaining the number of inspectors, provision of equipment and funds for travel to licence holders' premises.
- 4.6 The reporting of inspection findings to the Director, Regulatory and Policy Branch in accordance with the standard operating procedure.
- 4.7 The regular review of the effectiveness of the regulatory inspection program.

5. RESPONSIBILITIES

- 5.1 The Director, Regulatory & Policy Branch is responsible for:
 - (a) Implementing this policy and advising the CEO accordingly.
 - (b) Monitoring compliance with Division 1 of Part 5 of the Act, namely prohibitions associated with the construction, operation etc of nuclear installations or prescribed radiation facilities, or the possession of controlled material or controlled apparatus; as well as compliance with the conditions of licence by licence holders and persons covered by a licence.
 - (c) Enabling ARPANSA staff to exercise regulatory inspection powers for and on behalf of the CEO.
 - (d) Establishing and maintaining inspection policies and procedures.
 - (e) Giving directions to inspectors under the Act.
- 5.2 Inspectors are responsible for exercising their powers and performing functions in accordance with the Act, the Regulations and this policy.