



**SENATOR THE HON RICHARD COLBECK**

Minister for Aged Care and Senior Australians

Minister for Youth and Sport

Ref No: MS20-000529

Dr Carl-Magnus Larsson  
Chief Executive Officer  
Australian Radiation Protection and Nuclear Safety Agency  
619 Lower Plenty Road  
YALLAMBIE VIC 3085

21 JUL 2020

Dear Dr Larsson

I am writing to express my appreciation of the valuable and important work undertaken by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), to protect the health and safety of people and to protect the environment from the harmful effects of radiation, and to lay out my expectations of the ARPANSA, with a focus on the next 12 months. This Statement of Expectations will assist with the Australian Government's commitment to effective governance and performance of the ARPANSA, guided by the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

**INTRODUCTION**

The Government recognises and respects the independence of the Chief Executive Officer (CEO) of the ARPANSA and your responsibility for regulation of Commonwealth activities involving radiation, and for related functions, as provided by the *Australian Radiation Protection and Nuclear Safety Act 1998* (Act). To maintain confidence in the regulatory framework, it is imperative that the ARPANSA acts, and is perceived to act, independently in performing its functions and exercising its powers as set out in the Act.

Under the Act, the ARPANSA carries out a number of other functions such as undertaking research and the provision of advice and services, with the aim of promoting radiation safety across all Australian jurisdictions. The ARPANSA is expected to provide those functions with the highest level of integrity and based on a firm understanding of radiation effects and risks.

The Government expects that the ARPANSA should maintain a high level of awareness of the Government's health, industry and environmental policy objectives and respond effectively to Government policy directions and objectives. The Government also expects that the ARPANSA, in fulfilling its role, will maintain productive working relationships with other relevant jurisdictional and Commonwealth regulators and international research and standard setting bodies.

**VISION**

I would like to emphasise the objectives of the ARPANSA outlined in the Act; to protect the health and safety of people and to protect the environment from the harmful effects of radiation. This is achieved through understanding risks, best practice regulation, research, policy, services, partnerships and engaging with the community.

This Statement of Expectations should also guide longer-term planning for the ARPANSA in fulfilling its obligations and functions outlined in the Act, including advice and implementation of Government priorities for health protection in radiation safety. In performing your role, I ask you to continue working closely and cooperatively with the Department of Health, which remains the primary source of policy development and advice to Government. The Department has strategic regulatory policy and national leadership responsibility for radiation protection and nuclear safety, with particular regard to the regulatory framework. This includes best practice for health technologies related to radiation and nuclear safety

## **PRIORITIES**

The Government expects that you and the ARPANSA continue your contribution to maintaining a high standard of radiation protection and nuclear safety in Australia by providing advice, developing standards and regulating Commonwealth entities.

In exercising your responsibilities under the Act, the ARPANSA should maintain a high level of competence and expertise in the fields in which it operates and an active awareness of new research, scientific and regulatory developments. As the regulator of the Government's safe use of radiation sources and facilities and nuclear installations, the ARPANSA should apply a risk informed approach to regulation. To this end, I ask that you continue to identify and address specific risks to your regulatory processes.

As you know, the objective of the ARPANSA is specified in the *Health Portfolio Budget Statements 2019–20*, that: The Australian Government, through ARPANSA, aims to protect the Australian people and the environment from the harmful effects of radiation. Scientific knowledge and international best practice is applied to promote awareness of the effects of radiation, and a nationally uniform approach to radiation protection of people (the public, workers and patients undergoing medical procedures using radiation) and the environment. ARPANSA regulates the use of radiation sources, facilities and nuclear installations operated by the Australian Government.

In delivering this objective, the ARPANSA should seek to protect the public, workers and the environment from the harmful effects of radiation through effective risk-informed regulation and delivery of services under the Act. Consistent with the ARPANSA 2019–23 Corporate Plan, it is expected that the ARPANSA:

- Identify, assess and communicate health, safety and environmental risks from radiation.
- Promote radiological and nuclear safety and security, and emergency preparedness.
- Promote the safe and effective use of ionising radiation in medicine.
- Ensure risk informed and effective regulation.
- Enhance engagement with stakeholders.
- Enhance organisational innovation, capability and resilience.

The Government expects that the ARPANSA will also work with the Communications Portfolio to deliver its responsibilities for the enhanced Electromagnetic Energy (EME) Program as announced by Government in December 2019. In particular, this should include:

- Managing an Australian research program to conduct targeted research into EME issues of relevance to Australia including measurement studies assessing EME levels in the community.
- Involvement in international forums (such as the World Health Organization), as well as the setting and maintenance of EME standards and provision of expert scientific advice on EME and health to stakeholders.
- Providing input and advice to a targeted public communications program, overseen by the Department of Infrastructure, Transport, Regional Development and Communications, to provide accessible information to the general public.

In addition, I note that the ARPANSA will be expected to provide a high-quality, evidence-based assessment of any future National Radioactive Waste Management Facility licence application.

### **RELATIONSHIP WITH MINISTER AND PORTFOLIO**

The ARPANSA plays an essential role in ensuring that I, as Minister for Aged Care and Senior Australians and Minister for Youth and Sport, and the Government, is well placed to respond promptly to issues that may arise in the radiation protection and nuclear safety space.

The ARPANSA should, therefore, provide Government with accurate and timely advice on significant issues relating to its core area of business. Significant issues might include: matters for which the Government is likely to be accountable in Parliament; and important operational or budgetary issues. I would also expect you work closely with the Department in contributing to ongoing policy advice and ideas to strengthen our vision for radiation protection and nuclear safety in Australia.

In this context, I am looking forward to maintaining my close working relationship with the ARPANSA and the Office of the Chief Medical Officer. I request that I, and the Department, are consulted early in the development process for future work, and I will ensure you are fully informed of the Government's policy direction as specific initiatives and strategies are considered. The Government expects the ARPANSA and the Office of Health Protection continue to maintain a close working relationship.

### **ORGANISATIONAL GOVERNANCE AND FINANCIAL MANAGEMENT**

I request you continue to provide appropriate governance of the ARPANSA's advisory bodies covered by Part 4 of the Act. In light of recent public scrutiny of the governance of some Commonwealth instrumentalities, we need to ensure we meet the requirements of the legislation and also remain cognisant of community expectations.

I expect the ARPANSA to continue to comply with the principles of the Commonwealth Resource Management Framework and the enhanced Commonwealth Performance Framework established under the PGPA Act, and to give effect to the financial management and the broader governance, performance and accountability requirements applicable to a non-corporate Commonwealth entity.

Furthermore, my expectation is that the ARPANSA maintains the capacity to be flexible and responsive to emerging priorities and issues which might arise throughout the year.

### **REGULATORY FRAMEWORK**

I expect the ARPANSA to exercise its regulatory functions appropriately and according to the Act. In addition, I would ask the ARPANSA also act in accordance with Government policies to minimise regulatory burden and maximise the clarity and transparency of your operations. I understand that a key mechanism to achieve this in relation to radiation protection will be through continuing to encourage nationally consistent regulation.

### **TRANSPARENCY AND ACCOUNTABILITY**

The ARPANSA is accountable to me, as the relevant Minister and to the Parliament.

In accordance with the PGPA Act, I expect the ARPANSA to fulfil its reporting obligations provide reports to me as the responsible portfolio Minister.

Also, as required under Sections 59 and 60 of the Act, you should report through me to the Australian Parliament both annually and quarterly on your operations and matters including details of any breach of license conditions by a licensee during the financial year, of which you are aware and details of all reports that you receive. The quarterly report should also include a list of facilities licensed in that period.

In addition to reporting on the operations of the ARPANSA, you are also responsible for monitoring and reporting on the operations of the Radiation Health and Safety Advisory Council, the Radiation Health Committee and the Nuclear Safety Committee, under the Act.

I would appreciate your response to this letter in the form of a Statement of Intent within three months, outlining how the ARPANSA proposes to meet the expectations outlined herein, and ensure that the Government's priorities are reflected in the ARPANSA's strategic and operational plans. The ARPANSA has a leadership role to advance the Government's radiation and nuclear safety policy agenda and I am keen to continue working with the ARPANSA to ensure that the current high standards continue into the future.

To enable greater transparency and accountability, information in this letter along with your response should be published and made publically available on ARPANSA's website in due course.

Yours sincerely



Richard Colbeck

cc: Minister Hunt, Minister for Health, Minister Assisting the Prime Minister for the Public Service and Cabinet