

SECOND READING SPEECH

Radiation Protection Amendment Bill 2012

Mr Speaker,

The purpose of this Bill is to make a number of miscellaneous amendments to the *Radiation Protection Act*.

The Act has a commendable 'track record' and has, since it commenced on 1 June 2006, acted as an effective framework for protecting the people of Tasmania and the environment from harmful radiation, while recognising and enabling access to its beneficial uses.

Radiation sources include equipment such as x-ray units, high powered lasers and intense pulse lights, and radioactive material used in medicine, research, industry and mining.

Tasmania has a strong history of regulating radiation, from the first *Radioactive Substances Act* being passed by Parliament in 1954 to the review and rewrite of the *Radiation Control Act 1977* which resulted in the Act we have today.

The Bill before Members does not represent a significant rewrite or reform package. Rather, it is the result of the Director of Public Health and the Radiation Protection Unit monitoring closely the practical day-to-day application of the Act.

A handful of amendments have been identified that will provide greater clarity and certainty in the administration of the Act.

For example, the Bill clarifies the meaning of the terms 'possess' and 'dispose of' which provides certainty as to the circumstances in which each of these licences is required.

It also resolves a small number of unintended consequences and closes gaps which are primarily administrative in nature.

Although these consequences and gaps have not in any practical sense compromised the safety outcomes the Act is intended to deliver, addressing them will assist in ensuring the Act is clear and unambiguous in its application.

Of note is the new offence provision in the Bill, in which a person must not publicly represent that a licence issued under the Act constitutes an endorsement by the Crown of the efficacy of the procedure for which the radiation source is used.

This is to ensure consumers are not misled as to the effectiveness of the licence holder or the radiation source in achieving the purpose for which the source is purportedly used.

That aspect is addressed by other entities - for example, the Faculty of Radiation Oncology within the Royal Australian and New Zealand College of Radiologists, which sets quality standards and protocols for the treatment of cancer.

The Bill also introduces a second guiding principle for exempting radiation sources, which is derived from the *Basic Safety Standards* issued by the International Atomic Energy Agency.

The amended exemption power provides that a radiation source or practice may be exempt from the Act if there is no net health or safety benefit from continuing to regulate it under the Act.

This is designed to avoid additional, duplicate or otherwise unnecessary regulatory burdens.

The amendments contained in the Bill were widely consulted on with individual invitations sent to key stakeholders, including current licence holders and the Australian Radiation Protection and Nuclear Safety Agency, as well as being advertised on the Department's website.

The Department also consulted with the Radiation Advisory Council, which is established under the Act to, among other things, advise the Director of Public Health and the Minister on radiation protection and nuclear safety matters and matters relating to the administration of the Act.

Current membership of the Radiation Advisory Council comprises a representative from Population Health and the Environment Protection Authority, a nuclear medicine physician, a radiologist, a radiation oncologist, a radiation therapist, a retired university physicist, a radiographer and an engineer with expertise in non-ionising radiation.

Whilst this Bill does not contain significant reforms, the changes within it are nonetheless necessary and important to ensure the Act continues to provide a robust and reliable framework for regulating radiation in Tasmania.

I commend the Bill to the House.