

NORTHERN TERRITORY OF AUSTRALIA

RADIATION PROTECTION AND RADIOGRAPHERS AMENDMENT ACT
2009

Act No. 21 of 2009

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 21 of 2009

An Act to amend the *Radiation Protection Act* and *Radiographers Act*

[Assented to 25 June 2009]
[Second reading 30 April 2009]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 **Preliminary matters**

1 **Short title**

This Act may be cited as the *Radiation Protection and Radiographers Amendment Act 2009*.

2 **Commencement**

- (1) Parts 1 and 2 commence on the day on which the Administrator's assent to this Act is declared.
- (2) Part 3 commences on the day on which, but immediately after, the *Radiation Protection Act 2004* commences.
- (3) The remaining provisions of this Act commence 1 year after the day section 15 commences.

Part 2 Amendment of Radiation Protection Act**3 Act amended**

This Part amends the *Radiation Protection Act*.

4 Amendment of section 89 (Regulations)**(1) Section 89(1)**

omit

all words after "regulations"

substitute

under this Act.

(2) After section 89(2)

insert

- (2A) The Regulations may also provide for matters relevant to the application of this Act to a person's practising certificate or certificate of provisional registration, or a permit, under the *Radiographers Act*, that is taken to be a licence under section 100 or 102.

5 Amendment of Part 9 heading

Part 9, heading

omit

all the words after "**provisions**"

substitute

, consequential amendments and other provisions

6 Amendment of section 91 (Definitions)

Section 91, definition *repealed Radiographers Act*

omit

7 Repeal of section 93

Section 93

repeal

8 Amendment of Part 9, Division 4 heading

Part 9, Division 4, heading

omit

Transitional provisions for repealed

substitute

Provisions relating to**9 Amendment of section 100 (Registration)**

(1) Section 100(1)

omit, substitute

(1) This section applies if:

(a) a person:

- (i) is or becomes registered under section 12 of the *Radiographers Act* as a radiographer and holds or is issued a practising certificate under section 13 of that Act; or
- (ii) is or becomes provisionally registered under section 12A of the *Radiographers Act* as a radiographer and holds or is given a certificate of provisional registration under that section; and

(b) the person possesses, uses or operates irradiating apparatus under that Act for practising radiography.

(2) After section 100(2)

insert

(2A) For a person mentioned in subsection (1)(a)(i), if the person's practising certificate is suspended under the *Radiographers Act*, subsection (2) does not apply during the period of the suspension.

(2B) For a person mentioned in subsection (1)(a)(ii), if the person's certificate of provisional registration:

(a) is suspended under the *Radiographers Act*, subsection (2) does not apply during the period of the suspension; or

(b) is no longer in force under the *Radiographers Act*, subsection (2) does not apply to the person on and after the

day the provisional registration is no longer in force.

(3) Section 100(3)

omit

all the words after "relevant"

substitute

conditions.

(4) Section 100(4), definition ***relevant conditions***

omit

all the words after "that"

substitute

apply to the certificate.

10 Repeal of section 101

Section 101

repeal

11 Amendment of section 102 (Permit for radiographic procedures)

(1) Section 102(1)

omit

repealed

(2) Section 102(3)

omit

all the words after "until the permit"

substitute

expires under the *Radiographers Act*.

12 Amendment of section 103 (Amendment of *Dangerous Goods Act*)

Section 103

omit

6

substitute

4

13 Repeal of schedule 2

Schedule 2

*repeal***Part 3 Amendment of Radiographers Act****14 Act amended**This Part amends the *Radiographers Act*.**15 Amendment of section 19 (Persons exempted)**

Section 19(1)(b)

omit, substitute(b) under a licence under the *Radiation Protection Act*.*Note for paragraph (b)**See section 102 of the Radiation Protection Act in relation to particular persons who are taken to be licensed under that Act.***16 Amendment of section 20 (Permit for specific radiographic procedures)**

After section 20(6)

insert

- (7) The Board must not grant a permit under this section on or after the day section 102 of the *Radiation Protection Act* commences.

Part 4 Further amendment of Radiographers Act**17 Act amended**

This Part amends the *Radiographers Act*.

18 Amendment of section 11 (Register)

(1) Section 11(2)(a)

omit

, or a permit under section 20,

(2) Section 11(2)(c) and (d)

omit

or permit

(3) Section 11(2)(e)

omit

(4) Section 11(2)(a) to (d), at the end

insert

and

19 Amendment of section 17 (Appointment of inspectors)

Section 17(6)

omit, substitute

(6) In this section:

a person to whom this Act applies includes:

(a) an applicant for registration; and

(b) a person who is registered.

20 Repeal of section 20

Section 20

repeal

21 Amendment of section 21 (Record of persons exposed to radiography)

Section 21(1)

omit

, or a person to whom a permit under section 20 has been granted, shall

substitute

must

22 Amendment of section 22A (Annual publication of register)

Section 22A

omit

all the words after "of entries"

substitute

in the register of all registered radiographers.

Part 5 Expiry of Act**23 Expiry**

This Act expires the day after Part 4 commences.