

Serial 197  
Radiation Protection Amendment Bill 2012  
Mr Vatskalis

A Bill for an Act to amend the *Radiation Protection Act*

NORTHERN TERRITORY OF AUSTRALIA

RADIATION PROTECTION AMENDMENT ACT 2012

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Act No. [ ] of 2012

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2012

An Act to amend the *Radiation Protection Act*

[Assented to [ ] 2012]  
[Second reading [ ] 2012]

The Legislative Assembly of the Northern Territory enacts as follows:

## 1 Short title

This Act may be cited as the *Radiation Protection Amendment Act 2012*.

## 2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

## 3 Act amended

This Act amends the *Radiation Protection Act*.

## 4 Section 4 amended

Section 4

*insert (in alphabetical order)*

*mining site*, for Part 3A, see section 47A.

*operator*, for Part 3A, see section 47A.

*personal radiation exposure record*, for Part 3A, see section 47A.

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*radiation exposure information*, for Part 3A, see section 47A.

*radiation worker*, for Part 3A, see section 47A.

## **5 Section 9 amended**

(1) Section 9

*omit*

Subject to section 11,

*insert*

(1) Subject to subsection (2), section 11 and Part 3A,

(2) After section 9(1)

*insert*

(2) Parts 4, 5, 6, 7 and 8 of this Act apply in relation to the activities mentioned in subsection (1) for the administration of section 11 and Part 3A.

## **6 Part 3A inserted**

After section 47

*insert*

### **Part 3A Monitoring and recording of personal radiation exposure on mining sites**

#### **47A Definitions**

In this Part:

*mining site* means a mining site, as defined in section 4 of the *Mining Management Act*, that is prescribed by the Regulations.

*operator*, for a mining site, see section 4 of the *Mining Management Act*.

*personal radiation exposure record* means a record kept under section 47C.

*radiation exposure information* means any of the following:

(a) information contained in a personal radiation exposure record;

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- (b) the results of monitoring conducted under section 47B;
  - (c) information in relation to a person's exposure to radiation obtained by monitoring conducted by an operator before the commencement of this Part.

***radiation worker*** means a worker, as defined in section 4 of the *Mining Management Act*, who is in a class of workers prescribed by the Regulations to be radiation workers.

#### **47B Monitoring of exposure to radiation**

The operator for a mining site must conduct monitoring or testing in relation to exposure to radiation for each radiation worker who works on the mining site as required by the Regulations.

Maximum penalty:      If the offender is a natural person –  
200 penalty units.

                                 If the offender is a body corporate –  
1 000 penalty units.

#### **47C Operator to keep personal radiation exposure records for radiation workers**

- (1) The operator for a mining site must maintain an up-to-date personal radiation exposure record for each radiation worker who works on the mining site.

Maximum penalty:      If the offender is a natural person –  
100 penalty units.

                                 If the offender is a body corporate –  
500 penalty units.

- (2) The personal radiation exposure record for a radiation worker must:
  - (a) include the information prescribed by the Regulations; and
  - (b) be kept in the form and manner prescribed by the Regulations.
- (3) The operator must keep a personal radiation exposure record for the period prescribed by the Regulations.

Maximum penalty:      If the offender is a natural person –  
100 penalty units.

                                 If the offender is a body corporate –  
500 penalty units.

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## **47D Reporting**

- (1) The operator for a mining site must give information relating to this Part as prescribed by the Regulations to the following persons:

- (a) the CEO of ARPANSA within the meaning of the *Australian Radiation Protection and Nuclear Safety Act 1998* (Cth);
- (b) the Chief Health Officer.

Maximum penalty: If the offender is a natural person –  
100 penalty units.

If the offender is a body corporate –  
500 penalty units.

- (2) For subsection (1), information relating to this Part includes radiation exposure information.

## **47E Persons on mining site to facilitate compliance by operator**

A person on a mining site must comply, so far as the person is reasonably able, with any reasonable instruction given by the operator for the mining site for the purpose of enabling the operator to comply with this Part.

Maximum penalty: If the offender is a natural person –  
20 penalty units.

If the offender is a body corporate –  
100 penalty units.

## **47F Access to records and information for radiation workers**

- (1) The operator for a mining site must give a person access to, or a copy of, radiation exposure information about the person on request.

Maximum penalty: If the offender is a natural person –  
100 penalty units.

If the offender is a body corporate –  
500 penalty units.

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- (2) The operator for a mining site must give information about the operation and effect of this Part to radiation workers and other persons as required by the Regulations.

Maximum penalty: If the offender is a natural person –  
100 penalty units.

If the offender is a body corporate –  
500 penalty units.

#### **47G Confidentiality**

- (1) A person who has access to radiation exposure information must not directly or indirectly disclose that information to another person.

Maximum penalty: If the offender is a natural person –  
500 penalty units.

If the offender is a body corporate –  
2 500 penalty units.

- (2) Subsection (1) does not apply to a person disclosing the information:

(a) with the consent of the person to whom the information relates; or

(b) for the administration of this Act; or

(c) for legal proceedings arising out of the operation of this Act; or

(d) in a statistical form that does not identify any person to whom the information relates; or

(e) in accordance with the Minister's authorisation under subsection (3); or

(f) as otherwise authorised or required by law.

- (3) The Minister may, in writing, authorise the disclosure of radiation exposure information to a stated person for a stated purpose if, before disclosing the information, the Minister takes reasonable steps to protect the privacy of persons to whom the information relates.

- (4) For subsection (3), a stated person may be:

(a) a named person; or

(b) a person holding or occupying a stated office, position or designation; or

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- (c) the person from time to time holding or occupying a stated office, position or designation.