



THE RADIATION PROTECTION REGULATIONS 1973,
AMENDMENT NO. 1

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 16th day of December 1974

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Radiation Protection Act 1965, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Radiation Protection Regulations 1973, Amendment No. 1, and shall be read together with and deemed part of the Radiation Protection Regulations 1973* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by omitting from subclause (1) the definition of the term “sealed radioactive material”, and substituting the following definition:

“‘Sealed radioactive material’ means any radioactive material which is intended to be used without releasing any radioactive substance and which is in a form that effectively restricts the escape of radioactive substances during use.”.

3. Exemption of certain irradiating apparatus—Regulation 4 of the principal regulations is hereby amended by omitting the words “section 15”, and substituting the words “section 14 or section 15”.

4. Special exemptions for ships and aircraft—Regulation 5 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Nothing in section 12 or section 13 of the Act or in these regulations shall apply in respect of any radioactive material which is part of the equipment or stores of a ship or aircraft belonging to a country other than New Zealand, unless any of the radioactive material is removed from that ship or aircraft in New Zealand, or the radioactive material is—

“(a) Part of a nuclear reactor; or

“(b) Pyrophoric or associated with pyrophoric material; or

“(c) Explosive or associated with explosive material; or

“(d) A large radioactive source as defined in the Transport of Radioactive Materials Regulations 1973; or

“(e) Fissile material, as so defined, other than fissile material exempted by clause 9 (1) (c) of the Code set out in the Schedule to those regulations from certain provisions of that Code.”

5. Provision for further exemptions—Regulation 7 of the principal regulations is hereby amended by adding the following subclauses:

“(3) Without restricting subclause (1) of this regulation, the Minister may from time to time, on the recommendation of the Council given on the ground that the form and manner of use of the article to which the recommendation relates sufficiently limits any radiation hazard resulting from that use, by notice in the *Gazette*, exempt from all or any of the provisions of section 12 and of subsection (1) of section 13 of the Act, and from all or any of the provisions of these regulations, either absolutely or subject to such conditions, or in relation to such purpose or use, as may be prescribed in the notice, any specified article or class of article falling within a description to which this subclause applies, and may in like manner, on the recommendation of the Council, revoke any such notice.

“(4) The descriptions of articles to which subclause (3) of this regulation applies are—

“(a) Instruments for measuring or detecting materials, or environmental and other physical conditions, containing radioactive material as a source of ionisation or radiation necessary for their operation:

“(b) Devices containing radioactive material for the purpose of ionising a gas:

“(c) Sealed radioactive materials prepared for purposes of instruction or demonstration:

“(d) Devices for the production of light which contain radioactive material as a source of energy.”

6. Disposal of waste products—Regulation 13 of the principal regulations is hereby amended by omitting from subclause (2) the words, “exempted from sections 12 and 13 (1) of the Act by subclause (1) of

regulation 3 of these regulations”, and substituting the words, “, which are exempted from sections 12 and 13 (1) of the Act by subclause (1) of regulation 3 of these regulations and to which paragraph (a) of subclause (2) of that regulation applies,”.

7. Exposure to radiation—Regulation 16 of the principal regulations is hereby amended by omitting from subclause (3) the words “paragraph (a)”, and substituting the words “paragraph (b)”.

8. Exempted articles—(1) The Fourth Schedule to the principal regulations is hereby amended by adding, to the appropriate columns in Part I, the following item:

“3. Smoke detecting fire alarms and other atmospheric contaminant detectors containing any alpha-emitting radionuclide of activity not more than 20 times the activity shown in the first column of the table in clause 2 of the Second Schedule to these regulations for the group in which the radionuclide appears in the second column of that table.

“3. (a) The radioactive material shall be in a form which effectively prevents its dispersal, and shall be mounted in such a manner that it is not readily accessible without dismantling the apparatus.

“(b) The device shall bear a durable label containing the radiation warning symbol set out in clause 1 of the Third Schedule to these regulations, in black on a white background and with an overall diameter of not less than 20 mm, together with the words, in letters not less than 3 mm high, ‘CONTAINS RADIOACTIVE MATERIAL—DO NOT DISMANTLE’.

“(c) The device is accompanied by written instructions, which have been approved by the Director-General, in regard to the care, safe use, and ultimate means of disposal, of the radioactive material.”

(2) The Fourth Schedule to the principal regulations is hereby further amended by adding to item 1 in the first column of Part II the words “or 300 millicuries of Hydrogen-3 (Tritium)”.

(3) The Fourth Schedule to the principal regulations is hereby further amended by omitting item 2 from each of the columns of Part II, and substituting the following items:

- “2. Luminous devices activated by Hydrogen-3 (Tritium) in the form of elementary hydrogen gas with not more than 20 millicuries in any other chemical form and of total activity not exceeding 2 curies.
- “2. The device is accompanied by written instructions, which have been approved by the Director-General, in regard to the care, safe use, and ultimate means of disposal, of the radioactive material.
- “3. Uranium metal of natural isotopic composition, or depleted in uranium - 235, which is used as radiation shielding, either in transport packages for radioactive materials or in any other manner.
- “3. The uranium metal shall be completely clad in a sheath of metal which is not radioactive and which will effectively protect the uranium metal from mechanical or chemical damage in its intended use.”

P. G. MILLEN,

Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Radiation Protection Regulations 1973. They redefine the term “sealed radioactive material”, and amend provisions affecting exemptions in relation to certain irradiating apparatus, ships and aircraft, and specified articles, and the form and manner of use of certain articles. They also make amendments of a minor drafting nature to provisions relating to disposal of waste products, and exposure to radiation.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 December 1974.

These regulations are administered in the Health Department.