

House of Representatives

Supplementary Order Paper

Tuesday, 10 November 2015

Radiation Safety Bill

Proposed amendments

Hon Dr Jonathan Coleman, in Committee, to move the following amendments:

Clause 14

In *clause 14(a)*, replace “or manage and” (page 12, line 29) with “manage, or”.

Clause 16

In *clause 16(b)(i)*, replace “and control” (page 13, line 11) with “or control”.

Clause 24

In *clause 24(a)*, replace “the licence” (page 18, line 12) with “a use licence”.

Subpart 3 heading in Part 1

In the *Subpart 3* heading in *Part 1*, after “sources” (page 22, line 12), insert “and records”.

Clause 34

Replace the *clause 34* heading (page 22, lines 27 and 28) with “**Controlled radiation sources must be registered**”.

In *clause 34*, replace “The holder of a source licence must,” (page 22, line 29) with “A person who has management or control of a controlled radiation source must.”.

Replace *clause 34(a)* (page 22, lines 30 to 32) with:

- (a) before dealing with the radiation source, register the radiation source with the Director; and

Clause 35

Replace *clause 35(1)(c) and (d)* (page 23, lines 13 to 16) with:

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- (c) the name and contact address of the person who has management or control of the radiation source:
- (d) if applicable, the nature of the authorisation and the date that the authorisation was granted, renewed, or varied:
- (da) if the radiation source is covered by an exemption set out in regulations, the nature of that exemption:

Clause 38

Replace *clause 38(1)* (page 24, lines 15 to 21) with:

- (1) A person who has management or control of a radiation source must—
 - (a) keep records that contain sufficient information to enable the Director to ascertain whether the person is complying with the radiation safety requirements; and
 - (b) ensure that the records are made available to the Director when requested.

Delete *clause 38(4)* (page 25, lines 8 and 9).

Clause 98

In *clause 98(2)*, replace “section 5(1) of the Radiation Safety Act 2014” (page 56, lines 7 and 8) with “Article 1 of the Nuclear Terrorism Convention”.

Explanatory note

This Supplementary Order Paper amends the Radiation Safety Bill by—

- requiring persons who manage or control exempted radiation sources to have the same duties (unless regulations setting out the exemption provide otherwise) as authorisation holders relating to the registration of controlled radiation sources and the keeping and making available of records; and
- correcting a consequential amendment to the Terrorism Suppression Act 2002; and
- making other consequential amendments and minor corrections.

By way of background, an exempted radiation source is a radiation source that is covered by an exemption from a provision of subpart 2 or 3 of Part 1 of the Bill (*see clause 93*). An authorisation holder means a holder of a source licence, use licence, or consent. A controlled radiation source means any irradiating apparatus, any sealed radioactive material, any nuclear material, and any prescribed unsealed radioactive material.

Departmental disclosure statement

The Ministry of Health considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.