

South Australia

Radiation Protection and Control (Non-ionising Radiation) Regulations 2008

under the *Radiation Protection and Control Act 1982*

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Legislative history

1—Short title

These regulations may be cited as the *Radiation Protection and Control (Non-ionising Radiation) Regulations 2008*.

3—Interpretation

In these regulations—

Act means the *Radiation Protection and Control Act 1982*;

tanning unit means electrically powered apparatus designed to produce tanning of human skin by exposure of the skin to ultraviolet radiation emitted by the apparatus;

ultraviolet radiation means radiation for which the wavelengths are within the range of 100 to 400 nanometres.

4—Licence to operate radiation apparatus (section 31 of Act)

- (1) For the purposes of section 31(1)(b) of the Act, tanning units are a prescribed class of non-ionising radiation apparatus.
- (2) For the purposes of section 31(3a) of the Act—
 - (a) Form 1 of Schedule 1 is prescribed; and
 - (b) the fee specified in Schedule 2 is prescribed.

5—Licence to possess radiation source (section 33A of Act)

- (1) *For the purposes of section 33A(2)(a) of the Act, subsection (1) does not apply to the possession of a radiation source in respect of which an application for a licence to possess has been made to the Minister and in respect of the Minister has not made a determination.*
- (2) *For the purposes of section 33A(2)(b) of the Act, a thing that emits non-ionising radiation (other than a tanning unit) is prescribed.*
- (3) *For the purposes of section 33A(3) of the Act—*
 - (a) *Form 2 of Schedule 1 is prescribed; and*
 - (b) *the fee specified in Schedule 2 is prescribed.*

Note—

Regulation 5 had not come into operation at the date of the publication of this version.

6—Renewal of licences

For the purposes of section 37(2) of the Act—

- (a) the following forms are prescribed:
 - (i) for an application to renew a licence to possess a non-ionising radiation source—Form 2 of Schedule 1;
 - (ii) for an application to renew a licence to operate a tanning unit—Form 3 of Schedule 1;
- (b) the fees specified in Schedule 2 are prescribed.

Schedule 1—Forms

FORM 1—APPLICATION FOR A LICENCE TO OPERATE NON-IONISING RADIATION APPARATUS (TANNING UNITS) (section 31, *Radiation Protection and Control Act 1982*)

APPLICANT'S DETAILS

- Title:
- Full name and previous name (if applicable):
- Birth date:
- Gender:
- Correspondence address:
- Contact details:

EMPLOYMENT DETAILS

- Title:
- Name of employer:
- Address:
- Applicant's occupation:
- Principal business activity of employer:

PREVIOUS OPERATION OF TANNING UNITS AND LICENSING

Have you operated a tanning unit in the last 5 years? Yes No

If yes, please provide details:

Have you previously held a licence to operate a tanning unit in South Australia Yes No

If yes, state licence number:

APPLICANT'S TRAINING IN RADIATION PROTECTION

A licence may only be granted if the applicant satisfies the Minister that he or she has appropriate knowledge of the principles and practices of radiation protection to operate non-ionising radiation apparatus (tanning units).

Please provide evidence in support of your application, and attach any supporting documents.

DETAILS OF PRIOR RADIATION PROTECTION CONVICTIONS

- Prior conviction of an offence under any radiation protection legislation? If yes, details:
- Prior licence (or an application for a licence) to operate a tanning unit refused, suspended or cancelled by any radiation licensing authority? If yes, details:

DECLARATION

I declare that the information provided on this form and in support of this application is to the best of my knowledge complete and true in every particular.

Applicant's signature:

Date:

FEES TO BE PAID

- Applicable fee
- Lodgment of form and payment of fees
- Enquiries

FORM 2—APPLICATION/RENEWAL: LICENCE TO POSSESS A NON-IONISING RADIATION SOURCE (section 33A, *Radiation Protection and Control Act 1982*)

- Indication of whether a new application or a renewal:
- If a renewal, then the licence renewal date (as stated in the invitation to renew the licence), licence number and licence expiry date:

OCCUPIER'S DETAILS

- Company trading name:
- Company business name **or** for individual owner (title and full name):
- ABN/ACN:
- Principal business activity:
- Correspondence address:
- Title, full name, contact details of responsible/contact person (the person authorised to act on behalf of the applicant):
- Title, full name, contact details of manager (if different from responsible person):
- Title, full name and contact details of Radiation Safety Officer:
- Location(s) of radiation sources:

RADIATION SOURCE DETAILS

- Maximum number of tanning units to be covered by the licence:

SUPPORTING DOCUMENTS

Radiation management plan:

DECLARATION

I declare that the information provided on this form and in support of this application is to the best of my knowledge complete and true in every particular.

Applicant's signature:

Date:

FEES TO BE PAID

- Applicable fee
- Lodgment of form and payment of fees
- Enquiries

NOTES

1. Failure to renew your licence by the expiry date will result in your licence lapsing, and may require a new application to be made and payment of the applicable fees.
2. Changes to particulars since previous application must be provided as part of renewal application.

FORM 3—APPLICATION TO RENEW A LICENCE TO OPERATE NON-IONISING RADIATION APPARATUS (TANNING UNITS) (section 37, *Radiation Protection and Control Act 1982*)

PARTICULARS RELATING TO LICENCE

- Title:
- Full name:
- Correspondence address:
- Licence number:
- Licence renewal date (as stated in the invitation to renew the licence):
- Expiry date:
- Name of employer:
- Business address of employer:
- Full name and contact details of contact person:

NOTES

1. Failure to renew your licence by the expiry date will result in your licence lapsing, and may require a new application to be made and payment of the applicable fees.
2. Operation of a cosmetic tanning unit without the appropriate licence is an offence under the *Radiation Protection and Control Act 1982* and may result in fines of up to \$10 000.
3. If any of your personal or employment details have changed since your licence was issued or last renewed, please amend them on this form.
4. To renew your licence, please sign and date the declaration, and return this completed form with the renewal fee.

DECLARATION

I declare that the information provided on this form and in support of this application is to the best of my knowledge complete and true in every particular.

Applicant's signature:

Date:

FEES TO BE PAID

- Applicable fee
- Lodgment of form and payment of fees
- Enquiries

Schedule 2—Fees

1—Licence to operate radiation apparatus (section 31 of Act)

For a licence to operate a tanning unit—

- | | |
|--------------------------------|-------|
| (a) application fee | \$199 |
| (b) licence fee or renewal fee | \$102 |

2—Licence to possess a radiation source (section 33A of Act)

(1) For a licence to possess a tanning unit—

- | | |
|--------------------------------|-------|
| (a) application fee | \$189 |
| (b) licence fee or renewal fee | \$66 |

(2) If a fee is paid under Schedule 4 clause 10 of the *Radiation Protection and Control (Ionising Radiation) Regulations 2000* in respect of 2 or more radiation sources/premises, and 1 of those sources is a tanning unit, no fee is payable under this clause for the issue of a licence in respect of that tanning unit.

3—Miscellaneous fees

For the issue of a reprint of a licence	\$16
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Legislative history

Notes

- In this version provisions that are uncommenced appear in italics.
- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2008	24	<i>Gazette 28.2.2008 p771</i>	1.3.2009: r 2
2009	126	<i>Gazette 4.6.2009 p2581</i>	1.7.2009: r 2
2010	78	<i>Gazette 10.6.2010 p2752</i>	1.7.2010: r 2
2011	157	<i>Gazette 9.6.2011 p2430</i>	1.7.2011: r 2
2012	5	<i>Gazette 2.2.2012 p494</i>	1.3.2012: except new r 5 (as inserted by r 4)—1.7.2012: r 2
2012	122	<i>Gazette 31.5.2012 p2467</i>	1.7.2012: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2009</i>
r 4	substituted by 5/2012 r 4	1.3.2012
r 5	substituted by 5/2012 r 4	uncommenced
r 6	substituted by 5/2012 r 4	1.3.2012
Sch 1	substituted by 5/2012 r 5	1.3.2012
Sch 2	substituted by 126/2009 r 4	1.7.2009
	substituted by 78/2010 r 4	1.7.2010
	substituted by 157/2011 r 4	1.7.2011
	substituted by 5/2012 r 5	1.3.2012

Historical versions

1.7.2009

1.7.2010

1.7.2011