

South Australia

# **Radiation Protection and Control (Non-Ionising Radiation) Variation Regulations 2012**

under the *Radiation Protection and Control Act 1982*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Radiation Protection and Control (Non-Ionising Radiation) Variation Regulations 2012*.

### **2—Commencement**

- (1) Subject to subregulation (2), these regulations will come into operation on 1 March 2012.
- (2) Regulation 5 (to be inserted by regulation 4) will come into operation on 1 July 2012.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

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## **Part 2—Variation of *Radiation Protection and Control (Non-ionising Radiation) Regulations 2008***

### **4—Substitution of regulations 4 to 6**

Regulations 4 to 6 (inclusive)—delete the regulations and substitute:

#### **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.

#### **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.

### **5—Substitution of Schedules 1 and 2**

Schedules 1 and 2—delete the Schedules and substitute:

## 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            | \$199.00 |
| (b) licence fee or renewal fee | \$102.00 |

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

- (1) For a licence to possess a tanning unit—
- |                                |          |
|--------------------------------|----------|
| (a) application fee            | \$189.00 |
| (b) licence fee or renewal fee | \$66.00  |
- (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	\$16.00
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**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 2 February 2012

No 5 of 2012

MEC11/0048CS