
HEALTH

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RADIATION SAFETY ACT 1975**RADIATION SAFETY (GENERAL) AMENDMENT REGULATIONS
(No. 3) 1997**

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Radiation Safety (General) Amendment Regulations (No. 3) 1997*.

Commencement

2. These regulations come into operation 3 months after the day on which they are published in the *Gazette*.

Principal regulations

3. In these regulations the *Radiation Safety (General) Regulations 1983** are referred to as the principal regulations.

[* *Reprinted as at 4 April 1995.
For amendments to 21 October 1997 see 1996 Index to Legislation
of Western Australia, Table 4, pp. 225-6 and Gazette 22 July and
19 August 1997.*]

Regulation 3 amended

4. Regulation 3 (1) of the principal regulations is amended by inserting in the appropriate alphabetical positions the following definitions —

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“**chest screening**” means plain radiography of the chest authorized under a written law for occupational or public health reasons;

“**general supervision**” means the exercise of control over radiation safety without the person exercising such control necessarily being present at the registered premises or field site;

“**image receptor**” means x-ray film, fluorescent screen, image intensifier input phosphor or electronic device in or from which an image is created following exposure to x-rays;

“licensed”, in relation to a person, means that the person is the holder of a relevant licence under the Act;

“low powered irradiating apparatus” means irradiating apparatus registered for the purpose of medical radiography (other than mammography or dental radiography) that has a maximum rating of 100 kV(peak) at 100 mA or 100 kV(peak) and 1 microfarad;

“mammography screening” means mammography conducted without a referral from a medical practitioner;

“personal supervision” means the exercise of control over radiation safety by the person exercising such control being present on the registered premises or field site;

“plain radiography” means an x-ray examination during the course of which —

- (a) the x-ray tube and film remain stationary; and
- (b) no contrast medium is introduced into the patient;

“podiatrist” means podiatrist as defined by section 3 of the *Podiatrists Registration Act 1984*;

“radiation oncologist” means a medical practitioner with qualifications in radiation oncology that are recognized by the Royal Australasian College of Radiologists;

“radiation therapist” means a person with qualifications in the application of radiation for therapeutic purposes that are recognized by the Australian Institute of Radiography or are approved;

“radiographer” means a person with qualifications in diagnostic radiography that are recognized by the Australian Institute of Radiography or are approved;

“radiologist” means a medical practitioner with qualifications in diagnostic radiology that are recognized by the Royal Australasian College of Radiologists;

“x-ray operator” means a person who has attended an approved course of training and has passed an examination in radiation safety and radiographic techniques for plain radiography of the chest and extremities;

Regulation 34 repealed and a regulation substituted

5. Regulation 34 of the principal regulations is repealed and the following regulation is substituted —

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Exemption from licensing in relation to irradiating apparatus

34. (1) The following persons are exempt for the purposes of sections 25 and 27 of the Act —

- (a) a dentist or other person authorized by regulation 38(1) operating or using irradiating apparatus registered for dental radiography;
- (b) a physiotherapist who refers a patient to a radiologist at approved premises for plain radiography of the spine, pelvic girdle, hip joints, sacro-iliac joints, chest, shoulder or extremities;
- (c) a podiatrist who refers a patient to a radiologist at approved premises for plain radiography of the foot or ankle; and

- (d) a person operating or using irradiating apparatus in respect of which there is an exemption from registration under the Act.

Regulation 38 repealed and a regulation substituted

6. Regulation 38 of the principal regulations is repealed and the following regulation is substituted —

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Restrictions on use of irradiating apparatus

38. (1) A person shall not use irradiating apparatus for dental radiography unless the person is —

- (a) a dentist;
- (b) a radiographer acting on the instructions of a dentist or a medical practitioner;
- (c) a person with dental ancillary qualifications using the irradiating apparatus on the instructions of a dentist for —
 - (i) radiography of the teeth using an intra-oral image receptor, working under the general supervision of a dentist or a radiographer;
 - (ii) lateral oblique radiography of the jaws, working under the general supervision of a dentist or radiographer; or
 - (iii) panoramic or cephalometric radiography, working under the personal supervision of a dentist or radiographer;

or

- (d) a person training for qualifications as a dentist or radiographer, or enrolled in a course of training for dental ancillary qualifications, using the irradiating apparatus on the instructions of a dentist and working under the personal supervision of a dentist or a radiographer.
- (2) A person shall not use irradiating apparatus for medical radiography unless the person is —
- (a) a licensed radiologist;
 - (b) a radiographer working under the direction and general supervision of a licensed radiologist;
 - (c) a radiation therapist working under the direction and general supervision of a licensed radiation oncologist and using the apparatus for purposes related to the planning of therapeutic treatments for patients;
 - (d) an x-ray operator, whose proficiency has been assessed by an approved radiographer within the previous 12 months, working under the direction and general supervision of a licensed medical practitioner and using low powered irradiating apparatus —
 - (i) for plain radiography of the chest, clavicle, scapula, shoulder, the upper extremity distal to the shoulder, the knee including the lower third of the femur, and lower extremity distal to the knee; or
 - (ii) for radiography, other than radiography described in subparagraph (i), that is performed outside the metropolitan region (as defined in

section 6 of the *Metropolitan Region Town Planning Scheme Act 1959*), and is, in the opinion of the medical practitioner referring the patient, essential for the immediate medical care of the patient;

- (e) a medical practitioner training for qualifications in diagnostic radiology working under the direction and general supervision of a licensed radiologist; or
 - (f) a person enrolled in a course of training in diagnostic radiography or radiation therapy that is recognized by the Australian Institute of Radiography and working under —
 - (i) the direction and general supervision of a licensed radiologist or a licensed radiation oncologist; and
 - (ii) the personal supervision of a radiographer or a radiation therapist.
- (3) Notwithstanding subregulation (2), a person shall not use irradiating apparatus for mammography screening unless —
- (a) the person is a radiographer who holds a Certificate of Clinical Proficiency in Mammography issued by the Australian Institute of Radiography or can provide evidence of equivalent training or experience; and
 - (b) the person is working under the direction and general supervision of a licensed radiologist.
- (4) Notwithstanding subregulation (2), a person shall not use irradiating apparatus for chest screening unless the person is a radiographer, or an x-ray operator, working under the direction and general supervision of a licensed medical practitioner.
- (5) A person shall not use fluoroscopic irradiating apparatus on human beings unless the person is —
- (a) a licensed radiologist or a licensed radiation oncologist;
 - (b) a medical practitioner training for qualifications in diagnostic radiology or radiation oncology and working under the direction and general supervision of a licensed radiologist or licensed radiation oncologist;
 - (c) a licensed medical practitioner with specialist qualifications (other than a person to whom paragraph (a) or (b) applies) who is using the apparatus —
 - (i) for a purpose relevant to those qualifications; and
 - (ii) in the presence of a radiographer who has responsibility for positioning and manipulating the apparatus, minimizing patient and personnel radiation exposure and maintaining the records required by the conditions of the registration;
 - (d) a medical practitioner training for specialist qualifications (other than a person to whom paragraph (b) applies) who —
 - (i) has attended an approved course of training and has passed an examination in radiation safety;
 - (ii) is using the apparatus under the direction and general supervision of a licensed medical practitioner; and

- (iii) is using the apparatus for a purpose relevant to those qualifications in the presence of a radiographer who has responsibility for positioning and manipulating the apparatus, minimizing patient and personnel radiation exposure and maintaining the records required by the conditions of the registration;
 - (e) a radiographer using the apparatus as part of a procedure while working under the direction and personal supervision of a licensed radiologist or a licensed radiation oncologist who is responsible for that procedure; or
 - (f) a radiographer or a radiation therapist using the apparatus as part of a procedure where —
 - (i) conventional radiography is inadequate; and
 - (ii) the licensed radiologist or licensed radiation oncologist responsible for that procedure has given permission for such use.
- (6) A person shall not use irradiating apparatus for chiropractic radiography unless the person is —
- (a) a licensed chiropractor; or
 - (b) a radiographer working under the direction and general supervision of a licensed chiropractor or a licensed radiologist.
- (7) A person shall not use therapeutic irradiating apparatus for the treatment of human beings unless the person is —
- (a) a licensed medical practitioner;
 - (b) a radiation therapist working under the direction and general supervision of a licensed medical practitioner;
 - (c) a medical practitioner training for qualifications in radiation oncology working under the direction and general supervision of a licensed radiation oncologist; or
 - (d) a person enrolled in a course of training for radiation therapy that is recognized by the Australian Institute of Radiography and working under the direction and general supervision of a licensed radiation oncologist and under the personal supervision of a radiation therapist.
- (8) A person shall not use irradiating apparatus for veterinary radiography unless the person is —
- (a) a licensed veterinary surgeon;
 - (b) a veterinary surgeon working under the direction and personal supervision of a licensed veterinary surgeon;
 - (c) a radiographer working under the direction and general supervision of a licensed veterinary surgeon;
 - (d) a licensed radiographer acting on the instructions of a veterinary surgeon;
 - (e) a person training for qualifications as a veterinary surgeon and working under the direction and personal supervision of a licensed veterinary surgeon or under the personal supervision of a radiographer; or
 - (f) a person who holds or is training for qualifications in veterinary nursing practice recognized by the Council

and is working under the direction and personal supervision of a licensed veterinary surgeon.

(9) A person shall not use irradiating apparatus for veterinary fluoroscopy unless the person is —

- (a) a licensed veterinary surgeon;
- (b) a veterinary surgeon training for qualifications in veterinary radiology and working under the general supervision of a licensed veterinary surgeon or licensed radiologist; or
- (c) a radiographer using the apparatus as part of a procedure under the direction and personal supervision of the licensed veterinary surgeon responsible for that procedure.

(10) A person shall not use irradiating apparatus for the therapeutic treatment of animals unless the person is —

- (a) a licensed veterinary surgeon;
- (b) a licensed medical practitioner performing the treatment at the request of a veterinary surgeon;
- (c) a veterinary surgeon training for qualifications in veterinary radiotherapy and working under the direction and general supervision of a licensed veterinary surgeon or licensed medical practitioner; or
- (d) a radiation therapist performing the treatment at the request of a licensed veterinary surgeon and working under the direction and general supervision of a licensed veterinary surgeon or a licensed medical practitioner.

(11) A person shall not use irradiating apparatus for radiography or fluoroscopy on human remains unless the person is —

- (a) a licensed radiologist; or
- (b) a radiographer, or a mortuary or research worker who has attended an approved course of training, who —
 - (i) has the written approval of the registrant to perform approved procedures for researchers nominated by the registrant; and
 - (ii) is working under the direction and general supervision of a licensed medical practitioner.

(12) A person shall not use irradiating apparatus for radiography or fluoroscopy on animals for the purposes of research unless the person is —

- (a) a licensed radiologist, a licensed veterinary surgeon or a licensed research worker; or
- (b) a radiographer, or a research worker who has attended an approved course of training, who —
 - (i) has the written approval of the registrant to perform approved procedures for researchers nominated by the registrant; and
 - (ii) is working under the direction and general supervision of a licensed radiologist, a licensed veterinary surgeon or a licensed research worker.

(13) A person who is permitted by the Act and these regulations to operate or use irradiating apparatus shall do so in accordance with the requirements set out in Schedule XI.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.