



Western Australia

RADIATION SAFETY ACT 1975

Radiation Safety (Transport of Radioactive Substances) Regulations 1991

These regulations were repealed by the *Radiation Safety (Transport of Radioactive Substances) Regulations 2002* r. 7 as at 26 Mar 2002 (see *Gazette* 26 Mar 2002 p. 1746).

Ceased on 26 Mar 2002

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Radiation Safety (Transport of Radioactive Substances) Regulations 1991

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RADIATION SAFETY ACT 1975

Radiation Safety (Transport of Radioactive Substances) Regulations 1991

Made by His Excellency the Governor in Executive Council.

1. Citation

These regulations may be cited as the Radiation Safety (Transport of Radioactive Substances) Regulations 1991.

2. Commencement

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

3. Interpretation

In these regulations, unless the contrary intention appears —

“**carrier**” means person who is a carrier within the meaning of paragraph 115 of the International Regulations;

“**consignor**” means a person who is a consignor within the meaning of paragraph 120 of the International Regulations;

“**the Act**” means the *Radiation Safety Act 1975*;

“**the Code**” means the Code of Practice for the Safe Transport of Radioactive Substances (1990) published for the Department of Arts, Sport, the Environment, Tourism and Territories of the Commonwealth by the Australian Government Publishing Service;

“the International Regulations” means the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Materials 1985 incorporating the 1988 supplement —

- (a) as amended to, and published in, December 1988; and
- (b) set out in Annexe 1 to the Code.

[Regulation 3 amended in Gazette 14 September 1999 p.4531.]

4. Definition of “radioactive substance”

For the purposes of these regulations, a substance referred to in the definition of **“radioactive substance”** in section 4 of the Act consists of or contains more than the maximum prescribed concentration of any radioactive element, whether natural or artificial, if its radioactivity exceeds 70 000 becquerels per kilogram of that substance.

[Regulation 4 amended by Gazette 5 August 1994 p.3903.]

5. Code and International Regulations, as modified, adopted

The transport of radioactive substances in Western Australia and the storing, packing and stowing of radioactive substances for transport therein shall be in accordance with the Code and the International Regulations as modified by these regulations.

6. Competent authority

For the purposes of these regulations, a reference in the International Regulations to the competent authority or the relevant competent authority is, unless the contrary intention appears, a reference to the Council.

7. Duty of carrier

- (1) Subject to the International Regulations and to subregulation (2), a person who is a carrier shall comply with the requirements of each of the paragraphs of the International

Regulations specified in Schedule 1 to these regulations in relation to the transport by him of radioactive substances.

- (2) Where a vehicle with less than 2 tonne tare weight is carrying only packages of Type A, as defined in paragraph 134 (c) of the Code, the carrier shall ensure that the vehicle bears 4 placards of the type described in paragraph 443 of the International Regulations, but with minimum dimensions of 150 mm by 150 mm.

[Regulation 7 amended by Gazette 12 May 1992 p.1957.]

8. Duty of consignor

- (1) Subject to the International Regulations and to subregulation (2), a person who is a consignor shall comply with the requirements of each of the paragraphs of the International Regulations specified in Schedule II to these regulations in relation to the consignment by him of radioactive substances.
- (2) A consignor complies with International Regulation, paragraph 443, if the requirements of regulation 7 (2) of these regulations are complied with in relation to a vehicle with less than 2 tonne tare weight, carrying Type A packages.

[Regulation 8 amended by Gazette 12 May 1992 p.1957.]

9. Interference with contents of consignments, labelling or marking or documents penalised

A person shall not interfere with —

- (a) the contents of a consignment within the meaning of paragraph 119 of the International Regulations;
- (b) any labelling or marking required by the International Regulations; or
- (c) any document relating to a consignment referred to in paragraph (a) of this regulation,

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except in the exercise of any power or the performance of any duty conferred or imposed on him by or under the Act or with the permission of the relevant carrier or consignor or of the Council.

10. Repeal

The Radiation Safety (Transport of Radioactive Substances) Regulations 1982 * are repealed.

[Published in the Government Gazette 24 December 1982 at pp.4904-5.]

Schedule I

[Reg. 7]

**PARAGRAPHS OF INTERNATIONAL REGULATIONS
TO BE COMPLIED WITH BY CARRIERS**

Paragraphs 107, 201, 202, 204 to 211, 408 to 414, 440 to 445, 453 and 454.

Schedule II

[Reg. 8]

**PARAGRAPHS OF INTERNATIONAL REGULATIONS
TO BE COMPLIED WITH BY CONSIGNORS**

Paragraphs 201 to 211 and 301 to 730.

Notes

- ^{1.} This is a compilation of the *Radiation Safety (Transport of Radioactive Substances) Regulations 1991* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Radiation Safety (Transport of Radioactive Substances) Regulations 1991</i>	22 Mar 1991 pp.1222-3	22 Jun 1991 (see r. 2)
	12 May 1992 p.1957	
<i>Radiation Safety (Transport of Radioactive Substances) Amendment Regulations 1994</i>	5 Aug 1994 p.3903	5 Aug 1994
<i>Radiation Safety (Transport of Radioactive Substances) Amendment Regulations 1999</i>	14 Sep 1999 p.4531	14 Sep 1999

These regulations were repealed by the *Radiation Safety (Transport of Radioactive Substances) Regulations 2002 r. 7* as at 26 Mar 2002 (see *Gazette 26 Mar 2002 p. 1746*)

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
carrier	3
consignor.....	3
radioactive substance	4
the Act.....	3
the Code	3
the International Regulations	3