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SOUTH AUSTRALIA

## Regulations under the Radiation Protection and Control Act, 1982

No. 27 of 1984

*At the Executive Council Office, at Adelaide,  
8 March 1984*

PURSUANT to the Radiation Protection and Control Act, 1982, and all other powers, I, the Governor, with the advice and consent of the Executive Council make the following regulations.

D. B. DUNSTAN, Governor

### *Regulations under the Radiation Protection and Control Act, 1982*

1. These regulations may be cited as the 'Radiation Safety (Transport of Radioactive Substances) Regulations, 1984'.

2. These regulations shall take effect from 1 July 1984.

3. (1) In these regulations, unless a contrary intention appears:

the 'Act' means the Radiation Protection and Control Act, 1982;

'carrier' means a person who is a carrier within the meaning of paragraph 111 of the International Regulations;

the 'Code' means the Code of Practice for the Safe Transport of Radioactive Substances:

(a) approved by order under Section 9 of the Environment Protection (Nuclear Codes) Act 1978 of the Commonwealth; and

(b) published for the Department of Home Affairs and Environment of the Commonwealth by the Australian Government Publishing Service;

the 'Commonwealth Code' means the Australian Code for the Transport of Dangerous Goods by Road and Rail, prepared by the standing national Advisory Committee on the Transport of Dangerous Goods and endorsed by the Australian Transport Advisory Council, which was published in *Commonwealth of Australia Gazette*, No. P2 of 24 February 1982;

'consignment' means a consignment within the meaning of paragraph 113 of the International Regulations;

'consignor' means a person who is a consignor within the meaning of paragraph 114 of the International Regulations;

the 'International Regulations' means the International Atomic Energy Agency Regulations for the Safe Transport of Radioactive Materials, 1973:

(a) as amended to and published in November 1979; and

(b) as set out in Annexe 1 to the Code;

'package' means a package within the meaning of paragraph 125 of the International Regulations;

'radioactive material' means radioactive material within the meaning of paragraph 134 of the International Regulations.

(2) Any paragraph of the International Regulations referred to in these regulations shall be construed subject to:

(a) any modification to the International Regulations made by these regulations; and

(b) the International Regulations.

4. The transport of radioactive material in South Australia and the storing, packing and stowing of radioactive material for transport in South Australia shall be in accordance with the Code, the International Regulations and these regulations.

5. (1) The International Regulations are modified by this regulation.

(2) The International Regulations shall be construed as if a reference to a 'competent authority' or a 'relevant competent authority' for the State shall mean the Commission.

(3) The International Regulations shall be construed as if paragraphs 147, 149, 150, 549 and 554 are not included.

(4) The International Regulations shall be construed as if paragraph 123 reads as follows:

'Where multilateral approval of a package is required by these regulations such approval shall mean approval by the South Australian Health Commission.'

(5) The International Regulations shall be construed as if paragraph 132 reads as follows:

'The radiation level shall mean the corresponding radiation dose-equivalent rate expressed in millirems per hour. Measured or calculated neutron flux densities may be converted into radiation levels by using the data provided in Table 1.'

(6) The International Regulations shall be construed as if paragraph 134 reads as follows:

'Radioactive material shall mean any radioactive substance having a specific activity greater than 35 kBq/kg.'

(7) The International Regulations shall be construed as if paragraph 142 reads as follows:

'"Unilateral approval" shall mean approval by the South Australian Health Commission.'

(8) The International Regulations shall be construed as if paragraph 146 reads as follows:

'The radiation exposure of transport and storage personnel shall be so controlled that none of them is likely to receive a radiation dose in excess of that permitted for members of the public.'

(9) The International Regulations shall be construed as if the following passage 'national or international standards or with' is deleted from paragraph 214 of those regulations.

(10) The International Regulations shall be construed as if paragraph 528 reads as follows:

'(a) Packages of radioactive materials shall not be loaded in the same vehicle, freight container, or hold, compartment or deck area of any vessel with:

- Class 1 Explosives
- Class 2.1 Flammable Gases
- Class 3 Flammable Liquids
- Class 4.1 Flammable Solids
- Class 4.2 Spontaneously Combustible Substances
- Class 4.3 Dangerous When Wet Substances
- Class 5.1 Oxidizing Agents
- Class 5.2 Organic Peroxides
- Class 8 Corrosives.

(b) In subparagraph (a) of this paragraph, "class" in relation to dangerous goods has the meaning assigned to it in the Commonwealth Code.

(c) Subparagraph (a) of this paragraph shall not apply to radioactive materials the activity of which does not exceed the relevant exemption limits listed in Table V of the International Regulations.'

(11) The International Regulations shall be construed as if paragraph 536 reads as follows:

'Road vehicles carrying packages or freight containers labelled with any of the labels shown in Figs. 2, 3 or 4, or carrying full-load consignments of any radioactive materials shall display on the outside of each of the two external lateral walls and on the external rear wall the placard shown in Fig. 5 with the addition of the words "In case of accident contact consignor, telephone..... or S.A. Health Commission telephone (office hours) (08) 218 3211 or (after hours) (08) 274 0281", these words to be placed in the space which appears below the word "RADIOACTIVE" in Fig. 5.'

(12) The International Regulations shall be construed as if paragraph 701 reads as follows:

'Demonstration of compliance with the test requirements of Section VII shall be by a method approved by the South Australian Health Commission.'

6. (1) A person who is a carrier shall comply with the requirements of each of the paragraphs of the International Regulations as are specified in Schedule 1 to these regulations in relation to the transport by him of any radioactive material.

(2) Any person who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

7. (1) A person who is a consignor shall comply with the requirements of each of the paragraphs of the International Regulations as are specified in Schedule 2 to these regulations in relation to the consignment by him of any radioactive material.

(2) Any person who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

8. (1) A person shall not interfere with:

- (a) the contents of a consignment;
- (b) any labelling or marking required by the International Regulations; or
- (c) any document relating to a consignment,

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 Commission.

(2) Any person who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

9. (1) Where a vehicle is being used for the transport of any package which contains radioactive material, and any package is lost or wrongfully interfered with, the driver of the vehicle shall, upon being aware of any such loss or interference, forthwith notify the consignor and the Commission of:

- (a) the fact that such loss or interference has occurred;
- (b) the time and place at which it occurred;
- (c) the extent of the loss or interference; and
- (d) the nature of the package which has been lost or interfered with.

(2) The driver of any vehicle who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

10. (1) A carrier shall stow and secure any package in a freight container or on a vehicle so that the package:

- (a) will remain in position notwithstanding movements of starting, stopping, jolting or swaying to which the freight container or vehicle may be subjected;
- (b) is kept away from heavy articles or goods likely to cause damage to it; and
- (c) does not, where it is on a vehicle, project beyond the periphery of the vehicle.

(2) Any person who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

11. (1) Where a vehicle which is being used for the transport of any package which contains radioactive material the activity of which exceeds the relevant exemption limits listed in Table V of the International Regulations is involved in an accident and by reason of such accident there is or likely to have been damage to any such package the driver of the vehicle shall:

- (a) forthwith notify the consignor and the Commission of the fact that the accident has occurred, the place at which it occurred and the place where the vehicle is at that time located;
- (b) prevent as far as is practicable the access of any person to the vehicle or to any such package except a person authorised by the Commission or by the consignor; and
- (c) obey any instructions given to him by the Commission relating to the safety of any person who is or is likely to be affected by the package.

(2) The driver of any vehicle who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

12. (1) Where a package is being transported on a vehicle or is stored in the course of being transported and such package:

- (a) is damaged;
- (b) is leaking; or
- (c) is reasonably suspected of having leaked,

the driver of the vehicle in which the package is being transported or the person in charge of the place at which the package is being stored shall:

- (a) forthwith notify the consignor and the Commission:
  - (i) that the package is damaged, leaking, or is reasonably suspected of having leaked, as the case may be;
  - (ii) of the place at which the package is located; and
  - (iii) of the nature of the package;
- (b) prevent as far as is practicable the access of any person to such package except a person authorised by the Commission or by the consignor; and
- (c) obey any instructions given to him by the Commission relating to the safety of any person who is or is likely to be affected by the package.

(2) Any person who contravenes or fails to comply with this regulation shall be guilty of an offence and liable to a penalty not exceeding \$10 000.

13. (1) The standing national Advisory Committee on the Transport of Dangerous Goods and the Australian Transport Advisory Council are prescribed bodies for the purposes of Section 43 (4) of the Act.

(2) Any code of practice or standard referred to or incorporated in these regulations is so referred to or incorporated as such code of practice or standard is in force from time to time.

#### SCHEDULE 1

Paragraphs of the International Regulations to be complied with by carriers:

Paragraphs: 519-541 (both inclusive), 550-553 (both inclusive), 602, 622, 623 and 624.

#### SCHEDULE 2

Paragraphs of the International Regulations to be complied with by consignors:

Paragraphs: 201-244 (both inclusive), 302-402 (both inclusive), 501-519 (both inclusive), 532, 601-618 (both inclusive), 620-624 (both inclusive), 801, 802, 804, 805, 807, 808, 811, 812, 813, 815, 816, 819, 820, 826, 827, 829-836 (both inclusive), 838 and 839.

And the Honourable the Minister of Health is to give the necessary directions accordingly.

D. J. ABBOTT, Clerk of the Council

S.A.H.C., 08/03B/001