

26 July 2022

South Australian Environment Protection Authority  
Level 2, 211 Victoria Square  
Adelaide SA 5000

Via email to [radiation.consultation@sa.gov.au](mailto:radiation.consultation@sa.gov.au)

**Submission to: South Australian Environment Protection Authority on the *Radiation Protection and Control Regulations and Codes of Compliance* public consultation**

The Australian Institute of Health and Safety (AIHS) welcomes the opportunity to provide a submission to the South Australian Environment Protection Authority's public consultation on the new Radiation Protection and Control (RPC) Regulations and Codes of Compliance.

### **About us**

The AIHS is the peak body for work health and safety (WHS) professionals and practitioners across Australia. We have more than 4,000 individual members, more than 200 of which are based in South Australia (SA). Formerly the Safety Institute of Australia, since 1947 we have represented the WHS profession with courage on WHS policy matters.

### **Our submission**

Our view is that the 'guiding principles' approach is a good one, and that the principles as proposed are appropriate and comprehensive. The Codes of Compliance are streamlined and easy to read. They are well written, not overly 'legalistic', and should be very clear to their various audiences to both understand and apply.

We support the efforts to align where possible with Australian Radiation Protection and Nuclear Safety Authority (ARPANSA) and International Atomic Energy Agency (IAEA) guidance materials. We believe this will help to achieve a more harmonised approach and minimise local discrepancies.

We support the risk-based approach insofar that it allows for sensible 'flexing' up and down of responses and measures to control risks. We believe that setting the base for a possible future nuclear industry in South Australia – including nuclear medicine, waste facility, or nuclear submarines – will minimise any confusion in the future around the need to change rules. This integration with ARPANSA guidance means national rules will more easily dovetail into SA requirements.

In reviewing the proposed materials, we had the following questions/clarifications:

- In relation to the proposed fines to be applied for breaches, do they apply to the employer or are there fines that also apply to workers?
- Where there is potential legal action from SafeWork SA and therefore potential crossover, do the SA EPA have a view, and would this view be captured within the proposed framework, on which jurisdiction would take legal precedence on the administration of these fines and/or prosecutions?

### **Conclusion**

We support the RPC Regulations and Codes of Compliance as proposed. We commend the SA EPA and associated working parties on their efforts to bring this important regulatory architecture to this point. In our view it was desperately needed.

For more information about this submission please contact me at [policy@aihs.org.au](mailto:policy@aihs.org.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Heinrichs', with a long horizontal flourish extending to the right.

Andrew Heinrichs

**AIHS Policy Committee Chair**