

## RADIOACTIVE SUBSTANCES.

---

### No. 21 of 1961.

#### AN ACT to amend the *Radioactive Substances Act 1954.* [7 September 1961.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

**1**—(1) This Act may be cited as the *Radioactive Substances Act 1961.*

(2) The *Radioactive Substances Act 1954*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

**2** Section two of the Principal Act is amended by omitting therefrom the definitions of “certified dentist”, “radio-grapher”, and “registered veterinary surgeon”.

Persons in possession, &c., of radioactive substances and irradiating apparatus to be licensed.

**3** Section five of the Principal Act is amended by omitting from subsection (2) thereof the words “, other than a person to whom the provisions of subsection (1) of section six apply,”.

Exemptions.

**4** Section six of the Principal Act is repealed.

**5** Section nine of the Principal Act is repealed and the following sections are substituted therefor:—

Appeals.

“9—(1) A person who is aggrieved by—

- (a) the refusal of the Minister to grant him a licence or a licence of a particular kind or class; or
- (b) the suspension or cancellation of a licence of which he is the holder,

may appeal therefrom to the Supreme Court.

“(2) The Supreme Court has jurisdiction to hear and determine appeals under this section.

“(3) Appeals under this section shall be brought, heard, and determined in accordance with the Rules of Court relating to appeals from statutory tribunals (other than courts), and, in the application of those Rules to any appeal under this section, any reference therein to a tribunal shall be construed as a reference to the Minister.

Power of entry and inspection.

“9A—(1) An authorized officer may, at any reasonable hour—

- (a) enter, inspect, and search any premises (other than premises used wholly or mainly for residential purposes) or any vehicle, vessel, or aircraft; and

(b) take samples of, or inspect and test, any radioactive substance or irradiating apparatus that he finds therein or thereon.

“(2) On entering, or applying for admission to, any premises, vehicle, vessel, or aircraft, an authorized officer shall, if required by the occupier, master, or person in charge of the premises, vehicle, vessel, or aircraft, produce to that occupier, master, or person his written authority from the Minister.

“(3) If it is shown to the satisfaction of a justice—

(a) that—

(i) in relation to any premises, vehicle, vessel, or aircraft, the right of entry conferred on an authorized officer by subsection (1) of this section has been refused, or, in the case of premises used wholly or mainly for residential purposes, a request by an authorized officer for entry thereto has been refused; or

(ii) the case is a case of urgency and an application or a request for admission to any particular premises, vehicle, vessel, or aircraft would defeat the object of the entry; and

(b) that it is reasonably necessary for the due administration of this Act, or for the purpose of preventing, or minimizing the danger of, contamination of any person by any radioactive substance, that entry to the premises, vehicle, vessel, or aircraft be made by the authorized officer,

the justice may, by warrant under his hand, authorize the authorized officer and any other person named in the warrant, and any police officer, to enter, inspect, and examine the premises, vehicle, vessel, or aircraft and take samples of, or inspect and test, any radioactive substance or irradiating apparatus that he finds therein or thereon.

“(4) A warrant under this section continues in force until the purpose for which it is granted has been satisfied.

“(5) No person shall obstruct an authorized officer in the exercise by the authorized officer of any powers under this section.

“(6) In this section, ‘authorized officer’ means a person who is authorized in writing by the Minister, either generally or in a particular case, to exercise the powers conferred on authorized officers by this section.”.

**6** Section eleven of the Principal Act is amended—

*Regulations.*

(a) by omitting paragraph (a) thereof and substituting therefor the following paragraphs:—

- “(a) prescribing the kinds or classes of licences that may be granted, the effect of each of the several kinds or classes of licences respectively, and the conditions upon and subject to which licences generally, or any particular kind or class of licence, may be granted;
- “(ab) prescribing and regulating the information to be furnished by applicants for licences generally, or for any particular kind or class of licence;
- “(ac) requiring the holders of licences, or of any particular kind or class of licence, to furnish, as prescribed, to the Minister or to such other person as may be prescribed, returns or notifications with respect to—
- (i) any change in the type of apparatus, or in the kind or class of substances, to which the licence relates;
  - (ii) persons employed, or no longer employed, by the holder of the licence in the operation or use of any such apparatus or substance; and
  - (iii) such other matters as may be prescribed in relation to the manufacture, production, treatment, disposal, release, possession, use, sale, supply, purchase, or storage, by or on behalf of the holder of the licence, of any irradiating apparatus or radioactive substances;”;
- (b) by omitting paragraph (c) thereof and substituting therefor the following paragraph:—
- “(c) prescribing and regulating, either generally or in particular cases, the precautions and conditions to be taken and observed for or in relation to—
- (i) the safe manufacture, production, treatment, storage, keeping, use, release, and disposal of irradiating apparatus and radioactive substances, and generally regulating the manufacture, production, treatment, storage, keeping, use, release, and disposal thereof; and
  - (ii) the prevention or remedying of contamination of persons,

articles, and premises by radioactive substances or by ionizing radiations;”;

(c) by omitting the word “and” at the end of paragraph (f) thereof; and

(d) by inserting after paragraph (f) thereof the following paragraphs:—

“(g) exempting, or authorizing a prescribed person to exempt, either unconditionally or subject to prescribed conditions, any prescribed irradiating apparatus or radioactive substance, or kind or class thereof, from all or any of the provisions of the regulations;

“(h) prescribing, regulating, and controlling, either generally or in specified cases, the labelling of irradiating apparatus or radioactive substances and of packages or containers in which any such apparatus or substance is enclosed or contained;

“(i) requiring employers to keep the prescribed records or files in relation to employees whose work exposes them to ionizing radiations, and prescribing and regulating the giving to the Minister, as and when prescribed, of copies of, extracts from, or information taken from, those records or files, and regulating generally the keeping of those records or files;

“(j) imposing requirements as to the erection or structural alteration of buildings or premises used in connection with the use or storage of irradiating apparatus or radioactive substances; and”;

(e) by re-lettering paragraph (g) thereof as paragraph (k).

---

## MEERCROFT HOME FOR THE AGED.

No. 22 of 1961.

AN ACT to amend the *Meercroft Home for the Aged Act 1958*. [7 September 1961.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Meercroft Home for the Aged Act 1961*.

Short title  
and citation.

(2) The *Meercroft Home for the Aged Act 1958* is in this Act referred to as the Principal Act.