



Victoria Government Gazette

No. S 321 Friday 28 November 2008
By Authority, Victorian Government Printer

Radiation Act 2005

EXEMPTIONS FROM THE REQUIREMENT TO HOLD A USE LICENCE

1. In this Notice:
 - ‘**Medical Radiation Practitioners Board**’ means the Medical Radiation Practitioners Board of Victoria established under section 165 of the **Health Professions Registration Act 2005**;
 - ‘**registered medical practitioner**’ has the same meaning as in the **Health Professions Registration Act 2005**;
 - ‘**registered nurse**’ means a nurse registered with the Nurses Board of Victoria established under Part 6 of the **Nurses Act 1993**;
 - ‘**TAFE institute**’ has the same meaning as in the **Education and Training Reform Act 2006**;
 - ‘**the Act**’ means the **Radiation Act 2005**;
 - ‘**university**’ has the same meaning as in the **Education and Training Reform Act 2006**.
2. I, Dr John Carnie, delegate of the Secretary to the Department of Human Services, hereby revoke the notice of exemption from the requirement to hold a use licence made on 30 November 2007 and published in the Government Gazette on 3 December 2007.
3. I hereby give notice under section 16(1)(b) of the Act that I have exempted the classes of persons described in this notice from the requirement to hold a use licence in respect of the use of a radiation source specified in this notice. I am satisfied that the use of a radiation source specified in this notice will not pose a significant risk to the health or safety of any person or the safety of the environment.
4. A person is exempt from the requirement to hold a use licence in respect of any of the following radiation sources:
 - (a) a cabinet x-ray inspection apparatus for the examination of letters, packages, baggage, freight and other articles for security and quality control;
 - (b) an X-ray diffraction, X-ray absorption, or X-ray fluorescence analyser;
 - (c) a shielded gamma irradiator;
 - (d) a sealed source fixed position radiation gauge used for the determination of product characteristics (such as thickness and density), but not including portable nuclear moisture/density gauges;
 - (e) a sealed radioactive source of less than 40 MBq used for calibration checks of measuring instruments;
 - (f) a sealed radioactive source used for a static eliminator;

SPECIAL

- (g) a sealed source referred to in column 2 of the Table with an activity not greater than in Column 3 of the Table for the purpose of teaching the characteristics and properties of radiation;

No.	Radionuclide	Activity (kBq)
1	Cobalt-60	200
2	Strontium-90 / Yttrium 90	80
3	Caesium-137 / Barium 137	200
4	Radium-226	20
5	Americium-241	20

- (h) a gaseous tritium light source that is used solely for safety purposes and contains less than 74 GBq of tritium;
- (i) an electron capture detector or similar device used in gas chromatography containing a nickel-63 sealed source with an activity not greater than 750 MBq or with a tritium source with an activity of not greater than 20 GBq.
5. The following class of persons are exempt from the requirement to hold a use licence until 1 September 2009:
- (a) all persons registered with the Medical Radiation Practitioners Board.
6. The following classes of persons are exempt from the requirement to hold a use licence in order to use an ionizing radiation apparatus, sealed source, sealed source apparatus or radioactive material when supervised by a person holding a use licence or by a medical radiation practitioner who is exempt from holding a use license:
- (a) a medical registrar employed by a hospital who is training in nuclear medicine, diagnostic radiology, radiation oncology or a medical discipline using fluoroscopy;
- (b) a student medical radiation practitioner who is employed as a trainee practitioner in nuclear medicine, diagnostic radiology or radiation therapy;
- (c) an undergraduate student in a university or TAFE Institute who is undertaking coursework or research that involves the use of radiation sources;
- (d) a postgraduate student in a university or TAFE Institute who is undertaking research or higher studies that involves the use of radiation sources;
- (e) a graduate medical radiation practitioner who is employed as a trainee practitioner in nuclear medicine, diagnostic radiography or radiation therapy undertaking their professional development year and/or undertaking an internship.
7. The following classes of persons are exempt from the requirement to hold a use licence:
- (a) persons employed by a management licence holder and who use radioactive material for the purpose of conducting laboratory tests;
- (b) a registered nurse or medical practitioner who is employed by a management licence holder and who is authorised by that management licence holder to administer radioactive pharmaceutical material for ictal diagnostic purposes.
8. This notice takes effect on 1 December 2008.

Dated 26 November 2008

DR JOHN CARNIE
Chief Health Officer
Department of Human Services

This page was left blank intentionally

craftsmanpress

The *Victoria Government Gazette* is published by The Craftsman Press Pty Ltd with the authority of the Government Printer for the State of Victoria

© State of Victoria 2008

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order

	Mail Order	Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 PO Box 1957 Melbourne 3001 DX 106 Melbourne
	Telephone	(03) 9642 5808
	Fax	(03) 9600 0478
	email	gazette@craftpress.com.au
	Retail & Mail Sales	Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 PO Box 1957 Melbourne 3001
	Telephone	(03) 9642 5808
	Fax	(03) 9600 0478
	Retail Sales	Information Victoria 505 Little Collins Street Melbourne 3000
	Telephone	1300 366 356
	Fax	(03) 9603 9920

Price Code A