



Victoria Government Gazette

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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;

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- (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

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