

Practice Specific Conditions

These are the conditions of the licence that are applicable to the type of ionising radiation source and the practice being undertaken with that ionising radiation source.

The local area/site will have the relevant conditions listed against each ionising radiation source that is permitted at that location/site.

Condition No	Condition
M1712	<p>The management licence holder must comply with the obligations of the 'responsible person' in the 'Code of Practice for Radiation Protection in Dentistry (2005)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p>
M1713	<p>The management licence holder must comply with the obligations of the 'responsible person' in the 'Code of Practice for Safe Use of Fixed Radiation Gauges (2007)', as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p>
M1716	<p>The management licence holder must comply with the obligations of the 'responsible person' in the 'Code of Practice for Radiation Protection in Veterinary Medicine (2009)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p>
M1717	<p>The management licence holder must comply with the obligations of the 'user' and satisfy all relevant requirements of the 'Code of Practice for Protection Against Ionizing Radiation Emitted from X-ray Analysis Equipment (1984)' as published by the National Health and Medical Research Council.</p> <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p>
M1720	<p>The management licence holder must comply with the obligations of the 'responsible person' in the 'Code of Practice for Radiation Protection in the Medical Applications of Ionizing Radiation (2008)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>The management licence holder must ensure that the responsibilities of the 'Radiation Medical Practitioner' in the Code of Practice for Radiation Protection in the Medical Applications of Ionizing Radiation (2008) are met.</p> <p>The management licence holder must ensure that for every radiation medical procedure a record is kept of:</p> <ol style="list-style-type: none"> The person who approved the procedure; When the approval was given; and The details of the procedure that has been approved, or reference to a protocol that provides this information. <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p>

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M1722	<p>The management licence holder must in the consigning for transport of any radioactive material authorised to be possessed by this licence comply with the Consignor's Responsibilities in the 'Code of Practice for the Safe transport of Radioactive Material (2014)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>The management licence holder must be satisfied that the contract carrier holds a management licence issued under the Radiation Act 2005 authorising the transport of the radioactive material.</p>
M1723	<p>The management licence holder must in the transport of any radioactive material comply with the 'Code of Practice for the Safe Transport of Radioactive Material (2014)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p>
M1726	<p>The management licence holder must comply with the document titled 'Mandatory radiation safety requirements' published by the Department and available from the Department's website.</p>
M1735	<p>The licence holder must:</p> <ol style="list-style-type: none"> a. Ensure that research involving the exposure of persons to ionising radiation is carried out in accordance with the 'Code of Practice for Exposure of Humans to Ionizing Radiation for Research Purposes (2005)' published by the Australian Radiation Protection and Nuclear Safety Agency; and b. Where the proposed radiation doses to persons for any research project are proposed to exceed the dose constraints listed in Table 1 of this Code; ensure that: <ol style="list-style-type: none"> i. Independent authoritative advice in relation to the justification for the radiation exposure is available to the Human Research Ethics Committee; and ii. Using the Research Notification Form available from the Department's website, the Department is notified within 14 days of the research project receiving site authorisation at the institution.
M1738	<p>The Management licence holder must comply with the 'Statement on enclosed X-ray equipment for special applications (1987)' published by the National Health and Medical Research Council and available at www.arpana.gov.au</p> <p>Notwithstanding any reference to radiation dose limits in the Statement, the radiation dose limits in the Radiation Act 2005 and the Radiation Regulations 2017 will apply.</p>
M1739	<p>The management licence holder must comply with the obligations of the 'Responsible Person' in the 'Code of Practice for Portable Density/Moisture Gauges Containing Radioactive Sources (2004)' as published by the Australian Radiation Protection and Nuclear Safety Agency.</p> <p>Notwithstanding any reference to radiation dose limits in the Code of Practice, the radiation dose limits in the Radiation Act 2005 and Radiation Regulations 2017 will apply.</p> <p>With regards to transport of gauges, in addition to the requirements in the Code of Practice, the management licence holder must comply with the requirements specified within the document titled 'Security of PDMGs During Transport' published by the Department and available from the Department's website.</p>
M1758	<p>The management licence holder must comply with the document titled 'Requirements for the Assessment of Body Composition Using DXA', document ref. HHSD/19/325059, published by the Department and available from the Department's website.</p>
M1770	<p>The management licence holder must comply with the document titled 'Non-enclosed X-ray Analysis Unit – Mandatory radiation Safety Requirements', document reference HHSD/23/483253, published by the Department and available on the Department's website.</p>

General Licence Conditions

These are the conditions of the licence applicable to ALL sites and locations across the University (and sites under the University's control) where there are ionising radiation practices.

Condition No	Condition
M8	The management licence holder must report any radiation safety incident which occurs in the conduct of the radiation practice in a manner and time consistent with the document titled ' Mandatory Reporting of Radiation Incidents ' published by the Department and available from the Department's website.
M9	<p>Where this licence permits the disposal of a sealed source, a sealed source apparatus or other types of radioactive material, the management licence holder must ensure the disposal complies with the requirements of the document titled 'Disposal of Radioactive Material and X-ray equipment' published by the Department and available from the Department's website.</p> <p>Where this licence permits the disposal of ionising radiation apparatus (e.g. X-ray units) or non-ionising radiation apparatus, the management licence holder must notify the Department within 14 days of the disposal occurring. The notification must be made using the Internet Notification Form available from the Departments website.</p> <p>Where this licence permits the possession of a radiation source, the management licence holder must notify the Department after taking possession of the radiation source using the Internet Notification of Acquisition Form available from the Department's website within:</p> <ul style="list-style-type: none"> (a) 24 hours of taking possession of a High Consequence Sealed Source or High Consequence Group of Sealed Sources as defined as defined in the Radiation Act 2005; and (b) 14 days of taking possession of other types of sealed sources or sealed source apparatus; and (c) 14 days of taking possession of ionising radiation apparatus (e.g. X-ray units) Or non-ionising apparatus. <p>The requirement to notify the Department of the acquisition and disposal of a radiation source does not apply to:</p> <ul style="list-style-type: none"> (a) Unsealed radioactive material; and (b) Implantable seeds used for brachytherapy and anatomical localisation; and (c) A radiation source that is in the licence holder's possession for a period of less than 14 days and the radiation source is not a High Consequence Sealed Source or High Consequence Group of Sealed Sources as defined in the Radiation Act 2005. <p>Note that for the purposes of the Radiation Act 2005, disposal includes:</p> <ul style="list-style-type: none"> (a) relocation of a radiation source to a destination outside Victoria; and (b) relinquishing possession of a radiation source through sale of the radiation source or giving away of the radiation source or any other means.

Offences

This Schedule outlines major offences with respect to the conduct of a radiation practice as set out in the Radiation Act 2005.

Section 12. Conduct of radiation practice prohibited unless licensed

- (1) A person must not conduct a radiation practice unless the person—
- (a) holds a management licence, that is in force, that allows the person to conduct that radiation practice; or
 - (b) is exempted under section 16 from the requirement to hold a licence in respect of that radiation practice and the person conducts the radiation practice in accordance with the exemption.

Penalty: In the case of a natural person, 1800 penalty units;

In the case of a body corporate, 9000 penalty units.

- (2) An offence under this section is an indictable offence.

Section 15. Licence holders must comply with conditions of licence

- (1) A management licence holder must not knowingly, recklessly or negligently fail to comply with any condition of their licence.

Penalty: In the case of a natural person, 1200 penalty units;

In the case of a body corporate, 6000 penalty units.

Section 18. Offence to allow persons who do not hold a use licence to use a radiation source

- (1) A management licence holder must not direct, request or knowingly allow a person who the management licence holder knows is not a use licence holder, or is a use licence holder whose licence is suspended, to use a radiation source in the management licence holder's possession.

Penalty: In the case of a natural person, 1200 penalty units;

In the case of a body corporate, 6000 penalty units.

- (2) An offence under subsection (1) is an indictable offence.

- (3) Subsection (1) does not apply if the person who uses a radiation source in the management licence holder's possession—

- (a) is exempted under section 16 from holding a use licence in respect of that use; and
- (b) uses that source in accordance with that exemption.

Section 19. Offence to allow a use licence holder to use a radiation source in a manner not permitted by licence

- (1) A management licence holder must not direct, request or knowingly allow a use licence holder to use a radiation source in the management licence holder's possession in a manner that the management licence holder knows is contrary to the conditions of the use licence holder's use licence.

Penalty: In the case of a natural person, 1200 penalty units;

In the case of a body corporate, 6000 penalty units.

- (2) An offence under subsection (1) is an indictable offence.

Section 36. Use of prescribed radiation sources prohibited unless there is a certificate of compliance

- (1) A person who is in possession of a prescribed radiation source must not require, direct, allow or permit a person to use the prescribed radiation source unless there is a certificate of compliance in respect of that source that has not expired.

Penalty: In the case of a natural person, 1200 penalty units;

In the case of a body corporate, 6000 penalty units.

- (2) An offence under this section is an indictable offence.