

Radiation Safety (Radiation Safety Standards) Notice 2021

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable Yvette D’Ath MP, Minister for Health and Ambulance Services and Leader of the House provide this human rights certificate with respect to the *Radiation Safety (Radiation Safety Standards) Notice 2021* made under the *Radiation Safety Act 1999*.

In my opinion, the *Radiation Safety (Radiation Safety Standards) Notice 2021*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the Human Rights Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The main objective of the *Radiation Safety Act 1999* (Act) is to protect persons and the environment from the harmful effects of particular sources of ionising radiation and harmful non-ionising radiation, while recognising the beneficial uses of radiation. The Act provides a safety and protection framework by regulating how radiation sources can be used, establishing a licensing and compliance regime, imposing restrictions and prohibiting particular radiation sources.

Section 16 of the Act enables the Minister to make radiation safety standards about certain matters relating to radiation sources and premises where radiation sources are used and where radioactive substances are stored. Radiation safety standards set the minimum acceptable standards for equipment and premises used by businesses, industry and individuals.

To support the operation of the Act, in 2010 the then Minister for Health made the *Radiation Safety (Radiation Safety Standards) Notice 2010* (existing Notice) to prescribe 21 radiation safety standards approved by the Minister for Health.

Since 2017, the existing radiation safety standards have been under review by Queensland Health. The review was undertaken in consultation with a number of small working groups, comprising members of the Australasian College of Physical Scientists and Engineers in Medicine, the Australasian Radiation Protection Society, Radiation Safety Users Group, accredited persons, service people, and representatives involved in the sale and supply of radiation apparatus. As a result of this review, it was decided to consolidate the existing 21 standards into five new standards which are more closely aligned with the five categories about which the Minister can make radiation safety standards under the Radiation Safety Act.

The existing Notice is due to expire on 1 September 2021. The *Radiation Safety (Radiation Safety Standards) Notice 2021* has been prepared to notify the making of the five new consolidated standards.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

No human rights have been identified as being engaged or limited by the *Radiation Safety (Radiation Safety Standards) Notice 2021*.

Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)

No human rights have been identified as being engaged or limited by the *Radiation Safety (Radiation Safety Standards) Notice 2021*.

Conclusion

I consider that the *Radiation Safety (Radiation Safety Standards) Notice 2021* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

YVETTE D'ATH MP
MINISTER FOR HEALTH and AMBULANCE SERVICES
and LEADER OF THE HOUSE

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