Environment Protection Authority

Proposed Protection from Harmful Radiation Regulation 2025

Consultation summary report

August 2025

NSW GOVERNMENT

Acknowledgement of Country

The NSW Environment Protection Authority acknowledges the Traditional Custodians of the land on which we live and work, honours the ancestors and the Elders both past and present and extends that respect to all Aboriginal people.

We recognise Aboriginal peoples' spiritual and cultural connection and inherent right to protect the land, waters, skies and natural resources of NSW. This connection goes deep and has since the Dreaming.

We also acknowledge our Aboriginal and Torres Strait Islander employees who are an integral part of our diverse workforce and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and culture.

Aboriginal artwork by Worimi artist Gerard Black

1 Introduction

This report summarises feedback provided during public consultation on the draft Protection from Harmful Radiation Regulation 2025 and the EPA's responses.

The Regulation replaces the Protection from Harmful Radiation Regulation 2013 which was due for repeal on 1 September 2025.

The Regulation supports and implements the *Protection from Harmful Radiation Act 1990*, including exemptions from licensing, safety rules, security measures, incident reporting, the prohibition on commercial UV tanning services, and sets fees and penalty notice amounts for offences against the Act and Regulation.

Consultation was open from 13 May to 10 June 2025 on the EPA Have Your Say portal https://yoursay.epa.nsw.gov.au/. A notice was published in the Gazette on 16 May 2025. The EPA invited holders of radiation licences and accreditations to comment on the proposed Regulation and also sought feedback from industry groups and associations, training providers, government agencies and other organisations, and the public.

We encouraged people to reach out to us to ask questions via a dedicated email address.

2 Stakeholders and submissions

The EPA received 53 submissions:

- 44 from industry and industry associations
- eight from individuals or teams from local health districts
- one government agency.

Feedback, insights and views raised in the submissions have been summarised, with a focus on areas where changes to the regulation needed to be considered. Comments have been grouped together where similar comments from different submissions raised the same issue.

What we heard

- Overall, there was support for:
    - changes to radiation user licence exemption approval and supervision requirements
    - expanding exemptions for radiation users in dentistry and veterinary practice, where radiation exposure risk is lower
    - requirements for radiation management licence holders to prepare or adopt a radiation management plan relevant to safety requirements for their practice
    - updated radiation incident reporting requirements and reporting thresholds
    - strengthening the prohibition on the commercial use of tanning units
- Feedback also indicated a need to refine some proposals, and we have made several changes to the regulation as outlined below in response to this feedback.

3 EPA response

Changes we made following the consultation include:

- clarifying obligations of radiation management licence holders in relation to codes and standards that apply to preparation of radiation management plans
- refining classes of persons exempt from user licensing and supervision requirements
- setting 1 December 2025 as a start date for the expanded user licence exemptions
- delaying the requirement for certain medical registrars to get a licence until 2026, so they can complete radiation safety training
- not progressing proposed changes to personal monitoring devices requirements for certain occupationally exposed persons
- not progressing proposed changes requiring prescriber and operator details in incident reports
- clarifying the obligation of accredited consulting radiation experts in relation to equipment tests.

Tables 1 to 10 summarise in detail the comments relating to the changes proposed in the consultation draft of the Regulation and the EPA's responses. Where appropriate, changes were made to the draft Regulation.

Some general comments received related to issues outside the scope of the Regulation are included in Table 11. These comments may inform future work.

4 Summary of submissions and EPA responses

Table 1 Licensing and accreditation

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Licensing requirements and licensing exemptions	9	Support for amendments to licensing requirements and licensing exemptions.	Noted
	3	Support for new offences related to user licensing exemptions.	Noted
Definitions for radiation user licence exemptions (s 9)	2	Recommend the definition for *general supervision* be clarified. Clarify whether the supervisor must be contactable and can be absent from the workplace.	The definition for *general supervision* has the same effect as the definition in the Protection from Harmful Radiation Regulation 2013, providing for a practical, risk-based approach to be implemented at the workplace. No changes made.
	3	Recommend the definition for *qualified person* be clarified.	A *qualified person* is an individual who holds a radiation user licence for the use of the regulated material being used by the exempt person. No change made.
	1	Clarify to whom *indirect supervision* applies.	Addressed in section 15(2)(a)(i) of the Regulation. A student is defined with respect to its meaning in the *Health Practitioner Regulation National Law (NSW).* No change made.
	3	Clarify definition of “same workplace”.	Supervision requirements should be read in context of the definition in the *Work Health and Safety Act 2011 (‘a place where work is carried out for a business or undertaking’)* and a practical approach taken to compliance. No change made.
	3	Any instances of supervision should require documentation and/or auditing.	The person responsible is accountable for supervision arrangements for exempt persons, consistent with their obligations under the Act and Regulation. No change made.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Radiation user licence exemption – medical registrars (s 14)	6	Support the amendment to limit the licence exemption for medical registrars in training.	Noted
	3	Recommend that all medical registrars should hold a licence.	Noted
	1	Suggest the exemption applying to medical registrars also include those training in cardiology and/or they be given one year to get their radiation licence.	Transitional arrangements in the final Regulation have been modified so that both currently exempt medical registrars and new entrants (including registrars in cardiology) after 1 September 2025 will be given nine months to complete training and get a licence.
	2	Clarify whether the exemption applies to medical registrars training in interventional radiology.	Section 14(1)(b)(ii) amended to change 'diagnostic radiology' to 'radiology'.
	4	Question the inclusion of registrars in dermatology, ophthalmology and rheumatology.	The Draft Regulation maintains the status quo of exempting medical registrars in dermatology, ophthalmology and rheumatology. A person in these categories who uses regulated material will continue to be subject to immediate supervision during the first six months of their speciality training and general supervision thereafter. No change made.
	2	Clarify the term '*medical registrar*'.	'Registrar' is defined in the Public Hospital Medical Officers (State) Award 2023. No change made.
Radiation user licence exemption – medical radiation practice students (s 15)	2	Do not support indirect supervision for final year diagnostic radiography students, who should continue to have direct supervision.	Indirect supervision for a final year student is at the discretion of the qualified person providing supervision if they are satisfied that the student does not require immediate supervision. This discretionary change in supervision is designed to manage the student's progress to operating under an unsupervised radiation user licence in the future. No change made.
	1	All medical radiation practice students in advanced training programs (i.e. fourth-year programs) should be entitled to similar supervision clauses.	Not agreed to due to greater safety and potential radiation exposure risks in nuclear medicine and radiation therapy. No change made.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	1	Clarify that nuclear medicine technicians require immediate supervision during clinical practice or any time they use regulated material.	Section 15(2) of the Regulation requires students in the medical radiation practice of nuclear medicine to have immediate supervision when using regulated material and general supervision at other times during clinical experience. No change made.
	1	Clarify whether radiography students training in interventional radiography are exempt.	All radiography students are exempt for the use of radiation apparatus, subject to supervision. The use of the term 'diagnostic radiography' in this section reflects the language of the Australian Health Practitioner Regulation Agency (AHPRA) classification for medical radiation practices. No change made.
Radiation user licence exemption – postgraduate students (s 17)	2	Postgraduate students should require immediate supervision at all times, and if not, at least the first six months.	Three months is the minimum mandatory immediate supervision requirement. The person responsible for regulated material must be satisfied that a person using regulated material for which the person is responsible is competent to use it safely. No change made.
	2	Clarify whether exempt postgraduate students must retrospectively complete a period of immediate supervision.	The three-month period of immediate supervision will only apply to a postgraduate student who begins course work or research involving the use of regulated material after the Regulation starts. Section 17 amended to clarify.
	2	A fixed "three-month" timeframe may not reliably indicate user competency.	Three months is the minimum mandatory requirement for immediate supervision. It is ultimately up to the person responsible for regulated material to be satisfied that a person using regulated material for which the person is responsible is competent to use it safely. No change made.
	2	Concern over workload from three-month period of immediate supervision for exempt postgraduate students.	Initial immediate supervision is justified; three months provides a reasonable minimum risk-based duration. No change made.
	1	Clarify application of section 17(1)(b).	Section 17 applies to any undergraduate, postgraduate or vocational student or person doing an approved course who is not otherwise exempt from the requirement to hold a radiation user licence under another section of the Regulation.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
			No change made.
Radiation user licence exemption – registered nurse and medical practitioner (s 18)	1	Question over need for section 18(1)(c).	This provision accommodates circumstances where a nurse or medical practitioner may urgently administer a radiopharmaceutical when a person licensed to do it is unavailable. No change made.
Radiation user licence exemption – veterinary industry (s 19)	3	Support for the amendment to exempt a veterinary nurse, veterinary technician or technologist from user licensing.	Noted
	2	Recommend amending the terminology to remove the word “technician” from the exemption.	Both terms appear on veterinary industry websites and documentation. No change made.
	1	How long after completing an approved course before any extra upgrading or training is required for compliance?	There are no continuing professional development requirements in NSW radiation legislation for maintaining a licence/exemption. AHPRA’s Medical Radiation Practice Board may require continuing professional development for practitioners to maintain registration. No change made.
Exemptions from licensing requirements — use of radiation apparatus for dental radiography (s 22)	1	Clarify how the exemption will cover orthopantomogram X-ray apparatus that are also capable of performing cone-beam computed tomography.	The exemption from user licensing requirements only applies to the use of orthopantomogram X-ray apparatus when used to take an orthopantomogram X-ray. If orthopantomogram X-ray apparatus is also capable of performing cone beam computed tomography, the exemption does not apply when the apparatus is used to perform cone beam computed tomography. No change made.
Radiation user licence exemption – dental practitioners (s 23)	1	Support broadening the current dental practitioner exemption to include taking orthopantomogram X-rays and lateral cephalometric X-rays.	Noted
	1	Broadening the current dental practitioner exemption to include taking orthopantomogram X-rays and lateral cephalometric X-rays not supported.	Noted

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Radiation user licence exemption – dental assistants (s 25)	1	Urge the introduction of a "permission to activate the hand button under direct instruction by licensed provider" licence for dental assistants.	The EPA acknowledges the importance of maintaining both radiation safety and infection control in dental procedures. The introduction of an exemption from licensing for dental assistants who have completed approved training will help to address this issue. No change made.
Offences relating to licence exemptions (s 31, 32, 33)	1	Section 31 does not mention management licence holders specifically.	Section 6 of the Act establishes that a person responsible for regulated material must hold a radiation management licence in respect of the regulated material. No change made.
	1	Concern that exemptions no longer require an approval under the regulations.	The person responsible is accountable for supervision arrangements of exempt persons, consistent with their obligations under the Act and Regulation. Removing the requirement for written approvals reduces red tape and enables persons responsible and supervisors to determine arrangements locally. No change made.
	1	Radiation management licence holders who only sell new equipment should be exempt from s 31 obligations.	It is an obligation of any person responsible for regulated material to ensure that only a licensed or exempt person uses regulated material for which the person is responsible. No change made.
Conditions on radiation management licences – obligations of persons responsible (s 10)	1	Clarify whether compliance is required with the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) National Directory for Radiation Protection or all ARPANSA Codes of Practices.	Section 10(1)(a) of the draft Regulation refers to an *adopted National Directory document*, which is defined in the Schedule 7 Dictionary as a document adopted by the EPA under section 37 of the Act – see NSW Government Gazette [n2022-0181]. The EPA adopts the ARPANSA codes and standards listed in Schedule 3 of the National Directory only under this provision; not the whole directory. No change made.
	1	Clarify whether all national regulatory documents referred to by the National Directory for Radiation Protection are to be complied with as a condition of a radiation management licence. Note that the *Code for Disposal of Radioactive Waste by the User* (RPS C-6) has been gazetted for NSW.	Part 3 of the NSW Waste Classification Guidelines applies to waste containing radioactive material and is adopted under the Protection of the Environment Operations (Waste) Regulation 2014. To avoid uncertainty as to applicable rules, section 10 has been amended to exclude RPS C-6.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Radiation management plans (s 11)	14	Support for the proposed new requirement for all radiation management licensees to prepare or adopt a radiation management plan.	Noted
	2	Support for the EPA to publish radiation management plan templates to support lower-risk radiation practices.	Noted
	1	The term 'radiation management plan' is not used in the National Directory for Radiation Protection.	The term 'radiation management plan' is used in documents adopted by the EPA following s 37 of the PfHR Act; that is, the codes and standards listed in Schedule 3 of the National Directory for Radiation Protection. No change made.
	2	Clarify whether radiation management plans must comply with all adopted National Directory documents or a particular document.	A radiation management plan required by the Regulation must comply with requirements for plans in both the *Code for Radiation Protection in Planned Exposure Situations* and practice-specific codes relevant to the radiation practice being carried out by the person responsible. No change made.
	2	Propose an exemption for radiation management licence holders who only sell new, in-the-box radiation equipment. and use their own handheld X-ray fluorescence devices.	It is appropriate that all radiation management licensees prepare or adopt a radiation management plan relating to regulated material for which the holder is responsible that complies to the extent relevant with adopted national codes and standards. No change made.
	2	Radiation management plans should be reviewed by the EPA.	Radiation management plans may be reviewed by the EPA at any time, including as part of compliance and enforcement programs. No change made.
	1	Make it practical and simple to prepare a radiation management plan.	The adopted national codes and standards provide detailed advice for preparation of radiation management plans. The EPA intends to publish radiation management plan templates to streamline plan preparation process, as appropriate.
	1	Suggest similar plan ratifying and approval arrangement as implemented by Queensland Health.	Security plans and radiation management plans are distinct requirements. A security plan must be endorsed by an EPA-accredited radiation security assessor.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
			As outlined in the *Code for Radiation Protection in Planned Exposure Situations*, the responsible person must ensure that a radiation management plan appropriate for the exposure situation is regularly reviewed. No change made.
	1	Question whether practice-specific qualifications will be required of the contact person for radiation management licences.	Providing a contact is a licence condition and is not specified in the Regulation. No change made.
	2	Clarify whether radiation management plans are required to comply with the *Code for Disposal of Radioactive Waste by the User* (RPS C-6).	Section 11 amended to exclude RPS C-6.
Activities of consulting radiation experts (CREs) (s 27)	4	Concern re the scope of activities prescribed for consulting radiation experts as the EPA currently only issues accreditation for consulting radiation experts in two categories.	Section 27 covers the range of the activities a consulting radiation expert *may* be accredited for, even if the EPA currently accredits them for a limited number of activities. Currently, consulting radiation experts are accredited for compliance certification of diagnostic imaging apparatus and fixed radiation gauges only. No changes made.
	6	Query whether section 27 suggests only consulting radiation experts may advise on shielding and premises design.	EPA accreditation is only applicable where compliance certification of equipment is required (diagnostic imaging apparatus and fixed radiation gauges).
	2	The term "consulting radiation expert" should be retired.	Noted. The term consulting radiation expert is specified in the PfHR Act, so the comment is not relevant to this review.

Table 2 Security of radioactive sources

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Identity check records (s 44)	10	Support new requirement to keep identity check records for up to five years.	Noted

Table 3 Radiation safety and public health

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Duty to comply with dose limits (s 45)	1	Query re use of term “employer” is instead of “person responsible”?	The Regulation specifies work health and safety obligations that apply to all employers; noting that, not all employers are required to hold a radiation management licence. No change made.
	1	Clarify whether the penalty is applicable in the case of an unforeseen radiation incident or spill or accidental exposure.	The relevant sections of the Regulation relate to the requirements for reporting defined incidents; it does not specify an offence or penalty for an incident happening. No change made.
	1	Query if persons under 16 years can be included in a category of “other persons” with a dose limit of 1 mSv as for the public.	A person under the age of 16 years must not be exposed to radiation in the course of their employment. No change made.
Wearing of personal monitoring devices (s 50)	7	Support for the amendments to clarify which occupationally exposed persons must be issued with a personal monitoring device.	Noted
	12	Did not support the proposed definition for ‘involved in the use of ionising radiation’ to clarify which occupationally exposed persons are required to wear personal monitoring devices.	The EPA further consulted within government and with the Radiation Advisory Council and has removed the proposed definition for ‘involved in the use of ionising radiation’.
	3	Recommend that operators of portable or desktop X-ray Fluorescence (XRF) devices do not have to wear personal radiation monitors.	Users of XRF devices were not required to wear personal dosimetry under the Regulation 2013. This has not changed under the Regulation 2025. No change made.
	3	Mixed opinions on the necessity of personal monitoring device requirements for veterinary staff.	The Regulation prescribes the minimum mandatory requirements for personal dosimetry based on occupational purposes with a greater risk of radiation exposure. In relation to veterinary radiography, the risk of occupational exposure is greater in equine radiography, so dose monitoring is appropriate. No change made.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	1	Provision should address personal monitoring device requirements for people who are not "occupationally exposed persons" who are assisting with animal handling during radiography.	Occupational dose limits and monitoring requirements apply to occupationally exposed persons. 'Member of the public' limits are applicable to persons who are not occupationally exposed. No change made.
	2	Clarify whether 'interventional radiology' [as listed in section 50(1)(f)] includes all 'image guided surgery'.	Imaged guided surgery is generally covered by the term 'interventional radiology'. No change made.
	1	Clarify whether work experience students are required to wear a personal monitoring device.	Work experience students are not employees; therefore, the obligation to provide personal dosimetry is not applicable. No change made.
Personal radiation exposure records (s 51)	1	Is home address recording needed?	A home address is required in case the person is no longer employed and needs to be contacted. No change made.
Maintenance of monitoring devices (s 53)	1	Should Guideline 1 be upgraded to a Standard?	Guideline 1 is currently under review and is intended to be updated to become a standard. No change made.
Radiation incidents (s 56)	6	Overall support for the amendments to the radiation incident reporting requirements	Noted
	5	Support inclusion of a 1mSv threshold for patient incidents.	Noted
	1	Concern regarding minimum dose threshold of 1mSv may miss lower dose 'incidents'.	The Regulation specifies minimum mandatory reporting requirements for administering radiation safety. There are other health sector systems that capture a broader range of incidents, including those lower than the thresholds. No change made.
	2	Suggest adding extravasation incidents to certain incidents taken to be radiation incidents.	The EPA will continue its guidance that all extravasation incidents be reported. No change made.
s 56(2)(d)	7	The wording of this section is difficult to interpret.	Noted. No change made.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
s 56(2)(e)	1	Query re definition of 'wrong body part'.	Noted. No change made.
s 56(2)(f)	2	Suggest "the administration of a radiopharmaceutical otherwise than as prescribed" should be changed "to the wrong person or incorrect radiopharmaceutical".	Sections are 56(2)(e) and 56(2)(f) should be read in context and are considered to sufficiently capture such incidents. No change made.
s 56(2)(g)	4	Clarify the incident category for "the administration of radiation for diagnostic or interventional purposes resulting in an unanticipated or unexpected observable acute radiation effect".	The provision is considered to appropriately meet the intention of ensuring the reporting of unanticipated or unexpected observable acute effects. No change made.
s 56(2)(h)	1	Query re use of mGy unit.	Confirmed as appropriate unit. No change made.
Duty to report and investigate radiation incidents (s 57)	4	Clarify section 57(1).	Section 57(1) refers to provisions in section 57(2), not section 56(2). No change made.
Duty to report and investigate radiation incidents s 57(2)(e)	6	Concerns re new requirement for the incident report to name the prescriber and administrator of the dose.	The requirement for prescriber and operator details has been removed.
Record of incidents – dose estimate calculation by a medical physicist s 58(3)	5	Support for proposed new requirement for dose estimate calculations for certain types of radiation incidents to be made by a medical physicist.	Noted
	5	Concern about the definition of a *medical physicist* as the definition adopted from the *Code for Radiation Protection in Medical Exposure*.	Persons who would qualify for the medical physicist licence condition would be generally acceptable. No change made
	5	Few hospitals within NSW employ medical physicists.	Whenever a dose calculation by a medical physicist is required, the hospital would need to get the services of a medical physicist. No change made.

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	2	Query re whether administration of radiation for diagnostic purposes that results in an unanticipated or unexpected observable acute radiation effect requires a dose estimate by a medical physicist.	Only events for interventional purposes require calculation by a medical physicist. No change made.
Prohibitions relating to the commercial use of tanning units (s 61)	12	Support for the amendments to strengthen the ban on commercial UV tanning services.	Noted
	1	Concerns that it is still possible for individuals to have tanning beds for personal use.	Noted
	1	People should have the freedom to choose UV tanning services.	The ban applies only to commercial tanning using UV radiation; it is still possible for someone to have a tanning bed for personal use.
Appointment of radiation safety officers & committees (s 63)	1	Strengthen the requirements for employers appointing a radiation safety officer and for larger organisations both a radiation safety officer and a radiation safety committee.	Noted. Section 63 provides discretion to the EPA when issuing a notice.
Warning signs (s 64)	1	Warning sign should be placed at/near the X-ray emission button.	Noted. The requirement of the Regulation does not prevent a sign from being placed somewhere else.

Table 4 Miscellaneous

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Classification of laboratories (s 66)	1	Concern some facilities will have to retrofit their “hot” labs from medium to high classification, potentially a significant cost.	Under the Regulation, the classification of a laboratory in accordance with AS/NZS 2243.4:2018, section 3.5, excludes determination with Table 3.4 of the Standard; therefore, laboratories should not need to be modified. No change made.

Table 5 Schedule 2 Exemptions from licensing requirements

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	2	Handheld XRF devices should be exempt.	Safe use of portable XRF devices requires completion of approved training and oversight by user licensing. No change made.
	2	Query re effect of Schedule 2 Part 2 Item 13.	Noted. After further consultation with technical experts, it was resolved to retain provision unchanged.
	1	Concern that some of the exemptions in Part 2 do not take into consideration the difference in risk from the certain different grouped radionuclides.	Schedule 2 Part 2 items 10 and 11 amended to replace 'radioactive substances' with 'sealed radioactive sources'
	1	Query regarding depleted uranium (Uranium metal that contains U235).	The primary radiation health risk associated with depleted uranium is an internal exposure hazard. The oversight provided by Australian Safeguards and Non-Proliferation Office's regime is appropriate. With proper handling and storage in accordance with requirements overseen by the Australian Safeguards & Non-Proliferation Office , depleted uranium is safe. No change made.

Table 6 Schedule 3 Fees

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Licence fees	18	8 submissions supported amendments to fees. 10 submissions did not support fee amendments or other aspects of fees.	Noted
CRE fees	5	Increases in the accreditation fee for consulting radiation experts (CREs) not supported.	Fees for CREs have been aligned to recover the costs of auditing CRE activities.
General	1	Question why licences need to be renewed.	Licence fees are modelled to recover the costs of administering licences, including compliance enforcement.

Table 7 Schedule 4 Dose limits for exposure to ionising radiation

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	1	Query re definitions.	No change made.
	1	Query re applying to work experience students.	No change made.

Table 8 Schedule 5 Prescribed warning sign

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	1	Query re “caution radiation” signage.	The warning sign requirements prescribed in the draft Regulation have not changed from those prescribed in the current Regulation. No changes made.

Table 9 Schedule 6 Dictionary

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
	4	Queries regarding several definitions.	No changes made.

Table 10 Other

Topic	No. of submissions raising the issue	Summary of key issues raised	EPA response/changes to draft Regulation
Penalties	7	Support for amendments to maximum penalties and penalty notice amounts.	
	1	Amendments to maximum penalties and penalty notice amounts not supported.	

Table 11 Out-of-scope issues

Topic	Summary of issues raised
Commercial tanning units	Improved compliance and enforcement of the ban on illegal use of tanning units for commercial purposes
Consulting radiation expert accreditation	Implement a formal pathway for a consulting radiation expert to be accredited for purposes of certifying compliance with shielding requirements.
Lead free operation	Modernise the legislation to accommodate radiation protection technology that allows operating lead free if safe to do so. Compliance with Radiation Standard 4 – Compliance requirements for X–ray protective clothing is a licence condition and is not specified in the Regulation
"Mutual recognition" licences – concern re allowing veterinary radiography in NSW by non-veterinarians.	Outside the scope of this review. Mutual recognition legislation operates independently of the PfHR Act and Regulation. No change made.
National harmonisation	For businesses that operate nationally, it would be less confusing if each jurisdiction had similar legislation.
Radiation user licence conditions	Some of the licence types relating to laboratory work are conditional on compliance with the requirements of AS/NZS 2243.4:2018. All radiation users in radiation laboratories should comply with the requirements of AS/NZS 2243.4:2018.
Radiation safety	Consideration be given to facilitating or supporting veterinary-specific radiation safety continuing professional development to support user licence holders in maintaining current knowledge and practice in radiation safety.
Reconsider the approved training for the proposed exemption for a veterinary nurse, veterinary technician/technologist.	Not within scope of the review, as the Regulation does not stipulate particular courses. Courses of training suitable for licensing and exemptions are approved by the EPA on advice from the expert Radiation Advisory Council established under the Protection from Harmful Radiation Act 1990.

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