Implementing nuclear security in a federal system of government – Australian experience

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Federal system of government

LAW-MAKING BODIES IN AUSTRALIA

Federal Parliament

State/Territory parliaments

Local councils
Council of Australian Governments

- Peak intergovernmental forum
- Prime Minister (Chair), Premiers, Chief Ministers
- Policy reforms requiring national cooperative action
- Assisted by several ministerial councils
  - Radiation protection - Australian Health Ministers’ Conference
### Regulation of nuclear security

| Agencies                        | • Australian Safeguards and Non-Proliferation Office (ASNO)  
|                                | • Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)  
|                                | • State and Territory regulators  
| Nuclear material               | • ASNO only  
| Nuclear installations          | • ASNO and ARPANSA  
| Radioactive sources            | • ARPANSA for federal entities (e.g., Defence, Customs)  
|                                | • Each State and Territory (e.g., hospitals, universities, industries)  

Ministerial Agreement - 1999

Documentation framework
- National Directory for Radiation Protection

Decision making framework
- Radiation Health Committee
- Australian Health Ministers’ Conference
Published in 2004 as part of ARPANSA’s Radiation Protection Series

Nationally agreed common regulatory principles and requirements

References to standards, codes of practice, recommendations and safety guides
## Decision making framework

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<tr>
<th>Radiation Health Committee</th>
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<tr>
<td>Regulators and experts</td>
<td>Vote: 10 of 13 members</td>
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<th>Australian Health Ministers’ Conference</th>
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<tr>
<td>Receive advice from portfolio agencies</td>
<td>Endorse / approve</td>
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<th>Radiation regulators</th>
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<td>Legal effect to regulatory requirements</td>
<td>Adopt agreed standards / codes</td>
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# Regulatory Impact Statements

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<th>Mandatory for</th>
<th>Must</th>
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| • any amendment to National Directory  
• codes and standards to be referenced in National Directory | • Document social, economic and environmental impacts  
• Demonstrate that benefits exceed costs  
• meet requirements of Commonwealth Office of Best Practice Regulation and equivalent agency in every State and Territory |
To decrease likelihood of unauthorised access to or acquisition of sealed radioactive sources by persons with malicious intent.

Summary of requirements for Category 1, 2 and 3 sources:

- Source Security Plans and Source Transport Security Plans
- Outcomes-based physical security requirements for detection and response
- Identity and security background (trustworthiness) checks
- Regulatory approvals before transfer or disposal of sources
- Scalable procedural security measures - audits, reviews, briefings and entry controls
Uniform implementation of the Security Code

- Developed by experts from four of nine Australian jurisdictions
- Approved under the National Directory framework
- National regulatory impact assessment
- National scheme for security background checking
- Training and assistance by ARPANSA to States and Territories
- Practice Specific Security Guides
- Implementation monitored by Radiation Health Committee
Security of nuclear materials

Australian Safeguards and Non-Proliferation Office

- National authority for safeguards and physical protection

Regulates all persons or organisations

- nuclear materials – thorium, uranium and plutonium
- nuclear items – facilities and equipment
- nuclear related materials – e.g., heavy water, depleted uranium

States/Territories may impose additional safety requirements

- Occupational health and safety – e.g., uranium mining
- Transport safety – e.g., vehicle roadworthiness
National Counter Terrorism Committee

High level forum

- Established in 2002
- National coordination of counter terrorism measures

Chemical Biological Radiological and Nuclear (CBRN) Security Sub-Committee


- Legislative frameworks
- Awareness and outreach
- Illegal or inadvertent movement of sources
- Import/export procedures
- Penalties for illegal possession, use and transport of sources
- Safe storage/disposal of disused sources
- Searching and securing missing sources
- Audit of Category 1 and 2 sources
- Notification system for stolen, lost or orphaned sources
- National register of sources
- Uniform approach to authorise transfer of sources
Conclusion

Cooperative mechanisms established and functioning

- Australian Health Ministers Conference
- National Counter Terrorism Committee
- CBRN Security Sub-Committee
- Radiation Health Committee
- National Directory for Radiation Protection
- Code of Practice for the Security of Radioactive Sources (2007)
Key strengths

- Collective experience of nine independent regulators
- National Directory “well chosen” and “particular strength” of ARPANSA,

Key issues

- Compromise time resources
- Consensus process geography