



Australian Government
Australian Radiation Protection
and Nuclear Safety Agency



Inquiry into the Defence Legislation Amendment (Naval Nuclear Propulsion) Bill 2023

ARPANSA's submission to the Senate Foreign Affairs, Defence and Trade Committee

Dear Committee Secretary,

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) welcomes the opportunity to provide a submission to the Senate Foreign Affairs, Defence and Trade Legislation Committee's inquiry into the Defence Legislation Amendment (Naval Nuclear Propulsion) Bill 2023.

ARPANSA is the Australian Government's primary authority on radiation protection and nuclear safety. The CEO of ARPANSA is charged with responsibilities under the *Australian Radiation Protection and Nuclear Safety Act 1998* (ARPANS Act) for protecting the Australian people and the environment from the harmful effects of radiation.

The proposed Bill will make amendments to the ARPANS Act enabling the CEO of ARPANSA to perform their legislated regulatory functions, if and when required, in relation to Australia's acquisition and operation of conventionally-armed, nuclear-powered submarines and supporting infrastructure and facilities.

This amendment confirms that the CEO of ARPANSA is not prevented from undertaking their regulatory functions under the ARPANS Act in respect of their normal duties or in the support of the nuclear-powered submarine program. The amendment achieves this by clarifying that the prohibitions that apply in s10 of the ARPANSA Act do not apply to naval nuclear propulsion. ARPANSA considers it vital that Australia's nuclear-powered submarine program is operated under a regulatory framework that upholds international best practice in nuclear and radiation safety. Nuclear safety regulation must apply to this enterprise as it does to any civilian nuclear facility and other Defence activities.

ARPANSA will be part of a system of regulation for the nuclear-powered submarine program. Although ARPANSA will not be the regulator for the submarines, it will work with the Australian Nuclear-Powered Submarine Safety Regulator, once established, to ensure nuclear safety and radiation protection for the Australian public and the environment.

The proposed amendment does not disturb the civil nuclear power moratorium. ARPANSA does not consider it necessary to modify the moratorium on civil nuclear power with respect to nuclear-powered submarines, other than to clarify that it does not prevent the performance of regulatory functions that might be necessary in respect of the nuclear-powered submarine program and its supporting infrastructure and facilities.

ARPANSA was consulted on the proposed amendments to its Act by the Department of Defence. ARPANSA supports the proposed amendments as an important step to providing regulatory clarity for nuclear-powered submarines in Australia.

Yours sincerely

Dr Gillian Hirth
Chief Executive Officer
ARPANSA