

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Resources, Energy and Tourism Portfolio

Budget Estimates

28 May 2012

Question: BR9
Topic: Radioactive Waste Repatriation
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Senator Ludlam asked:

Senator LUDLAM: Strong language. Are you aware of whether the government has sought to renegotiate the contracts for return of the spent fuel from France to delay its return until we get our house in order?

Senator Chris Evans: No. Senator, I am not. But I will take it on notice.

Senator LUDLAM: And which minister is going to hold portfolio responsibility for that? If you take it back to the minister you are representing here and it is nothing to do with him, are you able to undertake to work out who that is?

Senator Chris Evans: Yes. Obviously I am the minister responsible for ANSTO and Mr Ferguson is responsible for resources and energy. The suggestion is that we might have renegotiated the agreements?

Senator LUDLAM: It is entirely possible, legitimate and legal for the Australian government to pay for an extension of the period of time to buy ourselves another two or three years.

Senator Chris Evans: What was your advice as to who is responsible for that?

Ms Constable: ANSTO is responsible, Minister.

Senator Chris Evans: In a technical sense, but they are not responsible for negotiations on behalf of the government.

Ms Constable: That is my understanding, Minister.

Senator LUDLAM: Could I ask you to take on notice whether those options are exercised. If not, why not?

Senator Chris Evans: Yes.

Answer:

The Government has not sought to renegotiate the contract to delay the return of spent fuel from France. An extension would be inconsistent with French law – specifically the *2006 Programme Act on the Sustainable Management of Radioactive Materials and Wastes*. It would also be inconsistent with the 1999 exchange of letters between Australia and France pursuant to the *1981 Agreement between the Government of Australia and the Government of the French Republic concerning Nuclear Transfers between Australia and France*, as indicated in the response to Senate Question on Notice 737 of 13 October 2008.