



The Hon Ged Kearney MP
Assistant Minister for Health and Aged Care

Ref No: MS24-000967

Dr Gillian Hirth AO
Chief Executive Officer
Australian Radiation Protection and Nuclear Safety Agency
619 Lower Plenty Road
YALLAMBIE VIC 3085

Dear Dr Hirth

I am writing to outline my expectations of how the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) will achieve its regulatory objectives, carry out its regulatory functions, and protect the health and safety of people and the environment from the harmful effects of radiation.

This Statement of Expectations will assist the Australian Government to ensure the effective governance and performance of regulatory functions by ARPANSA, guided by the *Public Governance, Performance and Accountability Act 2013*. The Statement of Expectations forms part of the Government's commitment to the good corporate governance of regulatory bodies and reducing burden on business and the community.

OVERVIEW

Under the *Australian Radiation Protection and Nuclear Safety Act 1998*, (ARPANS Act 1998), ARPANSA carries out functions including providing advice and services, with the aim of promoting radiation protection and nuclear safety across the Commonwealth, the states and the territories.

As the responsible Commonwealth Minister, this Statement of Expectations sets out my expectations of the following regulatory functions undertaken by ARPANSA:

- Maintain a high standard of radiation protection and nuclear safety in Australia by providing advice, developing standards and regulating Commonwealth entities.
- Seek to protect the public, workers, patients undergoing medical procedures using radiation, and the environment from the harmful effects of radiation through effective risk-informed regulation and delivery of services. This is demonstrated through the following activities:
 - Initiate, maintain, and promote frameworks for protection and safety.
 - Undertake research and provide expert evaluations, advice, and services.
 - Ensure effective and risk-informed regulation.
 - Enhance organisational innovation and capability.
 - Pursue opportunities to promote national uniformity of radiation protection and nuclear safety policy and practices across Australia.

- As National Competent Authority for radiological and nuclear events, continue supporting the Government's work on the Australian Government Crisis Management Framework and ensure that Australia is prepared in the event of a radiological or nuclear incident.
- Continue to support the delivery of nuclear-powered submarine capability by undertaking radiation protection and nuclear safety research including by developing policy, advice, codes, standards, services, and regulation. This should include:
 - Providing support to the implementation of the optimal pathway to establish an Australian nuclear-powered submarine capability.
 - Ensuring appropriate interfaces, boundaries, roles and responsibilities for ARPANSA, within the system of regulation for nuclear-powered submarines, are agreed and defined.
 - Reviewing and updating the national framework for radiation and nuclear safety standards and guidance to ensure its suitability for nuclear-powered submarines.
 - Continue to develop an Environmental Framework for ARPANSA's work, including clear standards for quality, data, and reporting, as well as addressing community concerns and expectations.

The Government recognises and respects the independence of the Chief Executive Officer of ARPANSA and responsibilities as outlined under the ARPANS Act. I expect ARPANSA to continue to exercise its functions and powers in good faith and to the best of its ability.

THE GOVERNMENT'S POLICY PRIORITIES AND OBJECTIVES

Regulatory Reform Agenda

The Regulatory Reform Agenda is a key component of the Government's plan to boost Australia's productivity and lower the cost of living by ensuring a fit-for-purpose regulatory environment.

The Government is examining ways to boost productivity by reducing unnecessary or duplicative regulatory costs. Working with state, territory and international partners will identify opportunities to improve the quality of regulation and lower the cost of living for Australians.

The Government is also improving regulator performance, capability, and culture through regulatory stewardship. This supports the Government's commitment to Australian Public Service reform by building trust in Government and its institutions, and by putting business and community at the centre of policy and services.

I expect you and your Agency to contribute to the regulatory reform process by:

- Seeking opportunities to reduce duplication and streamline processes to improve efficiency and lift productivity, including international harmonisation or alignment with relevant international standards, where appropriate.
- Acting in accordance with regulatory best practice in decision-making, policies, processes and communications practices, to maximise transparency and minimise compliance costs.
- Applying the Resource Management Guide 128 Regulator Performance to your regulatory functions to assess performance and engagement with stakeholders.
- Giving consideration to cost recovery arrangements, where appropriate.

Principles of regulator best practice

In exercising your functions and powers in accordance with these principles, I expect you and your Agency to display the following principles of regulatory best practice.

1. Continuous improvement and building trust:

- Use qualitative and quantitative analysis as important tools for assessing and reporting on performance, and to support continuous improvement.
- Promote a work culture that builds public confidence in the work of ARPANSA and promotes trust in Government decision-making.

2. Risk-based and data-driven:

- Actively understand, engage with and effectively mitigate strategic risks to successfully manage regulatory functions without unnecessarily impeding the operation of regulated entities.
- Use data sources that meet relevant data assurance standards for assessing and reporting on the quality of statistical information.

3. Collaboration and engagement:

- Open, transparent, and consistent engagement with stakeholders including industry, Government and the broader community is crucial to maintaining competent and innovative regulatory practice. Consequently, I expect you and your Agency to:
 - seek opportunities to engage and consult genuinely with stakeholders.
 - be receptive to feedback and diverse stakeholder views.
 - seek to increase transparency in decision-making processes.
 - provide up-to-date, clear and accessible guidance and information to assist regulated entities with compliance.
 - maintain productive working relationships with other relevant jurisdictional and Commonwealth regulators and relevant international bodies.

Innovation and regulatory change

I expect you and your Agency to continually monitor the operational environment to ensure regulatory approaches keep pace with changes in technology, industry practices, international regulation, and community expectations.

I also expect you and your Agency to regularly review and, where necessary, adjust policies, protocols, and operational procedures, to ensure responsiveness to the changing social, technology, international regulatory environment, and commercial context in which ARPANSA operates.

Relationship with Minister and portfolio

ARPANSA plays an essential role in ensuring that the Government and I are well placed to respond promptly to issues that may arise in the radiation protection and nuclear safety space. ARPANSA should, therefore, provide Government with accurate and timely advice on significant issues relating to these regulatory functions in accordance with the Government's policy priorities and objectives. I also expect you to work closely with the Department of Health and Aged Care in contributing to ongoing policy advice and ideas to strengthen our vision for radiation protection and nuclear safety in Australia.

As the responsible Minister, I will provide an enabling environment for you and your Agency to consistently implement best practice by ensuring you are well informed of the Government's policy direction, as specific initiatives and strategies are being considered.

Statement of Intent

I look forward to your reply to this Statement of Expectations, including your Statement of Intent, indicating how you will implement my expectations as outlined above.

Yours sincerely



Ged Kearney

8 / 10 / 2024

cc: The Hon Mark Butler MP, Minister for Health and Aged Care