



Cabinet Legislation Committee

Minute of Decision

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Approval of the Radiation Safety Amendment Regulations 2023

Portfolio Health

On 4 May 2023, the Cabinet Legislation Committee:

- 1 **noted** that in November 2022, the Cabinet Social Wellbeing Committee (SWC) agreed to amend the Radiation Safety Regulations 2016 [SWC-22-MIN-0207];
- 2 **noted** that the Radiation Safety Amendment Regulations 2023 (the Amendment Regulations) give effect to the decisions above;
- 3 **noted** that in November 2022, the Minister of Health (the Minister) was authorised to make minor and technical adjustments to the decisions agreed by Cabinet as needed to give full effect to the intent of those decisions [SWC-22-MIN-0207];
- 4 **noted** that the Minister has approved the following minor and technical adjustments to give effect to the decisions agreed by Cabinet:
 - 4.1 limit the application of the higher fees (referred to in paragraphs 4.3 and 5.3 of SWC-22-MIN-0207) to a period of one year;
 - 4.2 remove the exemption for Micro-CT (referred to in paragraph 6.4 of SWC-22-MIN-0207);
- 5 **noted** that section 92(1) of the Radiation Safety Act 2016 (the Act) requires the Minister of Health to recommend regulations prescribing
 - 5.1 the fees payable by a person applying for an authorisation or renewal of an authorisation;
 - 5.2 the method by which the fees are to be calculated;
 - 5.3 exemptions from or refunds of the whole or any part of the any fee;
- 6 **noted** that section 92(3) of the Act requires the Minister of Health, as far as reasonably practicable in determining the method of cost recovery, to have regard to the principles of; equity, efficiency, justifiability, transparency and ease of administration before recommending regulations that enable cost recovery;

- 7 **noted** that section 92(4) of the Act requires appropriate consultation with people and organisations that the Minister of Health considers to be representative of the interests of people likely to be substantially affected by cost recovery and that those people and organisations have been given sufficient time and information to make an informed contribution;
- 8 **noted** that the advice of the Minister that the requirements of the Act have been met;
- 9 **authorised** the submission to the Executive Council of the Radiation Safety Amendment Regulations 2023 [PCO 25190/5.0];
- 10 **noted** that the Amendment Regulations come into force on 28 June 2023.

Rebecca Davies
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon David Parker
Hon Peeni Henare
Hon Kieran McAnulty
Hon Ginny Andersen
Hon Dr Duncan Webb
Hon Willow-Jean Prime
Tangi Utikere, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG