

**Radiation Safety Advisory
Council
Annual Report 2021**

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Foreword

This is the 2021 annual report of the Radiation Safety Advisory Council (the Council), produced in accordance with section 85 of the Radiation Safety Act 2016 (the Act).

Section 85(1) of the Act requires the Council to provide the Minister of Health (the Minister) with a report, at least once each year, setting out advice provided to the Director for Radiation Safety (the Director), the Director-General of Health, and the Minister of Health over that period.

This annual report covers the Council's activities for the period 29 October 2020 to 31 December 2021.

This is the Council's first annual report.

The Council was established by section 80 of the Act and has the functions set out in section 81 of the Act.

For the reporting period, formal advice is provided to the Minister under section 81(b) of the Act on the appointment of a seventh Council member with specialist medical oncology expertise (Appendix 1). No recommendations and no advice were provided under section 81(a) of the Act.

The Council's activities for the reporting period are set out in this report.

The Council's next annual report is due by March 2023.

Two blue ink signatures are shown side-by-side. The signature on the left is more compact and stylized, while the one on the right is more fluid and extends further to the right.

Brian Lunt
Chairperson
Radiation Safety Advisory Council

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Background

The Radiation Safety Act 2016

The Radiation Safety Act 2016 (the Act) came in force in March 2017 to establish a framework to protect the health and safety of people and protect the environment from the harmful effects of ionising radiation while allowing for the safe and beneficial use of ionising radiation. The Act also enables New Zealand to meet its international obligations relating to radiation protection, radiation safety and security, and nuclear non-proliferation. The Act repealed and replaced the Radiation Protection Act 1965.

Administration of the Act

The Minister of Health is the Minister responsible for the Act and Manatū Hauora, the Ministry of Health (the Ministry) administers the Act. The day-to-day administration of the Act is conducted by the Ministry's Office of Radiation Safety (ORS) and ORS is managed by the Director for Radiation Safety (the Director). Most of the duties and functions of the Act rest with the Director. The Director-General of Health has some duties under the Act in relation to appointing and employing the Director. The Minister of Health has powers and duties under the Act to: appoint Council members, request advice from the Council, grant authorisations with respect to nuclear material (currently delegated to the Director), recommend fees and some exemptions made in regulations, and recommend the setting of the acceptable levels of radioactivity and dose limits specified in the Act.

Besides the Act, the other radiation safety requirements are specified in the Radiation Safety Regulations 2016 (the Regulations) and Codes of Practice (the Codes) issued under the Act. The Codes specify the technical requirements for organisations that manage and control radiation sources, and other significant controls include: licensing individuals to use radiation sources, licencing organisations to manage and control radiation sources, and granting consents to import or export radioactive material.

ORS also provides secretariat support for the Council.

The Radiation Safety Advisory Council

The Act requires the Council to have four members to constitute a quorum and consist of at least:

- two members who have appropriate knowledge, expertise or interest in radiation and nuclear safety and
- two members who have appropriate knowledge and experience in the use of radiation and radiation sources and
- one lay member.

Members of the Council are appointed by the responsible Minister.

The Council is funded to comprise up to seven members. The Act requires the Council to appoint a member as the chairperson and provides discretion for the Council to appoint another member as the deputy chairperson. Members are appointed within the terms and conditions specified by Cabinet for this type of committee.

The members for the 2021 annual report year were:

- Brian Lunt (Chairperson), medical physicist in the public and private New Zealand health care sectors
- Lois Hutchinson (Deputy chairperson), former chief executive of the Transport Accident Investigation Commission (TAIC)
- Karen Coleman, radiology manager at Te Whatu Ora (Health New Zealand) Hutt Hospital; Capital, Coast and Hutt Valley
- Dr Andrew Cousins, chief radiation oncology physicist at Christchurch Hospital
- Carl Dawson, managing director of Radiation Protection Services
- Dr John Laban, radiation physics consultant, BSc (Hons) and PhD in solid states physics.

Functions

The Council is part of the established radiation safety framework, contributing to the protection of the health and safety of people and the protection of the environment from the harmful effects of ionizing radiation by carrying out its functions prescribed under section 81 of the Act. The Council provides independent advice to the Director, the Minister or the Director-General on matters and standards relating to radiation safety. The Council may also make recommendations to:

- the Minister on the exercise of the Minister's powers under the Act
- the Director on the adoption of recommendations, policies, codes of practice and standards relating to radiation safety
- the Director in respect of authorisations referred to it by the Director.

In carrying out its functions, the Council may appoint advisory or technical committees under section 82 for the Act, regulate its procedure in any manner it thinks fit under section 83 of the Act and consult any person or body it considers appropriate under section 84 of the Act.

Activities for the 2021 period

The Council held four meetings over the 2021 reporting period. Council activities fell into the three areas of:

- establishing the Council and its procedures, including membership of the Council
- providing formal advice to the Minister under s81(b)(i) of the Act regarding the appointment of a seventh Council member with specialist medical oncology expertise (see appendix 1 for more details)
- collecting information from the Office of Radiation Safety on its operations and its views
- identifying and assessing topics for Council consideration.

As the Council was newly established in 2021, a significant focus for the year has been on ensuring the Council is functioning appropriately and developing its procedures under section 83 of the Act.

The Council spent a great deal of time during the reporting period with staff and contractors from the Office of Radiation Safety. The Council received and assessed information on the office's operation, for potential inclusion in the Council's work programme.

The Council also discussed a wide range of potential topics for its work and developed a work programme for the 2022 reporting period, which is outlined below.

Work programme

Areas under active consideration for the next reporting period are:

- **General matters:** Office of Radiation Safety information sharing (for example, making incident reporting and resolution information available to the health and disability sector and providing the minerals and mining sector with details on naturally occurring radioactive material).
- **Council administration:** Continuing to develop Council procedures.
- **Authorisations:** Licensing structures in hospital and industrial settings, general licencing approaches, disposal of radiation sources.
- **Codes of practice:** Radiation practices in veterinarian settings, personal dosimetry requirements, disposal of radiation sources.
- **Standards:** Disposal of radiation sources.

Next annual report

The Council's next annual report will be for the period 1 January 2022 to 31 December 2022 and is due by 31 March 2023.

Appendix 1: Advice to the Minister

16 August 2021

Hon. Andrew Little
Minister of Health
Parliament Buildings
WELLINGTON

Tēnā koe Minister Little

Re: Radiation Safety Advisory Council: Additional Appointment Recommendation

The Radiation Safety Advisory Council (RSAC) wish to increase the diversity of knowledge within the council by the inclusion of a medically qualified person with knowledge of the use of and biological effects from ionising radiation.

Oncology Department Managers from around New Zealand were approached by a member of the RSAC for names of Oncologists willing to sit on the council. Dr Iain Ward, Radiation Oncologist from Canterbury has confirmed he is willing to put his name forward for consideration.

Dr Ward can be contacted at Iain.Ward@cdhb.health.nz for further information.

As chairperson I think that Dr Ward is imminently qualified and will make a valuable contribution to the work and advice available to the Minister and Office of Radiation Safety Director in matters arising under the Radiation Safety Act 2016. I fully support his appointment to the RSAC.

Nāku iti nei, nā

Two blue ink signatures are present. The first signature is a cursive 'B' followed by 'Lunt'. The second signature is a more stylized cursive signature, likely of the same person.

Brian Lunt
Chairperson – Radiation Safety Advisory Council

Appendix 2: Membership

Brian Lunt (Chairperson)

Brian has worked as a medical physicist involved in the safe and effective application of radiation in diagnostic radiology, nuclear medicine, cardiology, dentistry and veterinary medicine in the public and private health care sectors in New Zealand.

Lois Hutchinson (Deputy chairperson)

Lois is the former chief executive of the Transport Accident Investigation Commission (TAIC) based in Wellington. Lois has 30 years' experience in senior executive roles across the state sector, working in health delivery, regulatory services and transport. While working in these sectors, Lois developed particular expertise in delivering both domestic and international mandated services that operate to avoid or reduce harms to people and organisational operating environments. Lois holds Master's degrees in public policy (Victoria University of Wellington) and managing organisational performance (Cranfield University, United Kingdom). Lois was made a Fellow of the Australian Institute of Health and Safety (Hon.) in 2019.

Karen Coleman

Karen has significant experience at the managerial level in radiation safety. She was the director and head of the radiation therapy department at the University of Otago for 17 years and is currently the radiology manager at Hutt Hospital, Te Whatu Ora (Health New Zealand) Capital, Coast & Hutt Valley. Karen has held several directorship roles for various governance boards, including being president of the New Zealand Institute of Medical Radiation Technology (NZIMRT). Her qualifications include a Bachelor of Science with Honours.

Dr Andrew Cousins

Andrew has over 20 years' clinical experience working as a radiation oncology medical physicist in the United Kingdom and New Zealand and has further experience in scientific research and consulting. He is the chief radiation oncology physicist at Christchurch Hospital and sits on other national and international advisory groups, including being a current director of the Australasian College of Physical Scientists and Engineers in Medicine (ACPSEM).

Carl Dawson

Carl has a background in electronic and software engineering and is the managing director of Christchurch-based ancillary radiation services provider Radiation Protection Services Ltd (RadPro). RadPro supplies personal dosimetry, protection-level instrument calibration and analytical and consultancy services to users of ionising radiation in New Zealand. Before starting RadPro, Carl was based at the National Radiation Laboratory and supported their operational and regulatory activities.

Dr John Laban

John has worked in the radiation protection industry in New Zealand for 25 years as an advisor, scientist, consultant and medical physicist, providing training and services related to radiation physics and safety. He is currently engaged by Te Whatu Ora and private radiology practices, providing medical physics support for their diagnostic imaging services.