



## COMPLIANCE CODE FOR CLASS R2 PERMITS

### Compliance Code History

Version	Date of Effect	Description
1	31/03/2016	Compliance Code first issue
2		
3		
4		
5		

### Purpose

The purpose of this Compliance Code is to establish a standard set of requirements for the systems of Nuclear Material Accounting and Control and Nuclear Security for all Class R2 Permits to Possess Nuclear Material issued under section 13 of *the Act*. It also sets out forms for the submission of applications, notifications and reports.

### Scope

This *Compliance Code* applies to Permits to Possess Nuclear Material issued under section 13 of *the Act* identified under paragraph 3 of the Permit as a Class R2 permit. The requirements of the Code apply to all *nuclear material* in the possession of the Permit Holder except *nuclear material* which is declared under section 11 of *the Act* as exempt from the application of Part II of *the Act*.

### 1. Nuclear Material Accounting and Control (NMAC) System

#### 1.1. The Permit Holder shall:

1.1.1. keep an up-to-date *inventory* listing of *nuclear material*;

1.1.2. label all physical batches and containers of *nuclear material* on the permit holder's *inventory*, with unique identification markings in a way that enables timely matching with batch numbers assigned by ASNO;

1.1.3. maintain organisational arrangements enabling the Permit Holder to determine the precise location of any material on the Permit Holder's *inventory* in less than 2 hours;

1.1.4. keep up-to-date records of:

a) transfers of *nuclear material* to and from the Permit Holder; and

b) transfers of *nuclear material* which are brokered by the Permit Holder.

1.1.5. conduct a Physical Inventory Taking (stocktake) not more than thirty (30) days prior to and no later than 30 June each year (or other dates as may be designated by ASNO in advance), of any *nuclear material* on the *inventory*;



- 1.1.6. detect any *loss of control* of *nuclear material* listed on the *inventory* within seven days; and
- 1.1.7. retain records of holdings and transfers of *nuclear material* for a period of 5 years.
- 1.2. Given the low safeguards significance of material covered by Class R2 Permits, the Permit Holder is not required to develop formal written NMAC procedures.

## 2. Reports, Notifications and Requests for Approvals

- 2.1. The Permit Holder or *Designated Individual* shall report to, notify or apply to the *Director General* as appropriate for each activity or item listed in paragraph 3.
- 2.2. Each such report, notification or application shall be made by completing the specified forms listed in paragraph 3 or using other formats as approved by *ASNO*.
- 2.3. The reports, notifications or applications shall be delivered to the *Director General* in accordance with the reporting requirements specified on the respective form.
- 2.4. Reporting of domestic and international transfers:  
The Permit Holder shall:
  - 2.4.1. Provide an annual report (as at 30 June) to *ASNO* and submit the report by the 5<sup>th</sup> of July of the same year (or other dates as may be designated by *ASNO* in advance), including:
    - a) Physical Inventory Taking as described in paragraph 1.1.5;
    - b) all *inventory* changes that occurred during the reporting period;
    - c) list of customers to which *nuclear material* has been brokered during the reporting period (if applicable).
  - 2.5. Obtain *ASNO* approval for all international or domestic transfers and receipts of *nuclear material* under this permit, for *nuclear material* over 50kg in accordance with the reporting timeframes and forms.
  - 2.6. Implement additional reporting requirements the *Director General* may issue for individual batches in order to manage obligations under a *prescribed international agreement*.

## 3. ASNO Forms

Forms are reviewed or amended from time to time. Current forms can be downloaded from the *ASNO* website at: [www.dfat.gov.au/asno](http://www.dfat.gov.au/asno)

Days refer to by the following tables are deemed consecutive business days.



### 3.1. Approval forms

APPLICATION FORMS TO CONDUCT CERTAIN ACTIONS: <sup>1</sup>	TIMEFRAME LIMITS FOR APPLICATIONS, NOTICE OR REPORTING: <sup>2</sup>	FORM TO USE:
Application to Transfer Material (Import, Export or Domestic Transfer)	- 7 day notice	ASO106
Application to Consume, Dilute or Dispose of Nuclear Material or Associated Item <sup>3</sup>	- 7 day notice	ASO108
Application to Create a New Approved Location	- 7 day notice	ASO112
Application to Vary Disposition of Material Such That it will Become Unavailable for Verification	- 14 day notice	ASO128

### 3.2. Notification forms

NOTIFICATION IS REQUIRED FOR: <sup>1</sup>	TIMEFRAME LIMITS FOR APPLICATIONS, NOTICE OR REPORTING: <sup>2</sup>	FORM TO USE:
Notification of an Incident	- Report <i>incidents</i> by phone within 2 hrs. of detection - submit form within 4 hrs.	ASO201
Notification of Designation of an Individual		ASO214
Notification of Change to Permit Holder's Particulars	- Within 10 days of effect of change	ASO231

### 3.3. Report Forms

REQUIRED REPORTS: <sup>1</sup>	TIMEFRAME LIMITS FOR APPLICATIONS, NOTICE OR REPORTING: <sup>2</sup>	FORM TO USE:
Report on Incident Investigation	- Within 10 days of initial report	ASO303
Inventory Listing (Nuclear Materials and Associated Materials)	- 5 days after the physical inventory taking date set in 1.1.5	ASO310
Ledger Page	- Report monthly transactions or - 5 days after the physical inventory taking date set in 1.1.5	ASO311
Initial inventory listing		ASO323

<sup>1</sup> Each report, notification or application should be made by the *Permit Holder's Representative* or by a *Designated Individual* as notified under ASO214, responsible for compliance with that application requirement.

<sup>2</sup> Refer to related form for detailed timeframe requirements.

<sup>3</sup> *Nuclear material* may only be disposed of in such a way that the *nuclear material* will become practically irrecoverable.



#### 4. Security Measures

The Permit Holder shall maintain security measures for preventing the theft, loss or unauthorised handling of *nuclear material* including:

- 4.1. restricting access to *nuclear material* to persons who need to access such material;
- 4.2. securing the *inventory* in a lockable room or container, or otherwise made inaccessible through its incorporation into equipment; and
- 4.3. maintaining documentary records associated with the Permit conditions (defined access list, log in/out sheet).

**NOTE:** *Subject to the Administrative Appeals Tribunal Act 1975 and to sub-section 22(8) of the Nuclear Non-Proliferation (Safeguards) Act 1987, application may be made to the Administrative Appeals Tribunal, by or on behalf of a person whose interests are affected by a decision by the Minister, pursuant to sub-section (2) of section 13 of the Act, imposing a condition or restriction on the grant of a Permit, for review of the decision.*