



Atomic Energy Act 1953

Act No. 31 of 1953 as amended

This compilation was prepared on 8 July 2008
taking into account amendments up to Act No. 73 of 2008

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act relating to Atomic Energy

Part I—Preliminary

1 Short title [see Note 1]

This Act may be cited as the *Atomic Energy Act 1953*.

2 Commencement [see Note 1]

This Act shall come into operation on the day on which it receives the Royal Assent.

5 Interpretation

(1) In this Act, unless the contrary intention appears:

atomic energy means any form of energy released in the course of nuclear fission, nuclear fusion or other nuclear transmutation.

Australia includes the Territories.

Commission means the Australian Atomic Energy Commission that was constituted under this Act before the enactment of the *Australian Nuclear Science and Technology Organisation Act 1987*.

minerals includes all substances obtained or obtainable from the earth by underground or surface working.

prescribed substance means:

- (a) uranium, thorium, an element having an atomic number greater than 92 or any other substance declared by the regulations to be capable of being used for the production of atomic energy or for research into matters connected with atomic energy; and
- (b) any derivative or compound of a substance to which paragraph (a) applies.

Ranger Project Area means the land described in Schedule 2 to the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Section 6

- (4) A reference in this Act to persons engaged in a joint venture shall be construed as a reference to persons carrying on or proposing to carry on any operations together, whether or not in partnership.

6 Act to bind Crown

This Act binds the Crown in right of the Commonwealth, of each of the States and of the Northern Territory but nothing in this Act renders the Crown liable to be prosecuted for an offence.

7 Extension to external Territories

This Act extends to every external Territory.

34 Exercise of powers

The powers conferred by this Act may be exercised only:

- (a) for purposes related to trade or commerce with other countries;
- (b) for purposes related to trade or commerce among the States, between a State and a Territory or between 2 Territories;
- (c) in relation to substances situated in or recovered from, or things done or proposed to be done in or in connection with, the Ranger Project Area;
- (d) in relation to substances situated in or recovered from, or things done or proposed to be done in or in connection with, a Territory; or
- (e) for other purposes of the Commonwealth not being purposes related to the defence of the Commonwealth.

34A Application of the *Criminal Code*

Chapter 2 of the *Criminal Code* applies to all offences created by this Act.

Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

Part II—Title to and Information Concerning Prescribed Substances

35 Title of Crown to prescribed substances in Territories of the Commonwealth

- (1) This section applies to substances which, on or after the commencement of this Act, are prescribed substances existing in their natural condition, or in a deposit of waste material obtained from an underground or surface working, on or below the surface of land in a Territory, whether alienated from the Crown or not and, if alienated, whether alienated before or after the commencement of this Act.
- (2) A substance to which this section applies which:
 - (a) is a prescribed substance at the commencement of this Act; and
 - (b) was not the property of the Commonwealth immediately before 11 September 1946 (being the date of commencement of the *Atomic Energy (Control of Materials) Act 1946*);is declared to have become the property of the Commonwealth on that date.
- (3) A substance to which this section applies which:
 - (a) becomes a prescribed substance after the commencement of this Act; and
 - (b) is not, immediately before the date on which it becomes a prescribed substance, the property of the Commonwealth;becomes, by force of this Act, the property of the Commonwealth on that date.
- (4) The title of the Commonwealth to any substance to which this section applies is subject to any rights granted after 10 September, 1946 by or under the law of a Territory, with express reference to that substance, but to no other rights.

Section 36

36 Notification of discovery of prescribed substance

- (1) A person who, whether before or after the commencement of this Act, has discovered that a substance that is or becomes a prescribed substance, or minerals containing a substance that is or becomes a prescribed substance, occurs or occur at any place in Australia shall report that discovery by notice in writing to the Minister within one month after:
- (a) the commencement of this Act;
 - (b) the date of the making of the discovery; or
 - (c) the date on which the substance becomes a prescribed substance;
- whichever is the latest.

Penalty:

- (a) in the case of a natural person—\$2,000; or
 - (b) in the case of a body corporate—\$10,000.
- (2) Subsection (1) does not require a person to report a discovery that he or she has reported to a Minister before the commencement of this Act.
- (3) Subsection (1) does not apply if the person has a reasonable excuse.
- Note: A defendant bears an evidential burden in relation to the matter in subsection (3), see subsection 13.3(3) of the *Criminal Code*.
- (4) An offence against subsection (1) is an offence of strict liability.
- Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

37 Power to obtain information

- (1) The Minister may, by notice in writing served on a person, require that person to furnish in writing, in the manner specified in the notice and within the time or times and in respect of the period or periods (if any) so specified, a statement, return or returns containing such particulars as are specified in the notice relating to:
- (a) prescribed substances in the person's possession or under the person's control;
 - (b) minerals of a kind specified in the notice in the person's possession or under the person's control or present on or under land owned or occupied by the person, being minerals

from which, in the opinion of the Minister, a prescribed substance can be obtained; or

- (c) work carried out by the person or on the person's behalf or under the person's direction in connexion with the production or use of a prescribed substance or of minerals from which, in the opinion of the Minister, a prescribed substance can be obtained.

- (2) A person must not refuse to comply with a notice served on the person under subsection (1).

Penalty:

- (a) in the case of a natural person—\$2,000; or
- (b) in the case of a body corporate—\$10,000.

- (3) Subsection (2) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3), see subsection 13.3(3) of the *Criminal Code*.

- (4) A person must not fail to comply with a notice served on the person under subsection (1).

Penalty:

- (a) in the case of a natural person—\$2,000; or
- (b) in the case of a body corporate—\$10,000.

- (5) Subsection (4) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (5), see subsection 13.3(3) of the *Criminal Code*.

- (6) An offence against subsection (4) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

Part III—The Ranger Project

41 Authority to mine prescribed substances on behalf of, or in association with, the Commonwealth

- (1) Where it appears to the Minister that a prescribed substance, or minerals from which, in the opinion of the Minister, a prescribed substance can be obtained, is or are present on or under the whole or a part of an area of land in the Ranger Project Area, either in a natural state or in a deposit of waste material obtained from an underground or surface working, the Minister may, by writing under his or her hand, authorize a person, or 2 or more persons engaged in a joint venture, to carry on, on behalf of or in association with the Commonwealth, operations in accordance with this section on that land.
- (2) Subject to any conditions or restrictions specified in the authority, the person so authorized in relation to any land may:
 - (a) enter upon that land, with such workers and other persons as he or she thinks fit, and bring on to that land such machinery, vehicles and other things as he or she thinks fit;
 - (b) take possession of the whole or a part of that land;
 - (c) carry on, upon or under that land, operations for discovering prescribed substances, and for mining, recovering, treating and processing prescribed substances and such other minerals as it is necessary or convenient to mine or recover in order to obtain prescribed substances;
 - (d) for the purposes of the operations referred to in paragraph (c):
 - (i) erect or install buildings (including residential buildings), structures and machinery on that land;
 - (ii) cut and construct water races, drains, dams, tramways and roads on that land;
 - (iii) bore or sink for water, and pump, raise or use water, on that land; and
 - (iv) do other work on that land;
 - (e) demolish or remove buildings, structures and machinery erected or installed on that land;

- (ea) remove from that land persons who enter upon, or are on, that land otherwise than:
 - (i) with the consent of the person so authorized; or
 - (ii) in pursuance of a right or power conferred by law;
 - (f) pass over, or authorize persons and things to pass or be carried over, land giving access to that land; and
 - (g) do all such other things as are necessary or convenient for the effectual exercise of the powers specified in the preceding paragraphs of this subsection.
- (2AA) Operations carried on on the Ranger Project Area by the person or persons specified in an authority under this section (being an authority, whether granted before or after the commencement of this subsection, that authorizes, or purports to authorize, that person, or those persons as joint venturers, to carry on, on behalf of the Commonwealth, operations in accordance with this section on the Ranger Project Area subject to conditions and restrictions specified in the authority) shall, if carried on as provided by the authority and in accordance with the Ranger Project agreement, be deemed, for the purposes of this Act, to be carried on on behalf of the Commonwealth and to be authorized by the authority.
- (2AB) The reference in subsection (2AA) to the Ranger Project agreement shall be construed as a reference to the agreement known as the Ranger Uranium Project Government Agreement that was made on 9 January 1979 between the Commonwealth, Peko-Wallsend Operations Ltd., Electrolytic Zinc Company of Australasia Limited and the Commission or, if that agreement is amended, that agreement as amended.
- (2A) An authority under this section continues in force for the period for which the authority is conferred unless, before the expiration of that period, the authority:
- (a) terminates or is terminated in accordance with a condition or restriction to which the authority is subject; or
 - (b) is revoked under section 41A or 41C.
- (3) All prescribed substances and minerals mined or otherwise recovered in pursuance of an authority under this section that are not otherwise the property of the Commonwealth are, by force of this section, vested in the Commonwealth.
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Section 41A

- (4) Except as provided by the regulations, this section shall not be construed as intended to exclude or limit the operation of any provision of a law of a State or Territory that is capable of operating concurrently with this section.

41A Revocation and variation of authorities under section 41

- (1) Subject to sections 41B and 41C, an authority under section 41 shall not be varied or revoked otherwise than under and in accordance with this section.
- (2) Subject to subsection (3), where the person on whom an authority has been conferred under section 41 applies, or, in a case where an authority has been conferred under section 41 on 2 or more persons engaged in a joint venture, those persons apply, in writing to the Minister for the revocation of the authority, the Minister may, in his or her discretion, by instrument in writing under his or her hand, revoke the authority.
- (3) The Minister shall not, under subsection (2), revoke an authority unless he or she is satisfied that the conditions or restrictions to which the authority is subject, being conditions or restrictions that relate to action to be taken by the person or persons on whom the authority has been conferred for the rehabilitation of the area affected by operations carried on under the authority, have been complied with and observed.
- (4) Subject to subsection (5), where the person on whom an authority has been conferred under section 41 has, or, in a case where an authority has been conferred under section 41 on 2 or more persons engaged in a joint venture, the persons on whom the authority has been conferred have, refused or failed to comply with or observe a condition or restriction to which the authority is subject, the Minister may, by instrument in writing under his or her hand served on the person or each of those persons, as the case may be, vary the authority by imposing additional conditions or restrictions to which the authority is to be subject or by varying all or any of the conditions or restrictions to which the authority is subject, being additional conditions or restrictions or variations that have the effect of prohibiting, either indefinitely or for such period as is specified in the instrument, the person or those persons, as the case may be, from carrying on, upon or under the land to which the authority relates, any operations for mining, recovering, treating or

processing prescribed substances or other minerals or such operations of those kinds as are specified in the instrument.

- (5) The Minister shall not, under subsection (4), vary an authority by reason that the person or persons on whom the authority has been conferred has or have refused or failed to comply with or observe a condition or restriction to which the authority is subject unless:
- (a) the Minister has, by instrument in writing under his or her hand served on the person or each of those persons, as the case may be, given notice of his or her intention to exercise his or her powers under that subsection if the notice is not complied with;
 - (b) the Minister has, in the instrument, specified:
 - (i) the refusal or failure by reason of which he or she intends to exercise his or her powers under that subsection if the notice is not complied with; and
 - (ii) the action that the person is or those persons are, as the case may be, required to take in order to secure compliance with or observance of the relevant condition or restriction to which the authority is subject and the period within which the action is to be taken; and
 - (c) the person has not or those persons have not, as the case may be, at the expiration of that period, taken that action.
- (6) An authority under section 41 may be varied under subsection (4) by reason that the person or persons on whom the authority has been conferred has or have refused or failed to comply with or observe a condition or restriction to which the authority is subject notwithstanding that the person has, or any one or more of those persons have, as the case may be, been convicted of an offence by reason of his, her or their refusal or failure to comply with or observe the condition or restriction, as the case may be.
- (7) The person or persons on whom an authority has been conferred under section 41 may be convicted of an offence by reason that the person has or those persons have, as the case may be, refused or failed to comply with or observe a condition or restriction to which the authority is subject notwithstanding that the authority has been varied under subsection (4) by reason that the person has or those persons have, as the case may be, refused or failed to comply with or observe the condition or restriction, as the case may be.

Section 41B

- (8) In exercising his or her powers under this section, the Minister shall not act in a manner that is inconsistent with the obligations of the Commonwealth under any agreement entered into under section 44 or 46 of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

41B Assignment of interests in authorities under section 41

- (1) Where:

- (a) a person (in this subsection and in subsection (2) referred to as the *assignor*), being the person on whom an authority has been conferred under section 41 or, in a case where an authority has been conferred under section 41 on 2 or more persons engaged in a joint venture, one of those persons, applies in writing to the Minister for the Minister's consent to the assignment by the assignor of the whole of his or her interest in the authority to a person named in the application (in this subsection and in subsection (2) referred to as the *assignee*), not being, in a case where the authority has been conferred on 2 or more persons engaged in a joint venture, the other person or one of the other persons, as the case may be, on whom the authority has been conferred;
- (b) the Minister is satisfied that the assignee agrees to the assignment; and
- (c) in a case where the authority has been conferred on 2 or more persons engaged in a joint venture, the Minister is satisfied that the assignor gave the other person or each of the other persons, as the case may be, on whom the authority has been conferred not less than 3 months' notice of the assignor's intention to make an application under this section;

the Minister may, in his or her discretion, by instrument in writing under his or her hand, consent to the assignment.

- (2) Where the Minister consents, under subsection (1), to the assignment by a person of his or her interest in an authority under section 41, the name of the assignee shall be deemed, from the time of the signing of the instrument of consent, to be specified in the authority in lieu of the name of the assignor.
- (3) Where:
- (a) an authority has been conferred under section 41 on 2 or more persons engaged in a joint venture;

- (b) one of those persons (in this subsection and subsection (4) referred to as the **assignor**) applies in writing to the Minister for the Minister's consent to the assignment by the assignor of the whole of his or her interest in the authority to the other person or to one or more of the other persons, as the case may be;
 - (c) the Minister is satisfied that the person or persons to whom the interest is to be assigned agrees or agree to the assignment; and
 - (d) in a case where the authority has been conferred on more than 2 persons and the interest is to be assigned to some only of the other persons referred to in paragraph (b), the Minister is satisfied that the assignor gave to the person or each of the persons, as the case may be, to whom the interest is not to be assigned not less than 3 months' notice of his or her intention to make an application under this subsection;
- the Minister may, in his or her discretion, by instrument in writing under his or her hand, consent to the assignment.
- (4) Where the Minister consents, under subsection (3), to the assignment of an interest in an authority under section 41, the name of the assignor shall be deemed, from the time of the signing of the instrument of consent, to be omitted from the authority.
 - (5) A reference in this Act to the person or persons on whom an authority has been conferred under section 41 shall, in a case where the Minister has consented under subsection (1) or (3) to the assignment of an interest in the authority, be construed as a reference to the person or persons for the time being specified, or deemed by the operation of subsection (2) or (4) to be specified, in the authority as the person or persons on whom the authority has been conferred.

41C Further authority under section 41 in respect of Ranger Project Area

- (1) Where:
 - (a) an authority under section 41 (in this section referred to as the **current authority**), other than an authority conferred by virtue of this section, is in force in respect of the Ranger Project Area;

Section 41C

- (b) the persons on whom the current authority has been conferred (in this section referred to as the *applicants*) apply in writing to the Minister, not earlier than 6 years and not later than 4 years before the expiration of the period (in this section referred to as the *mining period*) during which the applicants are authorized under that authority to carry on, upon or under the Ranger Project Area, operations for mining prescribed substances or other minerals, for the conferring under section 41 of a new authority in respect of the Ranger Project Area for a further period (being a period that is not less than 7 years and not longer than the period for which the current authority was conferred) specified in the application; and
 - (c) the application is not deemed by subsection (6) to be withdrawn;
- the applicants are entitled in accordance with this section to have a new authority conferred on them under section 41 in respect of the Ranger Project Area for a period (in this section referred to as the *relevant period*) equal to the period specified in the application and commencing at the expiration of the mining period.
- (2) The applicants are not entitled under subsection (1) to have the new authority referred to in that subsection conferred on them unless, not later than 9 months before the expiration of the mining period:
 - (a) the agreement dated 3 November 1978 entered into under section 44 of the *Aboriginal Land Rights (Northern Territory) Act 1976* between the Commonwealth and the Northern Land Council established under that Act is extended so as to apply in respect of the relevant period; or
 - (b) a further agreement is entered into under that section between the Commonwealth and the relevant Land Council established under that Act in respect of the relevant period (being an agreement in relation to such part of the Ranger Project Area as is or becomes Aboriginal land within the meaning of that Act).
 - (3) Where an application is made under subsection (1), the Minister administering the *Aboriginal Land Rights (Northern Territory) Act 1976* shall endeavour to obtain, not later than one year before the expiration of the mining period, the extension of the agreement

referred to in paragraph (a) of subsection (2) or the further agreement referred to in paragraph (b) of that subsection.

- (4) If the agreement referred to in paragraph (a) of subsection (2) is extended as mentioned in that paragraph or a further agreement is entered into as mentioned in paragraph (b) of that subsection, the Minister shall:
- (a) as soon as practicable, after consulting with the applicants, determine the conditions and restrictions to which the new authority is to be subject, being conditions and restrictions that:
 - (i) subject to subparagraph (ii), include conditions and restrictions that the Minister is satisfied will ensure the rehabilitation, in the manner and to the extent provided by the current authority, of the area affected by operations carried on under the current authority; and
 - (ii) are not inconsistent with the obligations of the Commonwealth under the extended agreement or the further agreement, as the case may be; and
 - (b) as soon as practicable, but not later than 6 months before the expiration of the mining period, give to the applicants a notice in writing setting out those conditions and restrictions.
- (5) Where the applicants have within 3 months following the receipt by them of the notice referred to in paragraph (b) of subsection (4) informed the Minister in writing that they wish to proceed with the application, the Minister shall, before the expiration of the mining period, by instrument in writing under his or her hand, revoke the current authority with effect from the expiration of the mining period and confer a new authority under section 41 on the applicants in respect of the Ranger Project Area in accordance with subsection (1), being a new authority that is subject to the conditions and restrictions determined in accordance with subsection (4).
- (6) Where the applicants have not within the 3 months referred to in subsection (5) informed the Minister in writing that they wish to proceed with the application, they shall be deemed to have withdrawn the application and are not entitled to make a further application under subsection (1).

Section 41D

41D Offences relating to breach of condition etc.

- (1) A person must not refuse to comply with a condition or restriction subject to which an authority has (whether before or after the commencement of this section) been conferred on the person under this Part.

Penalty:

- (a) in the case of a natural person—\$2,000; or
(b) in the case of a body corporate—\$10,000.

- (2) A person must not fail to comply with a condition or restriction subject to which an authority has (whether before or after the commencement of this section) been conferred on the person under this Part.

Penalty:

- (a) in the case of a natural person—\$2,000; or
(b) in the case of a body corporate—\$10,000.

- (3) An offence against subsection (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

41E Offences relating to entry etc. on land

- (1) A person is guilty of an offence if:
- (a) the person enters land of which another person is in possession under this Part; or
(b) the person is on land of which another person is in possession under this Part.

Penalty: \$1,000.

- (2) Subsection (1) does not apply if the person enters, or is on, land:
- (a) with the consent of the person in possession of the land; or
(b) because of a right or power conferred by law.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2), see subsection 13.3(3) of the *Criminal Code*.

42 Compensation

Where:

Section 42

- (a) any prescribed substance is or any minerals are acquired by the Commonwealth by virtue of Part II or this Part; or
- (b) a person suffers loss or damage by reason of anything done in pursuance of section 41;

the Commonwealth is liable to pay to a person who had a right, title or interest in the prescribed substance or minerals, or to the person who has suffered the loss or damage, as the case may be, such compensation as is agreed on between the Commonwealth and that person or, in default of agreement, is determined by action against the Commonwealth in a court of competent jurisdiction.

Part V—Miscellaneous

59 Delegation

- (1) The Minister may, in relation to a matter or class of matters, or in relation to a part of Australia, by writing under his or her hand, delegate to any person all or any of his or her powers and functions under this Act (except this power of delegation) so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters, or the part of Australia, specified in the instrument of delegation.
- (2) A delegation under this section is revocable at will and does not prevent the exercise of a power or function by the Minister.

65 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Table of Acts**Notes to the *Atomic Energy Act 1953*****Note 1**

The *Atomic Energy Act 1953* as shown in this compilation comprises Act No. 31, 1953 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 1 October 2001 is not included in this compilation. For subsequent information *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Atomic Energy Act 1953</i>	31, 1953	15 Apr 1953	15 Apr 1953	
<i>Atomic Energy Act 1958</i>	1, 1958	1 Apr 1958	1 Apr 1958	S. 3(2)
<i>Statute Law Revision (Decimal Currency) Act 1966</i>	93, 1966	29 Oct 1966	1 Dec 1966	—
<i>Atomic Energy Act 1973</i>	131, 1973	13 Nov 1973	13 Nov 1973	—
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Administrative Changes (Consequential Provisions) Act 1976</i>	91, 1976	20 Sept 1976	S. 3: (a)	S. 4
<i>Atomic Energy Amendment Act 1978</i>	31, 1978	9 June 1978	9 June 1978	—
<i>Administrative Changes (Consequential Provisions) Act 1978</i>	36, 1978	12 June 1978	12 June 1978	—
<i>Atomic Energy Amendment Act (No. 2) 1978</i>	182, 1978	4 Dec 1978	S. 6: 15 Jan 1979 (<i>see Gazette</i> 1979, No. S3) Remainder: Royal Assent	—
<i>Atomic Energy Amendment Act 1979</i>	44, 1979	14 June 1979	14 June 1979	S. 9
<i>Australian Federal Police (Consequential Amendments) Act 1979</i>	155, 1979	28 Nov 1979	19 Oct 1979 (<i>see</i> s. 2 and <i>Gazette</i> 1979, No. S206)	—
<i>Atomic Energy Amendment Act 1980</i>	9, 1980	29 Mar 1980	29 Mar 1980	—
<i>Australian Federal Police (Consequential Amendments) Act 1980</i>	70, 1980	28 May 1980	28 May 1980	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Atomic Energy Amendment Act (No. 2) 1980</i>	119, 1980	11 Sept 1980	11 Sept 1980	—
<i>Statute Law Revision Act 1981</i>	61, 1981	12 June 1981	S. 115: Royal Assent (b)	—
<i>Public Service Reform Act 1984</i>	63, 1984	25 June 1984	S. 151(1): 1 July 1984 (see <i>Gazette</i> 1984, No. S245) S. 152(1): 20 July 1984 (see <i>Gazette</i> 1984, No. S276) (c)	S. 151(9)
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1985</i>	65, 1985	5 June 1985	S. 3: 3 July 1985 (d)	—
<i>Atomic Energy Amendment Act 1987</i>	5, 1987	13 Mar 1987	27 Apr 1987 (see s. 2 and <i>Gazette</i> 1987, No. S68)	—
<i>Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Act 2001</i>	140, 2001	1 Oct 2001	2 Oct 2001	S. 4 [see Table A]
<i>Statute Law Revision Act 2008</i>	73, 2008	3 July 2008	Schedule 4 (items 53–76): 4 July 2008	—

Act Notes

- (a) The *Atomic Energy Act 1953* was amended by section 3 only of the *Administrative Changes (Consequential Provisions) Act 1976*, subsection 2(7) of which provides as follows:
 - (7) The amendments of each other Act specified in the Schedule made by this Act shall be deemed to have come into operation on 22 December 1975.
- (b) The *Atomic Energy Act 1953* was amended by section 115 only of the *Statute Law Revision Act 1981*, subsection 2(1) of which provides as follows:
 - (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
- (c) The *Atomic Energy Act 1953* was amended by subsections 151(1) and 152(1) only of the *Public Service Reform Act 1984*, subsection 2(4) of which provides as follows:
 - (4) The remaining provisions of this Act shall come into operation on such day as is or on such respective days as are, fixed by Proclamation.
- (d) The *Atomic Energy Act 1953* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1985*, subsection 2(1) of which provides as follows:
 - (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part I	
S. 3	rep. No. 216, 1973
S. 4	rep. No. 5, 1987
S. 5	am. Nos. 131 and 216, 1973; Nos. 31 and 182, 1978; Nos. 44 and 155, 1979; Nos. 70 and 119, 1980; No. 63, 1984; No. 5, 1987
S. 6	rs. No. 5, 1987
S. 7	am. Nos. 131 and 216, 1973 rs. No. 5, 1987
Part II	rep. No. 5, 1987
S. 8	rep. No. 5, 1987
S. 9	am. No. 1, 1958; No. 131, 1973; No. 44, 1979 rep. No. 5, 1987
S. 10	rep. No. 5, 1987
S. 11	am. No. 216, 1973 rs. No. 31, 1978 rep. No. 65, 1985
S. 11A.....	ad. No. 31, 1978 rep. No. 5, 1987
S. 12	rep. No. 5, 1987
S. 12A.....	ad. No. 1, 1958 rep. No. 5, 1987
S. 13	rs. No. 1, 1958 am. No. 131, 1973; No. 44, 1979 rep. No. 5, 1987
S. 14	rep. No. 5, 1987
S. 15	am. No. 1, 1958; No. 44, 1979 rep. No. 5, 1987
S. 16	rep. No. 5, 1987
S. 17	am. Nos. 131 and 216, 1973; No. 31, 1978 rep. No. 5, 1987
S. 18	am. No. 44, 1979 rep. No. 5, 1987
S. 19	am. No. 91, 1976 rep. No. 5, 1987
S. 20	am. No. 31, 1978 rep. No. 5, 1987
Div. 3 of Part II	rs. No. 44, 1979
S. 21	am. No. 1, 1958; No. 93, 1966; No. 216, 1973 rs. No. 44, 1979 am. No. 63, 1984 rep. No. 5, 1987

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 22	am. No. 216, 1973; No. 31, 1978 rs. No. 44, 1979 rep. No. 65, 1985
Ss. 23, 24	rep. No. 44, 1979
S. 25	rs. No. 1, 1958 am. No. 216, 1973 rs. No. 44, 1979 rep. No. 5, 1987
Ss. 26, 27	rs. No. 1, 1958 am. No. 216, 1973; No. 36, 1978 rs. No. 44, 1979 rep. No. 5, 1987
S. 28	rs. No. 44, 1979 rep. No. 5, 1987
S. 29	am. No. 93, 1966 rs. No. 44, 1979 rep. No. 5, 1987
S. 30	rs. No. 1, 1958; No. 44, 1979; No. 119, 1980 rep. No. 5, 1987
Ss. 30AA–30AC	ad. No. 119, 1980 rep. No. 5, 1987
S. 30A.....	ad. No. 1, 1958 rs. No. 44, 1979 rep. No. 5, 1987
Ss. 30B–30D	ad. No. 44, 1979 rep. No. 5, 1987
S. 31	rs. No. 1, 1958 am. Nos. 31 and 36, 1978; No. 44, 1979 rep. No. 5, 1987
S. 32	am. No. 216, 1973 rs. No. 44, 1979 rep. No. 5, 1987
S. 33	am. No. 36, 1978 rep. No. 5, 1987
Heading to Part III	rep. No. 5, 1987
S. 34	am. No. 216, 1973 rs. No. 31, 1978; No. 5, 1987
S. 34A.....	ad. No. 140, 2001
Part II	
Heading to Part II	ad. No. 5, 1987
S. 35	am. Nos. 131 and 216, 1973; No. 44, 1979
S. 36	am. No. 44, 1979; No. 5, 1987; No. 140, 2001; No. 73, 2008
S. 37	am. No. 5, 1987; No. 140, 2001; No. 73, 2008
S. 38	am. No. 1, 1958; Nos. 131 and 216, 1973 rs. No. 31, 1978 rep. No. 5, 1987
Ss. 39, 40	rep. No. 5, 1987

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part III	
Heading to Part III	ad. No. 5, 1987
S. 41	am. Nos. 31 and 182, 1978; No. 44, 1979; Nos. 9 and 119, 1980; No. 61, 1981; No. 5, 1987; No. 73, 2008
Ss. 41A–41C	ad. No. 182, 1978 am. No. 73, 2008
Heading to s. 41D.....	rs. No. 140, 2001
S. 41D	ad. No. 5, 1987 am. No. 140, 2001
S. 41E.....	ad. No. 140, 2001
S. 42	am. No. 182, 1978; No. 5, 1987
S. 43	am. No. 93, 1966; No. 131, 1973; No. 31, 1978; No. 44, 1979 rep. No. 5, 1987
Part IV	rep. No. 5, 1987
Ss. 44–46	am. No. 44, 1979 rep. No. 5, 1987
S. 47	am. No. 131, 1973 rep. No. 5, 1987
Ss. 48, 49	am. No. 44, 1979 rep. No. 5, 1987
S. 50	am. Nos. 131 and 216, 1973; No. 44, 1979 rep. No. 5, 1987
S. 51	rep. No. 5, 1987
S. 52	am. Nos. 131 and 216, 1973 rep. No. 5, 1987
S. 53	am. No. 44, 1979 rep. No. 5, 1987
S. 54	am. No. 216, 1973 rep. No. 9, 1980
S. 55	am. No. 44, 1979 rep. No. 5, 1987
S. 56	am. No. 131, 1973; No. 44, 1979 rep. No. 5, 1987
S. 57	am. No. 44, 1979 rep. No. 5, 1987
S. 58	rep. No. 9, 1980
Part V	
S. 59	am. No. 73, 2008
S. 60	rs. No. 9, 1980 rep. No. 5, 1987
S. 61	am. Nos. 131 and 216, 1973 rep. No. 31, 1978
S. 62	am. No. 44, 1979 rep. No. 5, 1987
S. 63	rep. No. 5, 1987

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 64	am. No. 93, 1966; No. 131, 1973; No. 44, 1979 rep. No. 5, 1987
S. 65	am. No. 93, 1966; No. 44, 1979 rs. No. 5, 1987
Heading to SCHEDULE	am. No. 131, 1973 rep. No. 5, 1987
Heading to THE SCHEDULE	rep. No. 131, 1973
Heading to Schedule	ad. No. 131, 1973
SCHEDULE	rep. No. 5, 1987

Table A

Table A

Application, saving or transitional provisions

Industry, Science and Resources Legislation Amendment (Application of Criminal Code) Act 2001 (No. 140, 2001)

4 Application of amendments

- (1) Each amendment made by this Act applies to acts and omissions that take place after the amendment commences.
- (2) For the purposes of this section, if an act or omission is alleged to have taken place between 2 dates, one before and one on or after the day on which a particular amendment commences, the act or omission is alleged to have taken place before the amendment commences.