



NUCLEAR INDUSTRIES POLICY

The Regionals shall support the repeal of all Local, State and Commonwealth legislation that ban or unreasonably obstruct the creation, development and operation of nuclear industries including, but not limited to mining, processing, enrichment, research, medicine, energy and waste management. The Australian Constitution provides for the Commonwealth and the States having powers to make laws and both will be required to pass legislation to deliver certainty for public and private sector investment in nuclear industries.

The Australian Constitution, Section 109, Inconsistency of Laws provides that where State law is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid. Accordingly, Regionals supports the immediate repealing of the following Commonwealth legislation:

- A. Radiation Protection and Nuclear Safety Act 1998, Section 10, Prohibition on certain nuclear installations, and**
- B. Environment Protection and Biodiversity Conservation Act 1999, Section 140A, No approval for certain nuclear installations.**

Nuclear Materials, Equipment and Waste

To prevent States making laws to obstruct the creation, development and operation of nuclear industries the Regionals shall require, that the Commonwealth makes laws to provide for the importation, export, transportation, processing, use, collection and storage of nuclear materials, equipment and waste. Where required the Commonwealth shall compulsory acquire, State or Territory land for nuclear facilities and their protection.