



# **Defence Legislation Amendment (Naval Nuclear Propulsion) Act 2023**

**No. 48, 2023**

**An Act to amend legislation to clarify certain activities relating to conventionally-armed, nuclear-powered submarines**

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)



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# Defence Legislation Amendment (Naval Nuclear Propulsion) Act 2023

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**An Act to amend legislation to clarify certain activities relating to conventionally-armed, nuclear-powered submarines**

[Assented to 3 July 2023]

The Parliament of Australia enacts:

## 1 Short title

This Act is the *Defence Legislation Amendment (Naval Nuclear Propulsion) Act 2023*.

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## 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act.	The day after this Act receives the Royal Assent.	4 July 2023

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

## 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## **Schedule 1—Amendments**

### ***Australian Radiation Protection and Nuclear Safety Act 1998***

#### **1 After subsection 10(1)**

Insert:

- (1A) Paragraph (1)(b) does not apply to a naval nuclear propulsion plant related to use in a conventionally-armed, nuclear-powered submarine.

#### **2 Subsection 10(2)**

Omit “mentioned in subsection (1)”, substitute “to which subsection (1) applies”.

### ***Environment Protection and Biodiversity Conservation Act 1999***

#### **3 Section 37J**

Before “The Minister”, insert “(1)”.

#### **4 At the end of section 37J**

Add:

- (2) Paragraph (1)(b) does not apply to a naval nuclear propulsion plant related to use in a conventionally-armed, nuclear-powered submarine.

#### **5 Section 140A**

Before “The Minister”, insert “(1)”.

#### **6 At the end of section 140A**

Add:

- (2) Paragraph (1)(b) does not apply to a naval nuclear propulsion plant related to use in a conventionally-armed, nuclear-powered submarine.

**7 Section 146M**

Before “The Minister”, insert “(1)”.

**8 At the end of section 146M**

Add:

- (2) Paragraph (1)(b) does not apply to a naval nuclear propulsion plant related to use in a conventionally-armed, nuclear-powered submarine.

**9 After subsection 305(2)**

Insert:

- (2A) Subparagraph (2)(d)(ii) does not apply to a naval nuclear propulsion plant related to use in a conventionally-armed, nuclear-powered submarine.

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*[Minister’s second reading speech made in—  
House of Representatives on 10 May 2023  
Senate on 13 June 2023]*

(50/23)

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