

Chiropractic practice

February 2023

EPA 1139/23: The Radiation Protection and Control Regulations 2022 under the Radiation Protection and Control Act 2021 will come into effect in South Australia on 11 February 2023. This new streamlined legislation takes a risk-based approach to regulation, with a focus on national uniformity. Outlined here are what changes you can expect as they relate to the chiropractic practice industry.

1 Current licences and registration to continue

All current Licence to Possess, Radiation Use Licences and registrations of X-ray Apparatus, will remain current and valid following the commencement of the new legislation. The condition attached to a Licence to Possess, Radiation Use Licence or X-ray Apparatus may be varied to bring it into alignment with the RPC Act and RPC Regulations. Licensees will be notified of this change in February 2023..

2 New codes of compliance

Under the new *Radiation Protection and Control Act 2021* (RPC Act) and *Radiation Protection and Control Regulations* (RPC Regulations), much of the technical detail outlined in the *Radiation Protection and Control Regulations 2015* has been removed from the 2022 regulations allowing for a more responsive approach to regulating radiation safety as technology evolves. The technical detail now resides in codes that can be updated with greater ease.

new legislation introduces codes of compliance which outline the requirements for X-ray apparatus. For chiropractic X-ray apparatus used for plain radiography the relevant codes are:

- [Code for radiation protection in planned exposure situations](#), Rev.1 (2020) published by ARPANSA
- [Code of Practice for radiation protection in the application of ionizing radiation by chiropractors](#) (2009) published by ARPANSA
- [Code of Practice for the exposure of humans to ionizing radiation for research purposes](#) (2005) published by ARPANSA
- [Code of Compliance for medical, veterinary, and chiropractic X-ray apparatus 2022](#) published by the EPA
- [Code of Compliance for facility design and shielding 2022](#) published by the EPA
- [Code of Compliance for labelling and signage of ionising radiation sources 2022](#) published by the EPA

3 Exposure authorisation

Classes of health practitioners that may authorise x-ray exposures will be published in the South Australian Government Gazette upon the commencement of the RPC Act and made available on the EPA website.

With no national standard for exposure authorisation in Australia, the EPA has largely retained the current authorisation framework. The EPA plans to engage with licensees, state and national bodies to review the current authorisation framework and seek input from stakeholders to assist with this process.

4 Registration, compliance and cyclic testing of X-ray apparatus

The owner of an x-ray apparatus which is to be registered with the EPA must apply to register the apparatus prior to the apparatus's clinical use. All newly installed or recently relocated X-ray apparatus are required to be checked by an accredited third-party tester to demonstrate compliance with the RPC Act and RPC Regulations.

X-ray apparatus will be issued with a 60-day provisional registration to allow the clinical use of the apparatus while a compliance test is being arranged and carried out. Owners and accredited third-party testers should work collaboratively to ensure compliance and rectify any potential faults found. Where the non-compliance is a critical failure as detailed in the test protocols, the EPA must be informed of the fault and ensure no clinical use of the apparatus is undertaken without the consent of the EPA and a rectification process is agreed to. The EPA should be notified of critical failures at <https://ask.your.epa.sa.gov.au/enquiry/>.

When compliance has been confirmed the owner submits the certificate of compliance and the associated test report to the EPA by email rpb.compliance@sa.gov.au, at which point the X-ray apparatus will be issued with full registration.

If at any time the owner expects not to be able to demonstrate compliance within 60 days, they must contact the EPA via [email](#) to advise and seek an extension if warranted.

New cyclic testing requirements for X-ray apparatus are being phased in to ensure that X-ray apparatus remain in good working order and are fit for use throughout the lifespan of the apparatus. The testing requirements used by X-ray apparatus in chiropractic practice are summarised in the table below and are further detailed in the [Code of Compliance for medical, veterinary, and chiropractic X-ray apparatus 2022](#) published by the EPA.

Action/type of testing	Timeframe/frequency	Documentation
Installation or relocation of X-ray apparatus Plain Radiography	Within 60 days of the X-ray apparatus being installed.	Certificate of compliance and associated test report to be submitted to the EPA
Cyclic testing Plain Radiography	2 years (commencing from 2025)	Certificate of compliance and associated test report to be kept on record and made available to the EPA for inspection upon request

Cyclic testing will be phased in to allow owners of current X-ray apparatus sufficient time to comply. Cyclic testing for plain radiography apparatus is to be introduced from February 2025. This means that owners of plain radiography apparatus are required to have their apparatus tested to demonstrate compliance within two years from the introduction of cyclic testing, that is by February 2027.

5 Public register

Section 77 of the RPC Act requires the Minister to keep a publicly available register of accreditations, authorisations, registrations and permits. Regulation 125 sets out the information to be included on the register.

6 Current published exemptions

Current exemptions as published in the South Australian Government Gazette under the RPC Act will continue to be valid for a period of 12 months following the commencement of the RPC Act. As such current exemptions will cease to be valid on 11 February 2024. Should a specific exemption be required past this date and is not addressed elsewhere in the RPC Act or RPC Regulations, please contact the EPA prior to 11 February 2024 to discuss further.

7 Feedback

The EPA encourages all questions and feedback on the implementation of the new legislation. Please email at EPARadiationProtectionBranch@sa.gov.au

Disclaimer

This publication is a guide only and does not necessarily provide adequate information in relation to every situation. This publication seeks to explain your possible obligations in a helpful and accessible way. In doing so, however, some detail may not be captured. It is important, therefore, that you seek information from the EPA itself regarding your possible obligations and, where appropriate, that you seek your own legal advice.

Further information

Legislation

Online legislation is freely available on <https://service.sa.gov.au/12-legislation>

General information

Environment Protection Authority
GPO Box 2607 Adelaide SA 5001
Telephone: (08) 8204 2004
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