

2022-2023

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

As passed by both Houses

**Defence Legislation Amendment (Naval
Nuclear Propulsion) Bill 2023**

No. , 2023

**A Bill for an Act to amend legislation to clarify
certain activities relating to conventionally-armed,
nuclear-powered submarines**

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1 **A Bill for an Act to amend legislation to clarify**
2 **certain activities relating to conventionally-armed,**
3 **nuclear-powered submarines**

4 The Parliament of Australia enacts:

5 **1 Short title**

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

8 **2 Commencement**

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

1

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act.	The day after this Act receives the Royal Assent.	

2

Note: This table relates only to the provisions of this Act as originally enacted.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.

3

4

5

(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.

6

7

8

3 Schedules

9

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

10

11

12

1 **Schedule 1—Amendments**
2

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

4 **1 After subsection 10(1)**

5 Insert:

6 (1A) Paragraph (1)(b) does not apply to a naval nuclear propulsion plant
7 related to use in a conventionally-armed, nuclear-powered
8 submarine.

9 **2 Subsection 10(2)**

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

12 ***Environment Protection and Biodiversity Conservation Act***
13 ***1999***

14 **3 Section 37J**

15 Before “The Minister”, insert “(1)”.

16 **4 At the end of section 37J**

17 Add:

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

21 **5 Section 140A**

22 Before “The Minister”, insert “(1)”.

23 **6 At the end of section 140A**

24 Add:

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

1 **7 Section 146M**

2 Before “The Minister”, insert “(1)”.

3 **8 At the end of section 146M**

4 Add:

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

8 **9 After subsection 305(2)**

9 Insert:

10 (2A) Subparagraph (2)(d)(ii) does not apply to a naval nuclear
11 propulsion plant related to use in a conventionally-armed,
12 nuclear-powered submarine.

13

(50/23)
