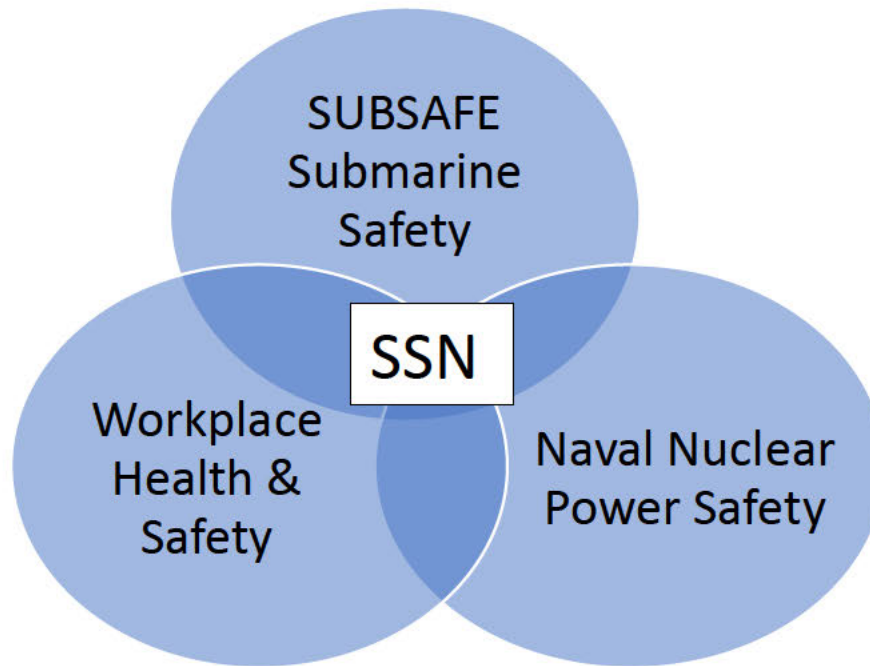


Submission by Christopher Skinner



Submission to the Senate Foreign Affairs, Defence and Trade Legislation Committee
regarding

Australian Naval Nuclear Power Safety Bill 2023 and associated Transitional Powers Bill

Reference:

RINA 2024 Initial Comments for Senate F.A.D.T. Legislation References Committee Inquiry on
Nuclear Powered Submarine Safety Legislation from Royal Institute of Naval
Architects

1. This submission is made in a private capacity as a concerned citizen that wishes to see the timely and successful implementation of the AUKUS tripartite agreement.
2. With respect to the RINA submission referenced above, I generally support their comments with only a few qualifications as follows:
 - a. The independence of the Regulator must be paramount, and the legislation must ensure this. In other domains when safety has been compromised a frequent contributing factor is complacency partly caused by familiarity. This must be resisted in every possible way.
 - b. The overlapping requirements for safety are best understood in the Venn diagram above which illustrates the concurrent applicability of three regulatory frameworks:
 - i. SUBSAFE submarine safety that is a whole of ship responsibility that is well practised in the US, UK and Australian submarine forces. This must not be compromised by the new legislation nor by the eventual practice of the new Regulator.
 - ii. The Naval Nuclear Power Safety Regulation to be established by these Bills
 - iii. General Workplace Health and Safety Regulations.
 - c. What is essential and without risk of compromise is that all three safety regulatory frameworks must always be satisfied at all times. In keeping with this mandate any one of them may be invoked to prevent some proposed action taking place or some

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new policy being implemented. Each of the three frameworks has prerogative powers that are not diminished or set aside by any of the others. Each has a veto therefore in any decision to make change.

3. Nuclear safety duties of the Regulator not only apply to the building, operation and maintenance of Australia's nuclear-powered submarines but in addition also applies to their design, and ultimate disposal.
4. Finally the proposed legislation must make clear the responsibilities of the Regulator for the Virginia class submarines to be purchased by Australia and the process for those responsibilities to be assumed.

In general the Regulator will need to learn extensively from the experience of the Submarine Rotational Force – West with US and UK nuclear submarines operating from Western Australia, and thence to apply a harmonised regulatory framework that reflects best practice from both UK and US

Christopher Skinner