

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. R. 4754

26 April 2024

NUCLEAR ENERGY ACT, 1999 (ACT NO. 46 OF 1999)

AMENDMENT OF NOTICE DECLARING CERTAIN SUBSTANCES, MATERIALS AND EQUIPMENT AS RESTRICTED MATERIAL, SOURCE MATERIAL, SPECIAL NUCLEAR MATERIAL AND NUCLEAR RELATED EQUIPMENT AND MATERIAL

I, Mr Samson Gwede Mantashe, the Minister of Mineral Resources and Energy, in terms of section 2(a) and (f) of the Nuclear Energy Act, 1999 (Act No. 46 of 1999), hereby publish for public comment, draft amendments to Government Notice No. 207 of 27 February 2009 declaring certain substances, materials and equipment as restricted material, source material, special nuclear material and nuclear related equipment and material, as set out in the Schedule.

Interested persons are invited to submit, within 30 days of the date of publication of this Notice, any written comments or representations on the proposed amendments to the Director General of the Department of Mineral Resources and Energy, for the attention of the Deputy Director-General: Nuclear Energy and Regulation Management by:

- (a) Post to: Department of Mineral Resources and Energy, Private Bag X 59, Pretoria, 0001;
- (b) Hand to: Trevenna Campus, 71 Meintjies street, Cnr Meintjies and Francis Baard Streets, Pretoria, 0001; or
- (c) Email to: nnlegislation@dmre.gov.za.

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments. Comments received after the closing date may not be considered.



MR S G MANTASHE, MP

MINISTER OF MINERAL RESOURCES AND ENERGY

SCHEDULE

GENERAL EXPLANATORY NOTE

[] Words in bold type in square brackets indicate omissions from existing enactments.
_____ Words underlined with a solid line indicate insertions in existing enactments.

Definitions

1. In this Schedule, "the Notice" means Government Notice No. 207 published by Government Gazette No. 31954 of 27 February 2009, as amended by Government Notice No. R. 3291 of 14 April 2023, declaring certain substances, materials and equipment as restricted material, source material, special nuclear material and nuclear related equipment and material.

Repeal of Schedule 1 of the Notice

2. Schedule 1 of the Notice is hereby repealed.

Substitution of Schedule 2 of the Notice

3. The following schedule is hereby substituted for Schedule 2 of the Notice:

"Source material is any substance, excluding ore or ore residue, containing the following [**unless the Minister gives an exemption for insignificant quantities (as determined by the Minister and on specific applications)**]:

- (a) uranium, expressed as a conversion to uranium oxide (U_3O_8);
- (b) thorium [, **expressed as a conversion to thorium oxide ($[ThO_2]$)**];
- (c) uranium by products of enrichment processes, e.g enriched in isotope U-238 or depleted in the isotope U-235;
- (d) uranium containing the mixture of isotopes occurring in nature.