

**DEPARTMENT OF MINERALS AND ENERGY
DEPARTEMENT VAN MINERALE EN ENERGIE****No. R. 679****23 May 2003**

The Minister of Minerals and Energy hereby publishes the draft regulations on the establishment of a public safety information forum by the holder of a nuclear installation licence in accordance with the provisions of section 26(4) of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), for comment.

All interested parties are invited to comment in writing on the said draft regulations and to direct the comments to:

The Director-General, Department of Minerals and Energy, Private Bag X59, PRETORIA, 0001, for attention: Dr S de Waal: Director: Nuclear Safety, Fax No (012) 317 9539 or e-mail: sdw@mepta.pwv.gov.za

Comments must reach the Department of Minerals and Energy within 30 days of the date of the publication of this notice.

**PHUMZILE MLAMBO-NGCUKA
MINISTER OF MINERALS AND ENERGY**

DRAFT REGULATIONS**DEPARTMENT OF MINERALS AND ENERGY**

No.

May 2003

NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999)

**REGULATIONS IN TERMS OF SECTION 47, READ WITH SECTION 26(4) OF THE
NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999), ON THE
ESTABLISHMENT OF A PUBLIC SAFETY INFORMATION FORUM BY THE
HOLDER OF A NUCLEAR INSTALLATION LICENCE**

Under section 47 of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), I Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, after consultation with the Board of Directors of the National Nuclear Regulator, hereby make the regulations in the Schedule.

**PHUMZILE MLAMBO-NGCUKA
MINISTER OF MINERALS AND ENERGY**

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned.

Terms not defined in the Act

2. In these regulations—

- (i) “nuclear safety” means the achievement of safe operating conditions, prevention of nuclear accidents or mitigation of nuclear accident consequences, resulting in the protection of workers, the public and the environment against the potential harmful effects of ionizing radiation or radioactive material
- (ii) “radiation safety” means the protection of persons and the environment against the potential harmful effects of ionizing radiation or radioactive material.
- (iii) “relevant municipal area” means any municipal area within which the formal emergency planning zone of a nuclear installation, as defined by the Regulator, falls.

Responsibilities of holders of a nuclear installation licence

3. A holder of a nuclear installation licence must—

- (a) establish a public safety information forum in order to inform the persons living in the relevant municipal area in respect of which an emergency plan has been established in terms of section 38(1) of the Act on nuclear safety and radiation safety matters (including emergency planning) related to the relevant nuclear installation;
- (b) provide suitable venue and facilities for meetings of the forum;
- (c) provide a secretariat to facilitate the proper functioning of the forum;
- (d) provide information to the forum, with due regard to section 51 of the Act, on nuclear/radiation safety matters, including but not limited to nuclear incidents/accidents; and
- (e) cover all reasonable costs related to the establishment and management of the forum.

Functioning of the Public Safety Information Forum

4. The public safety information forum must—

- (a) elect a Chairperson and Deputy Chairperson by open ballot from the members of the public living in the relevant municipal area, and whoever elected shall perform their duties without payment;
- (b) conduct all meetings open to the public at a minimum frequency of quarterly;
- (c) communicate adequately on the meetings of the forum within the relevant municipal area;
- (d) keep minutes of all meetings as a record, which must be distributed to all attendees and any other interested parties; and
- (e) invite the National Nuclear Regulator, and the relevant municipality as well as relevant provincial and national government departments as appropriate, to all meetings.

Constitution

5. The Public Safety Information Forum may establish a constitution not inconsistent with these regulations.