

DEPARTMENT OF MINERALS AND ENERGY**No. 299****12 March 2004****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, and
- (iii) “members of the public” means members of the public living in the relevant municipal area but excluding employees of the holder of the relevant Nuclear Installation Licence.

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 a 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 the costs related to the establishment and management of the forum.

Functioning of the Public Safety Information Forum

4. (1) At the first meeting of each calendar year, or as the need may be, a Chairperson and Deputy Chairperson must be elected by open ballot from the members of the public living in the relevant municipal area, and whoever elected shall perform their duties without payment.

(2) The ballot contemplated in subregulation (1) must be casted by the members of the public present at that meeting.

(3) The public safety information forum must—

- (a) conduct all meetings open to the public at a minimum frequency of one meeting per quarter;
- (b) communicate the date, time and venue of meetings of the forum within the relevant municipal area not less than 14 days prior to each meeting;

- (c) keep minutes of all meetings as a record, which must be distributed to all attendees and any other interested parties, and
- (d) 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.