

**DEPARTMENT OF MINERALS AND ENERGY
DEPARTEMENT VAN MINERALE EN ENERGIESAKE**

No. 639

13 June 2008

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: Mr T Maqubela: Chief Director Nuclear, Fax No. 012 317 8957 or e-mail: Ditebogo.kgomo@dme.gov.za

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



**B P SONJICA
MINISTER OF MINERALS AND ENERGY**

DRAFT REGULATION

DEPARTMENT OF MINERALS AND ENERGY

No.

2008

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 TO INFORM THE PERSONS
LIVING IN THE MUNICIPAL AREA IN RESPECT OF WHICH AN EMERGENCY
PLAN HAS BEEN ESTABLISHED**

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



**B P SONJICA
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, and
- (iii) “relevant municipal area” means that part of a municipal area which falls within the formal emergency planning zone of a nuclear installation.

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 related to the relevant nuclear installation;
- (b) provide a venue and facilities for meetings of the forum;
- (c) by public notice call upon interested and affected parties to register with the Public Safety Information Forum;
- (d) provide a secretariat to facilitate the proper functioning of the forum and to maintain a contact data base of persons living in the relevant municipal area that have registered with the forum as interested and affected parties;
- (e) 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
- (f) cover the costs related to the establishment and management of the forum.

Functioning of the Public Safety Information Forum

4. (1) During the last quarter of each calendar year, or as the need may be, the Chairperson of the Board of Directors of the National Nuclear Regulator must appoint a Chairperson and a Deputy Chairperson from persons living in the relevant municipal area after inviting nominations in at least two local newspapers from persons living in the relevant municipal area and from persons registered with the forum as contemplated in 3(c).

(2) Persons appointed as contemplated in subsection (1) must accept the appointment in writing and perform their duties without payment.

- (3) The public safety information forum must—
- (a) conduct all meetings open to any member of 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, by advertising in at least two newspapers circulating in the relevant municipal area;
 - (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, the relevant Municipality (Disaster Management Centre), the relevant Province (Disaster Management Centre) and relevant national government departments as appropriate, to all meetings to facilitate the sharing of information.

Constitution

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