



NATIONAL NUCLEAR REGULATOR

For the protection of persons, property and the environment against nuclear damage

GUIDE

NUCLEAR AUTHORISATION APPLICATION GUIDE FOR A CERTIFICATE OF REGISTRATION OR CERTIFICATE OF EXEMPTION

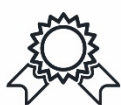
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caring



excellence



integrity



openness &
transparency



teamwork



safety & security

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DOCUMENT HIERARCHY AND PROCESS MODEL

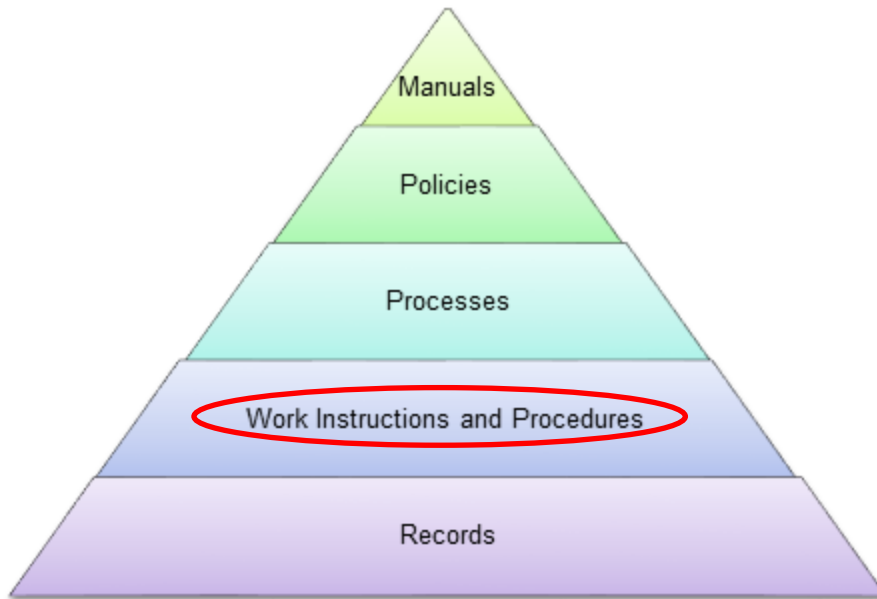


Figure 1: Location of the Guide in the NNR Document Hierarchy

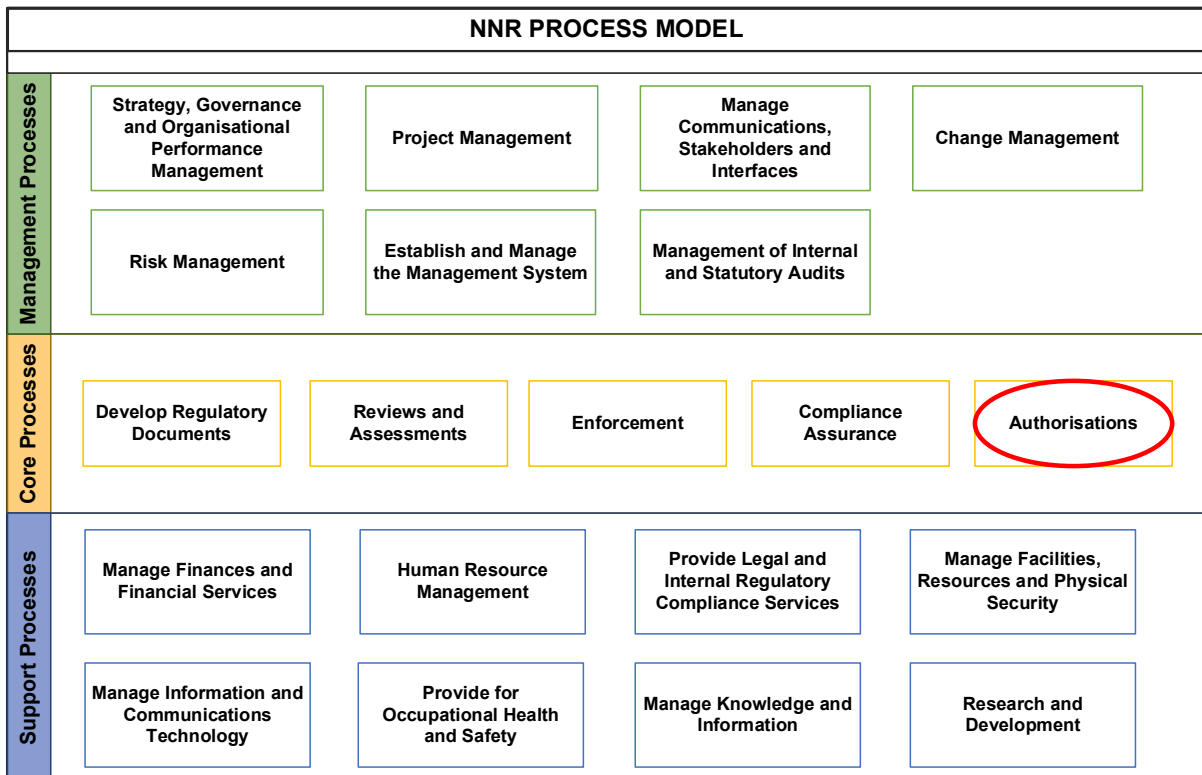


Figure 2: Location of the Guide in the NNR Process Model

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1 INTRODUCTION

Section 20 (3) of the National Nuclear Regulator Act, Act No. 47 of 1999 (NNR Act), provides that no persons may engage in any action capable of causing nuclear damage (other than any action contemplated in section 20 (1) and 20 (2) of the Act) except under the authority of a Certificate of Registration or a Certificate of Exemption.

The NNR Act empowers the National Nuclear Regulator (NNR) to grant or refuse an application for a nuclear authorisation, impose conditions in a nuclear authorisation and/or amend those conditions, or revoke a nuclear authorisation. Since no persons may engage in any action capable of causing nuclear damage except under the authority of a nuclear authorisation issued by the NNR, this document will provide clear guidance to applicants on the steps to be followed to apply for a Certificate of Registration or a Certificate of Exemption.

2 PURPOSE

This document aims to outline the steps to be followed by applicants when applying for a Certificate of Registration or a Certificate of Exemption. It also provides insight into the NNR's requirements and expectations, and applicant responsibilities.

3 SCOPE

This document is limited to provide guidance and information to applicants who are intending to obtain a Certificate of Registration or a Certificate of Exemption from the NNR.

4 DEFINITIONS AND ABBREVIATIONS

4.1 Definitions

Any word or expression to which a meaning has been assigned in the NNR Act, or any Regulations published under shall have the meaning so assigned.

applicant: A natural person or, juristic person that has submitted an application to the NNR for the granting of a nuclear authorisation.

authorisation holder: The holder of a nuclear authorisation as defined in the NNR Act.

radioactive material: any substance consisting of, or containing any (radioactive nuclide) radionuclide, whether natural or artificial (including, but not limited to, radioactive waste and used spent nuclear fuel).

4.2 Abbreviations

GPS	Global Positioning System
IAEA	International Atomic Energy Agency
NNR	National Nuclear Regulator
NNR Act	National Nuclear Regulator Act, Act No 47 of 1999
NORM	Naturally Occurring Radioactive Material
NTN	Nuclear Technology and NORM
QC	Quality Control
RPS	Radiation Protection Specialist

5 GUIDELINES FOR APPLICATION

5.1 Procedure and Responsibilities

5.1.1 The following is expected from the applicant

Responsibility	Applicant
Steps	1) The applicant is required to be conversant with the NNR Act and the requirements of the Safety Standards and Regulatory Practices regarding their responsibilities in terms of the entire life cycle of nuclear authorisation. 2) When applying for a nuclear authorisation in terms section 22 of the NNR Act, the applicant should: <ul style="list-style-type: none"> a) Use the services of a Radiation Protection Specialist (RPS) who must assess whether the radioactivity levels on the material and/or product(s) that is intended to be handled fall under the regulatory control. b) Lodge a formal application for a nuclear authorisation with the NNR using the attached application form, if the assessment in (a) above is confirmed;

	<p>c) Comply with the Regulations on the Format for the Application for a Certificate of Registration or a Certificate of Exemption (Government Notice No. 1219 of 21 December 2007), which provides the necessary information required when applying for a nuclear authorisation; and</p> <p>d) Comply with the Regulations on Safety Standards and Regulatory Practices (Government Notice No. R 388 of 28 April 2006).</p>
<p>Documents required</p>	<p>1) All documents required as per the application form must appended as part of the application suite.</p>
<p>Fees</p>	<p>1) The applicant is required to contact the NNR finance department to obtain an invoice for the payment of the non-refundable upfront application fee.</p> <p>2) Non-refundable application fees:</p> <p>(a) COR-Small Users, service providers, scrap etc. R 17 956.40</p> <p>(b) COR-Mining and Mineral Processing R 29 551.10</p> <p>(c) COE- Certificate of Exemption R 18 312.00</p> <p>3) The review and assessment of an application for a nuclear authorisation will only commence upon receipt of the upfront application fee.</p> <p>4) Once the review and assessment process commences, an hourly fee rate as applicable and gazetted will apply and the applicant will be obliged to pay the fee within 30 days after receipt of an invoice at any stage during the review and assessment.</p> <p>5) All issued invoices to applicant must be fully paid before the Record of Decision to issue/reject the nuclear authorisation can be considered by the NNR Board of Directors.</p> <p>6) If the nuclear authorisation is granted to the applicant by the NNR Board of Directors, the authorisation holder will be liable to pay the annual nuclear authorisation fees in terms of section 28 of the NNR Act for the Category fee determined and approved for the facilities and activities. The fees are adjusted on an annual basis and published in the Government Gazette.</p> <p>7) The annual nuclear authorisation fees will be billed to the authorisation holder in advance.</p> <p>8) The payment of such fees will be due within 30 days of the issuance of the invoice.</p> <p>9) Where an authorisation is issued during a financial year, the authorisation fee will be determined on a pro rata basis.</p> <p>10) Interest will accrue on the outstanding amount after 30 days of the issuance of any issued invoice. Interest will be calculated on the daily balance owing and compounded monthly. The interest rate determined by</p>

	<p>the Minister of Finance in terms of section 80 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), shall be applicable.</p> <p>11) The authorisation holder will be liable for such annual nuclear authorisation fees until such time as the nuclear authorisation is surrendered to the NNR or revoked.</p>
<p>Application submission address</p>	<p>1) The application cover letter must be addressed to the: Chief Executive Officer</p> <p>2) The application must be posted to: PO Box 7106 Centurion 0046</p> <p>3) Or, the application must be hand-delivered at: Eco Glades Office Park Eco Glades 2, Block G 420 Witch Hazel Avenue Highveld Ext 75 Centurion 0157</p>

5.1.2 The applicant may expect the following from the NNR

<p>Responsibility</p>	<p>NNR</p>
<p>Steps</p>	<ol style="list-style-type: none"> 1) Upon receipt of the application, a preliminary screening of the application will be conducted to verify that all documentation has been received by the NNR. 2) An acknowledgement letter will be communicated to the applicant within seven days after the receipt of the application. 3) Once the safety case has been confirmed to include all the required documentation, the review and assessment process will commence (e.g. in legal, financial and technical areas). 4) As part of the review and assessment, the NNR will conduct a site visit in respect of the application. The applicant is expected to assign the responsible person for the application to accompany the NNR to the site. 5) In assessing the application, the NNR will take into account the financial status of the applicant and may consult with relevant state departments, state agencies or financial institutions to determine such financial status before granting a nuclear authorisation.

6 REVIEW

This guide will be reviewed every 3 years or as and when required.

APPENDIX A: APPLICATION FORM

1. Type of nuclear authorisation being applied for (check appropriate item):

- Certificate of Registration
- Certificate of Exemption with further consideration
- Certificate of Exemption without further consideration

2. Name of the applicant:

.....

.....

3. Type of applicant (check appropriate item):

- Juristic person
 - Company registration number:

.....

Attach a certified copy of the certificate of incorporation or founding document or any other establishing document

- For public institutions, specify the enabling legislation (Act):

.....

- Natural person

- Identification number and date of birth:

.....

.....

Attach a certified copy of the Identification Document

4. Person to be contacted regarding this application:

- Title ,Name and Surname:
.....
- Telephone number:
.....
- Facsimile:
.....
- Mobile number:
.....
- Email address:
.....

5. Physical address of the head office of the applicant:

.....

Postal code:

6. Postal address of the applicant:

.....

Postal code:

Telephone number:Facsimile:

Attach a certified copy or original of the proof of address in the form of an electricity and water account or equivalent not older than three months, lease agreement or title deed

7. Financial contact person:

- Title, Name and Surname:
.....
- Telephone number:
.....
- Facsimile:
.....
- Mobile number:
.....
- Email address:
.....

Attach the latest audited annual financial statement or financial standing or six-month bank statement if a natural person

- Address of where the invoice should be sent:
.....
.....
.....
.....Postal code:

8. Detailed address of the location of the premises where the proposed action(s) will be carried out:

.....

- Attach proof of address in the form of a title deed or lease agreement
- Provide two copies of a map detailing the location of the above premises/site and delineate the site boundary by marking this clearly in red on each copy.

- Provide GPS site coordinates (in latitude and longitude) for the site

9. Description of the proposed action(s) (e.g. prospecting/mining of gold or uranium or clean-up of contaminated sites)

.....

.....

.....

10. The following reports and procedures must form part of the safety case. Mark all the documents that are applicable to the proposed action(s). Justification for documents not submitted must be provided on a separate document.

Prior Safety Assessment Report for Workers	
Radiation Protection Programme for Workers	
Medical Surveillance Control Programme	
Radiation Protection Function	
Self-Inspection Programme	
Quality Management Programme	
Prior Public Safety Assessment Report	
Environmental Monitoring and Surveillance Programme	
Radioactive Waste Management Programme	
Decommissioning Strategy and Plan	
Procedure for Transport of Radioactive Material in terms of the Provisions of IAEA Regulations	
Physical Security Arrangement Procedure	
Occurrence Notification Procedure	
Emergency Plan Procedure	

Attach a certified signed copy of the resolution duly authorising this application and granting authority to the person signing documentation on behalf of the applicant.

11. Liability, in case of mergers and/or acquisitions:

We (name of applicant) hereby assume and accept all liability for any nuclear damage potentially caused by (previous authorisation holder) (nuclear authorisation number) or resulting from any action carried out by virtue of that nuclear authorisation during the previous nuclear authorisation holder’s period of responsibility in terms of the Nuclear Energy Act (Act No. 131 of 1993) and the National Nuclear Regulator Act (Act No. 47 of 1999).

Signature (applicant)..... Date.....

Signature (previous authorisation holder)..... Date.....

12. Declaration

I hereby declare that, to the best of my knowledge and belief, the information provided on this form and on the accompanying documentation is true, correct and complete.

Signature of applicant..... Date.....

APPENDIX B: APPLICATION CHECKLIST

The applicant must ensure that the checklist below is completed and that the following items are included with the application (where relevant) in order for the application to be complete. Incomplete applications may be rejected, or further information may be requested before an application is accepted for further processing.

No.	Description	Yes	No
1	Application form completed and attached with cover letter addressed to the Chief Executive Officer of the NNR		
2	Attach certified copy of the certificate of incorporation or founding document or any other establishing document		
3	Attach a certified copy of the Identification Document(in case of Natural person)		
4	Attach a certified copy or original of the proof of address in the form of an electricity and water account or equivalent not older than three months, lease agreement or title deed		
5	Attach the latest audited annual financial statement or financial standing or six-month bank statement if a natural person.		
6	Attached proof of address where the proposed action will take place in the form of a certified copy of the title deed or lease agreement		
7	Maps/diagram showing the boundaries of the site (i.e. all the areas) to be authorised and GPS site coordinates (in latitude and longitude)		
8	Relevant required reports and procedures included in the application.		
9	Certified signed copy of the Board resolution duly authorising this application and the person signing documentation on behalf of the applicant.		

The applicant must sign below to confirm that the above checklist is completed and true.

Signature of applicant: Date:

Signature of NNR Administrator: Date: