

GOVERNMENT NOTICE

MINISTRY OF HEALTH AND SOCIAL SERVICES

No.

2017

COST RECOVERY FEES REGULATIONS: ATOMIC ENERGY AND RADIATION PROTECTION ACT, 2005

Under section 43(1) of the Atomic Energy and Radiation Protection Act, 2005 (Act No. 5 of 2005), on the recommendation of the Atomic Energy Board, I have made the regulations set out in the Schedule.

Dr. Bernard Haufiku

Minister of Health and Social Services

Windhoek,

2018

SCHEDULE

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Application fees for authorisation, registration and licensing
3. Licence fees
4. Annual licence fees
5. Inspection fees

Definitions

1. In these regulations a word or an expression to which a meaning has been assigned in the Act has that meaning and unless the context otherwise indicates -

“class I licence” means a licence for the use of a source to search a person or to detect the presence of any object or substance in the possession of the person for security or other similar purposes;

“class II licence” means a licence for the use by a person practising any health profession of x-rays to obtain images for diagnostic purposes;

“class III licence” means a licence for the use by a person practising a health profession of gamma rays or radionuclides to obtain images for diagnostic purposes; or

“class IV licence” means a licence for the use by persons practicing any health profession of radionuclides, x-rays, or gamma rays for therapeutic purposes;

“class V licence” means a licence for the use of sealed source for the purposes of density measurement, level detection, thickness control, moisture measurement and control, the examination of the quality of a component or product, and other similar industrial activities;

“class VI licence” means a licence for mines that produces minerals that contain radioactive materials or nuclear material;

“class VII licence” other licences

“Radiation Protection and Waste Disposal Regulations” means the Radiation Protection and Waste Disposal Regulations made under the Act and published under Government Notice No. 220 of 18 November 2011;

“source” means the source as defined in the Radiation Protection and Waste Disposal Regulations;
and

‘the Act’ means the Atomic Energy and Radiation Protection Act, 2005 (Act No. 5 of 2005).

Application fees for authorisation, registration and licensing

2. A person making an application for, authorisation, registration or licensing must pay to the Authority the following application fee -

- (a) N\$ 5000 in respect of a notification in terms of section 17(1) of the Act;
- (b) N\$ 10 000 in respect of registration in terms of section 18 of the Act; or
- (c) in respect of an application for licensing in terms of section 16(2) -
 - (i) N\$ 3000 in respect of Class I licence;
 - (ii) N\$ 3000 in respect of Class II licence;
 - (iii) N\$ 3000 in respect of Class III licence;
 - (iv) N\$ 4000 in respect of Class IV licence; or
 - (v) N\$ 4000 in respect of Class V licence.
 - (vi) N\$ 5000 in respect of Class VI licence.
 - (vii) N\$ 3000 in respect of Class VII licence.

Licence fees

3. A person to whom a licence is granted under section 21 of the Act must pay to the Authority the following licence fees -

- (a) N\$ 3000 in respect of Class I licence;
- (b) N\$ 3000 in respect of Class II licence;
- (c) N\$ 3000 in respect of Class III licence;
- (d) N\$ 4000 in respect of Class IV licence; or
- (e) N\$ 4000 in respect of Class V licence;
- (f) N\$ 5000 in respect of Class VI licence;
- (g) N\$ 3000 in respect of Class VII licence;

Annual licence fees

4. A licence holder must pay to the Authority the following annual fees-

- (a) N\$ 3000 in respect of Class I licence;
- (b) N\$ 3000 in respect of Class II licence;
- (c) N\$ 3000 in respect of Class III licence;
- (d) N\$ 4000 in respect of Class IV licence; or

- (e) N\$ 4000 in respect of Class V licence.
- (f) N\$ 5000 in respect of Class VI licence.
- (g) N\$ 5000 in respect of Class VII licence.

Inspection fees

5. (1) the authority may charge inspection fees in respect of an inspection conducted by the authority in respect of an application for a licence in respect of an activity (construction, operation, transport, decommissioning) of a facility.

- (a) N\$ 3000 in respect of Class I licence;
- (b) N\$ 3000 in respect of Class II licence;
- (c) N\$ 3000 in respect of Class III licence;
- (d) N\$ 4000 in respect of Class IV licence; r
- (e) N\$ 4000 in respect of Class V licence.
- (f) N\$ 5000 in respect of Class VI licence.
- (g) N\$ 5000 in respect of Class VII licence.

(2) If an application for a licence is withdrawn by the applicant or not granted by the Director-General after the inspection of an activity or a facility, the inspection fee is not refunded to the Applicant.

Exemption of payment of fees

6. The Minister administering the Act may exempt the Ministry responsible for health and social services from payment of all fees or part of for the license classes
