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GOVERNMENT NOTICE

DEPARTMENT OF MINERALS AND ENERGY

No. 1014

2 November 2007

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

**CO-OPERATIVE AGREEMENTS CONCLUDED IN TERMS OF SECTIONS 6 (2) AND
PUBLISHED IN TERMS OF SECTION 6(4) OF THE NATIONAL NUCLEAR
REGULATOR ACT, 1999 (ACT NO. 47 OF 1999)**

Under section 6(4) of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), I, Buyelwa Sonjica, Minister of Minerals and Energy, I hereby publish co-operative agreements signed between the National Nuclear Regulator and the following: Department of Minerals and Energy (Mineral Regulation), the Railway Safety Regulator and the Civil Aviation Authority.



B P SONJICA
MINISTER OF MINERALS AND ENERGY

**COOPERATIVE AGREEMENT IN RESPECT OF THE MONITORING
AND CONTROL OF RADIOACTIVE MATERIAL OR EXPOSURE TO
IONISING RADIATION**

**In terms of the provisions of section 6 of the National Nuclear
Regulator Act (Act No.47 of 1999) and Regulation No.709 of
24 May 2002**

Between the

**NATIONAL NUCLEAR
REGULATOR**



And the

**DEPARTMENT OF MINERALS AND ENERGY (Mineral
Regulation)**



COOPERATIVE AGREEMENT IN RESPECT OF THE MONITORING AND CONTROL OF RADIOACTIVE MATERIAL OR EXPOSURE TO IONISING RADIATION

In terms of the provisions of section 6 of the National Nuclear Regulator Act (Act No.47 of 1999) and Regulation No.709 of 24 May 2002 between

The National Nuclear Regulator

And

Department of Minerals and Energy (Deputy Director General: Mineral Regulation)

(Hereinafter referred to as parties)

PREAMBLE

Whereas: The National Nuclear Regulator (hereinafter referred to as the NNR) has responsibilities with regard to the regulation of radiation hazards in terms of the National Nuclear Regulator Act (Act no 47 of 1999);

And whereas: The Department of Minerals and Energy (Deputy Director General: Mineral Regulation) also has responsibilities with regard to the regulation of radiation hazards in terms of Minerals and Petroleum Resources Development Act (Act no 28 of 2002) (herein after referred to as the MPRDA)

And whereas: The parties acknowledge and respect each others autonomy and statutory responsibilities whilst recognizing the National Nuclear Regulator as the lead authority in the regulation of radiation hazards with a view to protecting persons, property and the environment against nuclear damage;

And whereas: The National Nuclear Regulator and the Department of Minerals and Energy (Deputy Director General: Mineral Regulation) (hereafter referred to as MR) have concluded an agreement in terms of the requirements for co-operative governance as provided for in terms of the provision of section 6 of the National Nuclear Regulator Act.

Now therefore the parties record the following-

SCOPE

This agreement provides for the working relationship with regards to mines between the Department of Minerals and Energy (Deputy Director General: Mineral Regulation) and the National Nuclear Regulator for the purpose of:

- i. ensuring the effective monitoring and control of the nuclear hazard;
- ii. co-coordinating the exercise of such functions;
- iii. minimizing the duplication of such functions and procedures regarding the exercise of such functions; and
- iv. promoting consistency in the exercise of such functions

ARTICLE I

Time period for implementation of this agreement

The parties agree that this agreement must be implemented on the date of signature hereof.

ARTICLE II

Coordination of functions with respect of the monitoring and control of radioactive material or exposure to ionising radiation

Specific Activity	Lead responsibility	Support Responsibility	Mechanisms & procedure for cooperation
Develop legislation safety standards and regulatory practice including conditions of authorisation (where applicable) and guidelines.	The NNR develop according to the NNRA	The MR to provide input	The NNR must involve the MR to participate in the development process.
	The MR develop according to the MPRDA	The NNR to provide input to radiation matters	The MR must involve the NNR to participate in the development process.
Decision making on prospecting and mining applications in terms in terms of MPRA	The MR	The NNR	The MR must consult with the NNR on prospecting or mining application involving a radiation hazard impact.
Issue nuclear authorisations in	The NNR	The MR	The NNR must consult with the

terms of NNRA			MR on prospecting or mining application involving a radiation hazard impact
Issue authorisation change requests in terms of NNRA	The NNR	The MR	The NNR must inform the MR in writing of status of authorizations
Investigate accidents, incidents and other occurrences which impacts on the public	The NNR	The MR	Joint investigations must be conducted
Conduct inspections and audits	The NNR	The MR	The NNR communicates findings to MR. The MR will communicate any radiation anomalies identified during their general inspections to the NNR for action.
Review for compliance with respect to NNRA & appropriateness of Monitoring and EMP Performance Assessment reports (Radiation aspect/Impact) and ensure corrective actions.	The NNR	The MR	The NNR would deal directly with holder and provides the MR with a report. Both parties must communicate and coordinate corrective actions.
Conduct research and development on radiation hazards	The NNR	The MR	The NNR would integrate with existing strategies in the MR

Enforce legislation in terms of NNRA	The NNR	The MR	Offences and non-compliances must be communicated to both parties and the necessary action taken after consultation between the parties.
Enforce legislation in terms of MPRDA	The MR	The NNR	
Review for compliance with MPRDA and appropriateness of monitoring and EMP performance assessment reports and ensure corrective actions	The MR	The NNR	The MR would deal with holder and provide NNR with a report; Both parties must communicate and correlate corrective actions.

ARTICLE III

Measures to resolve non-compliances with this agreement

In the event of either of the parties failing to comply with any provision of this agreement every effort must be made to ensure compliance thereof. Where the parties are unable to reach agreement on compliance after referral to the Joint Coordinating Committee, referred to in Article V, the details of such non-compliance must be referred to the Minister of Minerals and Energy for determination.

ARTICLE IV

Resolution of disputes in respect of the interpretation or application of this agreement

The parties agree that, in the event of any dispute relating to the interpretation or application of any provision contained in this agreement, every effort must be made to resolve such dispute between the parties. Where the parties are unable to resolve the dispute after referral to the Joint Coordinating Committee, the details of such dispute must be referred to the Minister of Minerals and Energy for determination.

ARTICLE V**Mechanisms and procedures for co-operation between the parties**

In order to implement the provisions of this agreement, the parties agree to the following:

- i. A joint coordinating committee must be established, and must be chaired by the Chief Executive Officer of the NNR.
- ii. Membership of this committee must consist of an equal number of representatives from each party and the Deputy Director General: Minerals Regulation must head the MR representation.
- iii. The joint coordinating committee must meet at least bi-annually.
- iv. The joint coordinating committee is responsible for the establishment of working groups, where the need arises, to conduct the tasks identified by the committee to comply with this agreement.

ARTICLE VI**Safety Standards**

Regulation No. R388, 28 April 2006, GG No. 28755 (attached) on safety standards and regulatory practice contained in Regulation No R388 shall be applicable to all relevant provisions for the regulation, monitoring and control of radiation hazards falling within the respective responsibilities of the parties. Where the regulation R388 does not adequately address the safety standards relating to responsibilities of the E&N, the parties may agree that a recommendation be made to the Minister of Minerals and Energy to have the regulation amended accordingly.

Both parties agree to use the following guidelines or standards:

1. Regulation No. R388 on safety standards and regulatory practices. Any other guidelines, standards, procedures, regulations etc that may be developed or promulgated from time to time in terms of each others' legislation

ARTICLE VII**Coordination of monitoring and enforcement functions**

The coordination of monitoring and enforcement functions shall be carried out as indicated in article II

ARTICLE VIII
Record of delegation

No delegations has been made in terms of section 238 of the constitution

ARTICLE IX
Expert Assistance and support

As and when required the parties agree to provide expert assistance to each other. The NNR would provide radiation expert assistance and support to the MR. The MR would provide expert assistance and support in respect of relevant mining and mining related health and safety issues to the NNR.

ARTICLE X
Sharing of Relevant information

Relevant information must be shared by the quickest means of communication supported in writing by the parties. Such means of communication include but are not restricted to:

- Telephone
- E-mail
- Fax
- Ordinary mail
- Working groups and
- Joint Co-ordinating Committee

ARTICLE XI

Coordination of Responses to incidents/accidents

The coordination of responses to incidents/accidents shall be carried out as outlined in article II.

ARTICLE XII

Amendments to co-operative agreements

This agreement constitutes the entire agreement between the parties and any amendment thereto must be reduced to writing after agreement by the Joint Coordinating Committee and signed by both parties, before it becomes effective.

Thus done and signed at.....on this.....day

Of..... 2007.

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For NATIONAL NUCLEAR REGULATOR
M Magugumela
Chief Executive Officer

WITNESSES

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Thus done and signed at on this.....day

Of.....2007

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For DEPARTMENT OF MINERALS
AND ENERGY

JF Rocha
Deputy Director General: Mineral Regulation

WITNESSES

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**CO-OPERATIVE AGREEMENT IN RESPECT OF THE MONITORING, CONTROL
AND TRANSPORTATION OF RADIOACTIVE MATERIAL BY RAIL OR
EXPOSURE TO IONISING RADIATION**

**In terms of the provisions of section 6 of the National Nuclear Regulator Act
(Act No. 47 of 1999) and Regulation No. 709 of 24 May 2002.**

Between

**THE NATIONAL NUCLEAR
REGULATOR**



And

**In terms of the provisions of section 6 of the National Railway Safety Act
(Act No. 16 of 2002)**

THE RAILWAY SAFETY REGULATOR

Railway Safety
REGULATOR

**MEMORANDUM OF
CO-OPERATIVE AGREEMENT IN RESPECT OF THE MONITORING, CONTROL
AND TRANSPORTATION OF RADIOACTIVE MATERIAL BY RAIL OR EXPOSURE
TO IONISING RADIATION**

In terms of the provisions of section 6 of the National Nuclear Regulator Act (Act No. 47 of 1999) and Regulation No. 709 of 24 May 2002 and in terms of the provisions of section 6 of the National Railway Safety Regulator Act (Act No. 16 of 2002

Between

The National Nuclear Regulator

And

The Railway Safety Regulator

(Hereinafter referred to as "the parties")

PREAMBLE

Whereas: The National Nuclear Regulator (hereinafter referred to as the NNR) has responsibilities with regard to the regulation of radiation hazards in terms of the National Nuclear Regulator Act (Act No. 47 of 1999);

And whereas: The Railway Safety Regulator (hereinafter referred to as the RSR) has responsibilities with regard to overseeing safety within the railway environment in terms of the Railway Safety Regulator Act (Act No. 16 of 2002) and other related legislation;

And whereas: The parties acknowledge and respect each other's autonomy and statutory responsibilities whilst recognizing the NNR as the lead authority in the regulation of radiation hazards with a view to protecting persons, property and the environment against nuclear damage;

And whereas: The parties agree that details for the areas of co-operation will be outlined in the Standard Operation Procedures (SOPs), once developed, the SOPs will form part of this agreement;

And whereas: The parties acknowledged that there is interconnection between safety and security and that they thus have a secondary role with regard to security issues pertaining to the transportation of Radioactive Material;

And whereas: The RSR undertakes to commit the necessary resources to create and develop the required capacity within a reasonable time period, and the NNR recognises and accepts this fact;

Now therefore the parties record the following-

SCOPE

This agreement provides for a working relationship between the RSR and the NNR with regard to the rail transport of radioactive material, for the purpose of:

- i. Ensuring effective regulation, assurance, monitoring and control
- ii. Co-ordinating the exercise of such functions
- iii. Minimizing the duplication of such functions
- iv. Developing procedures regarding the exercise of such functions
- v. Promoting consistency in the exercise of such functions
- vi. Addressing security
- vii. Audit and inspection
- viii. Research
- ix. Training

ARTICLE I**Time period for implementation of this agreement**

This agreement commences on the date of signature hereof and each party will bear its own costs in respect of the implementation thereof. The agreement shall remain in force until superseded by any other agreement or until terminated by mutual agreement between the parties. Standard Operating Procedures shall be developed with 12 months after signing of this Agreement.

ARTICLE II**Co-ordination of functions with respect to the monitoring, control, and transportation of radioactive material by rail or exposure to ionising radiation**

Specific activity	Lead responsibility	Support responsibility	Mechanisms & procedure for co-operation
1. Develop legislation, safety standards and regulatory practice including conditions of authorisation (where applicable) and guidelines	The NNR to develop and maintain according to the NNRA and other related legislation, where applicable	The RSR to provide input	The NNR will involve the RSR in the development process in the event of any new legislation and/or standards being developed.
	The RSR to develop and maintain according to the RSR Act and other related legislation, where applicable	The NNR to provide input	The RSR will involve the NNR in the development process in the event of any new legislation and/or standards being developed
2. Issue nuclear authorisations in terms of NNRA	The NNR	The RSR	The NNR will notify the RSR. The NNR will provide reports and information as agreed
3. Issue authorisation change requests in terms of NNRA	The NNR	The RSR	The NNR will inform the RSR of the status of authorisations in the manner and according to the terms as agreed
4. Railway	The NNR	The RSR	The RSR will

occurrences involving radioactive material: <ul style="list-style-type: none"> • Securing the site • Investigation 	The RSR	The NNR	investigate the root causes of rail related occurrences. NNR will investigate nuclear related occurrences. Joint investigations will be conducted were practical and as agreed
5. Conduct inspections and audits	The NNR	The RSR	The NNR will conduct audits and investigations in terms of the NNR Act. The RSR will conduct audits and investigations in terms of the NRSR Act. As agreed, the NNR will communicate findings to the RSR. The RSR will communicate any radiation anomalies if identified during its general inspections to the NNR for action, where possible.
	The RSR	The NNR	
6. Review of compliance with NNRA	The NNR	The RSR	The NNR will deal directly with holders and provide the RSR with reports as agreed. The parties will communicate and co-ordinate corrective actions where applicable
7. Conduct research and development on radiation hazards	The NNR	The RSR	The NNR will involve the RSR in research activities where possible.
8. Enforce legislation in terms of NNRA	The NNR	The RSR	Information regarding offences and non-compliances will be communicated to the other party in the manner and within the terms as agreed.
9. Enforce legislation in terms of RSR Act and other related legislation	The RSR	The NNR	

10. Assure physical protection	The NNR	The RSR	The NNR to advise the RSR where requested
11. Training	The NNR/RSR	The NNR/RSR	The NNR and RSR will assist each other with regard to training, where possible, when requested.
12. Security-related matters	The NNR	The RSR	Protocols to be developed in collaboration with the SAPS.
13. Sharing of relevant information	The RSR and NNR where applicable	The RSR and NNR where applicable	<p>Relevant information will be shared by the parties by the quickest available means of communication. Information communicated orally will be confirmed in writing. Means of communication include, but are not restricted to:</p> <ul style="list-style-type: none"> • Telephone • E-mail • Fax • Ordinary mail • Working group • The Joint Co-ordinating Committee

ARTICLE III

Measures to resolve non-compliances with this agreement

In the event of either of the parties failing to comply with any provision of this Agreement, every effort will be made to rectify the non-compliance. Where the parties are unable to reach agreement on compliance after referral to the Joint Coordinating Committee referred to in Article V, the parties shall refer the details of the non-compliance to the Minister of Minerals and Energy for determination in consultation with the Minister of Transport.

The RSR may also refer the Matter to the Minister of Transport as contemplated in the Railway Safety Regulator Act (Act No. 16 of 2002)

ARTICLE IV

Resolution of disputes in respect of the interpretation or application of this Agreement

The parties agree that, in the event of any dispute relating to the interpretation or application of any provision contained in this Agreement, every effort will be made to resolve the dispute between the parties. Where the parties are unable to resolve the dispute after referral to the Joint Co-ordinating Committee referred to in Article V, the details of such dispute shall be referred to the Minister of Minerals and Energy for determination in consultation with the Minister of Transport. The RSR may also refer the Matter to the Minister of Transport as contemplated in the Railway Safety Regulator Act (Act No. 16 of 2002)

ARTICLE V

Mechanisms and procedures for co-operation between the parties

In order to implement the provisions of this agreement, the parties agree to the following:

- i. A joint co-ordinating committee will be established with the Chief Executive Officer of NNR as its chair.
- ii. Membership of this committee will consist of an equal number of representatives from each party; the Chief Executive Officer of RSR or his designate will head the RSR representation.
- iii. The joint co-ordinating committee will meet at least bi-annually.
- iv. The joint co-ordinating committee will establish working groups, where the need arises, to conduct the tasks identified by the committee to comply with this Agreement.
- v. NNR will provide secretariat services for the joint co-ordinating committee.

ARTICLE VI

Safety Standards

Regulation No. R388, 28 April 2006, GG No. 28755 (attached) on safety standards, and regulatory practices contained in Regulation No R388 shall be applicable to all relevant provisions for the regulation, monitoring and control of radiation hazards falling within the respective responsibilities of the parties. Where Regulation R388 does not adequately address the safety standards relating to responsibilities of the RSR the parties may agree that a recommendation be made to the Minister of Minerals and Energy to have the regulation amended accordingly.

Both parties agree to use the following guidelines or standards:

2. Regulation No. R388 on safety standards and regulatory practices.
3. Any other guidelines, standards, procedures, regulations etc that may be developed or promulgated from time to time in terms of each other's legislation.

ARTICLE VII

Co-ordination of monitoring and enforcement functions

The co-ordination of monitoring and enforcement functions will be carried out as indicated in Article II.

ARTICLE VIII

Record of delegation

No delegations have been made under section 238 of the Constitution.

ARTICLE IX

Expert assistance and support

As and when required, the parties agree to provide expert assistance to each other. The NNR will provide radiation expert assistance and support to the RSR. The RSR will provide relevant expertise and support in respect of railway transport to the NNR.

ARTICLE X

Co-ordination of responses to incidents/accidents

The co-ordination of responses to incidents/accidents will be carried out as outlined in Article II.

ARTICLE XI

Amendments to co-operative agreements

This Agreement constitutes the entire agreement between the parties and any amendment thereto will be effective only when reduced to writing after agreement by the Joint Co-ordinating Committee and signed by both parties.

Thus done and signed at.....on this.....day
of..... 2007.

.....
For The National Nuclear Regulator
Chief Executive Officer
Maurice Magugumela

WITNESSES

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Thus done and signed at on this.....day
of.....2007

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For The Railway Safety Regulator
Acting Chief Executive Officer
Mosengwa Mofi

WITNESSES

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**CO-OPERATIVE AGREEMENT IN RESPECT OF THE
MONITORING AND CONTROL OF RADIOACTIVE
MATERIAL OR EXPOSURE TO IONISING RADIATION**

**In terms of the provisions of section 6 of the National Nuclear Regulator
Act (Act No. 47 of 1999) and Regulation No. 709 of 24 May 2002**

between

**THE NATIONAL NUCLEAR
REGULATOR**



and

THE SOUTH AFRICAN CIVIL AVIATION AUTHORITY



CO-OPERATIVE AGREEMENT IN RESPECT OF THE MONITORING AND CONTROL OF RADIOACTIVE MATERIAL OR EXPOSURE TO IONISING RADIATION

In terms of the provisions of section 6 of the National Nuclear Regulator Act (Act No.47 of 1999) and Regulation No.709 of 24 May 2002

between

The National Nuclear Regulator

and

The South African Civil Aviation Authority
(Hereinafter referred to as “the parties”)

PREAMBLE

Whereas the National Nuclear Regulator (hereinafter referred to as “the NNR”) has responsibilities with regard to the regulation of radiation hazards in terms of the National Nuclear Regulator Act, 1999 (Act no 47 of 1999) (hereinafter referred to as “the National Nuclear Regulator Act”);

And whereas the South African Civil Aviation Authority (hereinafter referred to as “the CAA”) also has responsibilities with regard to the regulation of radiation hazards in terms of the South African Civil Aviation Authority Act, 1998 (Act No. 40 of 1998) (hereinafter referred to as “the Civil Aviation Authority Act”);

And whereas the parties acknowledge and respect each other’s autonomy and statutory responsibilities whilst recognizing the National Nuclear Regulator as the lead authority in the regulation of radiation hazards with a view to protecting persons, property and the environment against nuclear damage;

And whereas the National Nuclear Regulator and the CAA have concluded an agreement in terms of the requirements for co-operative governance as provided for in terms of the provision of section 6 of the National Nuclear Regulator Act;

Now therefore the parties record the following-

SCOPE

This agreement provides for the a co-operation and working relationship between the NNR and the CAA with regard to the transportation of radioactive material by air, for the purpose of:

- v. ensuring the effective monitoring and control of nuclear hazards;
- vi. co-ordinating the exercise of the above-mentioned functions;

- vii. minimising the duplication of functions and procedures in the exercise of the above-mentioned functions; and
- viii. promoting consistency in the exercise of the above-mentioned functions.
- ix. minimising

ARTICLE I

Time period for implementation of this agreement

The parties agree that this agreement will come into effect on the date of signature hereof.

ARTICLE II

Co-ordination of functions with respect to the monitoring and control of radioactive material and exposure to ionising radiation

Specific Activity	Lead responsibility	Support responsibility	Mechanisms & procedures for co-operation
Develop legislation, security standards, safety standards and regulatory practices including conditions of authorisation (where applicable) and guidelines.	The NNR to develop according to the NNRA	The CAA to provide input	The NNR to involve the CAA to participate in the development process
	The CAA to develop according to the Civil Aviation Authority Act	The NNR to provide input on radiation matters	The CAA to involve the NNR to participate in the development process
Issue of nuclear authorisations in terms of NNRA	The NNR	The CAA	The NNR to consult with the CAA when required
Issue authorisation change requests in terms of NNRA	The NNR	The CAA	The NNR to inform the CAA in writing of status of authorisations
Investigate accidents, incidents and other occurrences which impact on the public	The NNR to investigate according to National Nuclear Regulator Act and other related legislation	The CAA	Joint investigations to be conducted where practicable
	The CAA to investigate according to Civil Aviation Authority Act and other related legislation	The NNR	

Conduct inspections and audits	The NNR according to the National Nuclear Regulator Act	The CAA	The NNR to communicate findings to the CAA
	The CAA according to the Civil Aviation Authority Act	The NNR	The CAA to communicate any radiation anomalies identified during inspections to the NNR
Review for compliance with respect to the National Nuclear Regulator Act	The NNR	The CAA	The NNR will deal directly with holders of authorisations and provide the CAA with a report on matters that are aviation-related. Both parties to communicate and co-ordinate corrective actions
Conduct research and development on radiation hazards	The NNR	The CAA	The NNR will integrate with existing strategies in the CAA
Enforce applicable legislation	NNR to enforce legislation in terms of the National Nuclear Regulator Act	The CAA	Offences and non-compliances must be communicated to both parties and the necessary action taken after consultation between the parties.
	CAA to enforce legislation in terms of the Civil Aviation Authority Act	The NNR	
Issue press releases	The NNR in respect of incidents or accidents that are regulated in terms of the National Nuclear Regulator	The CAA	The parties to involve each other in the development of press releases
	The CAA in respect of incidents or accidents that are regulated in terms of the Civil Aviation Authority Act	The NNR	

ARTICLE III**Measures to resolve non-compliance with this agreement**

In the event of either of the parties failing to comply with any provision of this agreement, every effort must be made to ensure compliance. Where the parties are unable to reach agreement on compliance after referral to the Joint Co-ordinating Committee referred to in Article V, the parties will refer the details of the non-compliance to the Minister of Minerals and Energy for determination.

ARTICLE IV**Resolution of disputes in respect of the interpretation or application of this agreement**

The parties agree that, in the event of any dispute relating to the interpretation or application of any provision contained in this agreement, every effort must be made to resolve such dispute between the parties. Where the parties are unable to resolve the dispute after referral to the joint co-ordinating committee referred to in Article V, Where the parties are unable to resolve the dispute, the details of such dispute must be reported to the Minister of Minerals and Energy for determination. The parties agree that the primary mechanisms for dispute resolution must firstly be through a Joint Co-ordinating Committee and/or working groups which must be established by mutual consent between both parties.

ARTICLE V**Mechanisms for co-operation between the parties**

In order to give effect to the provisions of this agreement, the parties agree to the following:

- i. A Joint Co-ordinating Committee shall be established, and must be chaired by the Chief Executive Officer of the NNR.
- ii. The core function of this committee is to ensure co-operation as contemplated in Section 6 of the NNR Act.
- iii. Membership of the Joint Co-ordinating Committee shall consist of an equal number of representatives from each party, and the Chief Executive Officer or person designated to act on his behalf must head the representation of the CAA.
- iv. The Joint Co-ordinating Committee shall meet at least bi-annually.
- v. This Committee is responsible for the establishment of working groups, where the need arises, to conduct the tasks identified by the committee to give effect to this agreement.

ARTICLE VI**Safety standards**

The safety standards and regulatory practice contained in Regulation No R388 shall be applicable to all relevant provisions for the regulation, monitoring and control of radiation hazards falling within the respective responsibilities of the parties. Where the regulation R388 does not adequately address the safety standards relating to responsibilities of the CAA,

the parties may agree that a recommendation be made to the Minister of Minerals and Energy to have the regulation amended accordingly.

Both parties agree to use the following guidelines or standards:

4. Regulation NO. R388 on Safety standards and regulatory practices.
5. Any other guidelines, standards, procedures, regulations etc that may be developed or promulgated from time to time in terms of each others' legislation.

ARTICLE VII

Co-ordination of monitoring and enforcement functions

The co-ordination of monitoring and enforcement functions shall be carried out as indicated in Article II.

ARTICLE VIII

Record of delegation

No delegations have been made in terms of section 238 of the Constitution.

ARTICLE IX

Expert assistance and support

As and when required, the parties agree to provide expert assistance to each other. The NNR would provide radiation expert assistance and support to the CAA. The CAA would provide expert assistance and support in respect of the requirements governing the safe transportation of dangerous goods by air to the NNR.

ARTICLE X

Sharing of relevant information

Relevant information will be shared by the parties by the quickest available means of communication. Information communicated orally will be confirmed in writing.

Means of communication include, but are not restricted to:

- Telephone
- E-mail
- Fax
- Ordinary mail
- Working groups
- The joint co-ordinating committee

ARTICLE XI
Co-ordination of responses to incidents/accidents

The co-ordination of responses to incidents/accidents shall be carried out as outlined in Article II.

ARTICLE XII
Amendments to co-operative agreements

This agreement constitutes the entire agreement between the parties, and any amendment thereto shall be effective only when reduced to writing and signed by both parties.

THUS DONE AND SIGNED ATON THIS.....DAY OF.....2007

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For NATIONAL NUCLEAR REGULATOR
Chief Executive Officer
Maurice T Magugumela

WITNESSES

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THUS DONE AND SIGNED ATON THIS.....DAY OF.....2007

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For SOUTH AFRICAN CIVIL AUTHORITY
Chief Executive Officer

WITNESSES

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