

REGULASI
GAZETTE

REGULASIE
KOERANT



Regulation Gazette

No. 10747

Regulasiekoerant

Vol. 626

4

**August
Augustus**

2017

No. 41023

Contents

<i>No.</i>	<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS		
Energy, Department of/ Energie, Departement van		
R. 773	National Nuclear Regulator Act (47/1999): Published for public comments: Categorisation of the Various Nuclear Installations in the Republic, the Level of Financial Security to be provided by Holders of Nuclear Installation Licences in respect of each Category of Nuclear Installation and the manner in which that Financial Security is to be provided	41023 11
South African Revenue Service/ Suid-Afrikaanse Inkomstediens		
R. 774	Customs and Excise Act, 1964: Amendment of Schedule No. 1 (No. 1/1/1574)	41023 17
R. 774	Doeane- en Aksynswet, 1964: Wysiging van Bylae No. 1/1/1574).....	41023 18
Transport, Department of/ Vervoer, Departement van		
R. 775	Civil Aviation Act (13/2009): Civil Aviation Regulations, 2011	41023 19

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENERGY**NO. R. 773****04 AUGUST 2017**

NATIONAL NUCLEAR REGULATOR ACT, 1999

PUBLISHED FOR PUBLIC COMMENTS: CATEGORISATION OF THE VARIOUS NUCLEAR INSTALLATIONS IN THE REPUBLIC, THE LEVEL OF FINANCIAL SECURITY TO BE PROVIDED BY HOLDERS OF NUCLEAR INSTALLATION LICENCES IN RESPECT OF EACH CATEGORY OF NUCLEAR INSTALLATION AND THE MANNER IN WHICH THAT FINANCIAL SECURITY IS TO BE PROVIDED

I, Mmamoloko Kubayi, Minister of Energy, hereby publish for public comment the draft categorisations and determinations in the Schedule to be issued under section 29(1) and (2) of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999) on the recommendation of the Board of Directors of the National Nuclear Regulator and in consultation with the Minister of Finance.

Interested persons and organisations are invited to submit, within 60 days, written comments on the proposed categorisations and determinations in the Schedule to the Director-General, Department of Energy, Private Bag X96, Pretoria 0001; Matimba House, 192 Visagie Street, Pretoria; Fax: 012 323 5637; or email to zizamele.mbambo@energy.gov.za (for attention Deputy Director-General: Nuclear).

NATIONAL NUCLEAR REGULATOR ACT
NOTICE ON LEVEL OF FINANCIAL
SECURITY

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments. Comments received after the closing date may not be considered.



Ms. M.T KUBAYI, MP

Minister of Energy

Date: 01/07/2017

SCHEDULE

TABLE OF CONTENTS

1. Purpose	3
2. Definitions	3
3. Categorisation of nuclear installations	3
4. Level of financial security to be provided	6
5. Manner in which financial security is to be provided	6
6. Financial security in respect of more than one nuclear installation licence	6
7. General	7

NATIONAL NUCLEAR REGULATOR ACT
NOTICE ON LEVEL OF FINANCIAL SECURITY

1. Purpose

The purpose of this Notice is to-

- (a) categorise the various nuclear installations in the Republic, based on the potential consequences of a nuclear accident;
- (b) determine the level of financial security to be provided by holders of nuclear installation licences in respect of those categories; and
- (c) determine the manner in which that financial security is to be provided.

2. Definitions

In this Notice, a word or expression to which a meaning has been assigned in the National Nuclear Regulator Act, 1999, bears the meaning so assigned and, unless the context otherwise indicates-

"nuclear fuel" means nuclear fuel as defined in section 1 of the Nuclear Energy Act, 1999 (Act No. 46 of 1999);

"Special Drawing Right or SDR" means the unit of account defined by the International Monetary Fund and used by it for its own operations and transactions;

"special nuclear material" means any material declared under section 2(c) of the Nuclear Energy Act, 1999 (Act No. 46 of 1999) to be special nuclear material;

"used fuel" means nuclear fuel removed from a reactor following irradiation, which is no longer usable in its present form because of depletion of fissile material, poison build-up or radiation damage.

3. Categorisation of nuclear installations

(1) Nuclear installations in the Republic of South Africa are categorised, based on the potential consequences of a nuclear accident, in accordance with the following scheme-

(a) Category 1

- (i) Any nuclear reactor, other than one intended as a means to power any sea or air transport, with a thermal power level greater than 100 MW.

NATIONAL NUCLEAR REGULATOR ACT
NOTICE ON LEVEL OF FINANCIAL SECURITY

- (ii) Any nuclear installation designed or adapted for or which may involve the carrying out of any process involving nuclear fuel or the reprocessing of nuclear fuel or used fuel for a reactor referred to in (a)(i) above.
- (iii) Any nuclear installation where used fuel can be permanently disposed of or is stored containing more than the equivalent of a 3000 MW(th) reactor core.
- (b) Category 2
- (i) Any nuclear reactor, other than one intended as a means to power any sea or air transport, with thermal power levels greater than 2 MW and less than 100 MW.
- (ii) Any nuclear installation designed or adapted for or which may involve the carrying out of any process involving processing or reprocessing of nuclear fuel, used fuel for a reactor referred to in (b)(i) or irradiated special nuclear material.
- (iii) Any nuclear installation where used fuel can be permanently disposed of or is stored containing between the equivalent of a 10 to a 3000 MW(th) reactor core.
- (c) Category 3
- (i) Any other nuclear installation not mentioned in Category 1 or 2.
- (2) Based on the above categorisation scheme the nuclear installations in the Republic of South Africa are categorised as follows:

Category	Nuclear Installation
Category 1	Koeberg Nuclear Power Station
Category 2	The following nuclear installations on the Necsa Pelindaba site- <ul style="list-style-type: none"> • SAFARI-1 Research Reactor; • P2700 Complex (UCHEM); • ELPROD in Building P2500; and • NTP Radiochemicals Complex (Hot Cell Complex).
Category 3	Vaalputs National Radioactive Waste Disposal Facility

NATIONAL NUCLEAR REGULATOR ACT
NOTICE ON LEVEL OF FINANCIAL SECURITY

	<p>The following nuclear installations on the Necs Pelindaba site-</p> <ul style="list-style-type: none">• Thabana Complex• HEU Vault• A-8 Decontamination Facility• Building A-West Drum Store• UMET in Building P2600• Conversion Plant Complex• Area 14 Waste Management Complex• Quarantine Storage Facility• V-YB Pelindaba East Bus Shed Complex;• Pelindaba East Evaporation Ponds Complex• Oil Purification Facility• Area 21 Storage Facility• Beva K3 Storage Complex• Area 16 Complex• Area 40 Complex• Area 27 De-Heeling Facility• J-Building;• D-Building;• C-Building• Building P2900• Building XB• Beva Evaporation Ponds• Building P-2800• Area 26• £-Building• Dorbyl Camp• X-Building• Building P-1500• YM Vacuum Workshop• V-H Building Laboratories• P-1900 Laboratories• P-1600 Laboratories• Fuel Development Laboratories Complex• Pelindaba Analytical Laboratories (PAL) in Building BEVA- E1• Liquid Effluent Treatment facility• B-1 Building Basement
--	---

NATIONAL NUCLEAR REGULATOR ACT
NOTICE ON LEVEL OF FINANCIAL SECURITY

4. Level of financial security to be provided

- (1) The level of financial security to be provided by holders of nuclear installation licences in respect of each of the categories mentioned in paragraph 3 is determined to be-
- (a) Category 1: The equivalent of 367 million SDRs.
 - (b) Category 2: The equivalent of 44 million SDRs
 - (c) Category 3: The equivalent of 6 million SDRs.

5. Manner in which financial security is to be provided

- (1) Financial security must be provided by way of-
- (a) an insurance policy issued by a duly registered insurance company and acceptable to the Board of the Regulator; or
 - (b) a monetary guarantee issued by a duly registered bank and acceptable to the Board of the Regulator.
- (2) A nuclear authorisation holder must annually review the financial security provided against the level of financial security to be provided in terms of paragraph 4(1).
- (3) The exchange rate used in the determination of the level of financial security must be the yearly average exchange rate at 31 December, as determined by the International Monetary Fund, for the year under review.
- (4) Where the level of financial security has been devalued, the level of financial security must be updated to match the value specified in subparagraph (3).
- (5) The nuclear authorisation holder must annually, by 31 March, submit proof to the Regulator of the review and the financial security provided.

6. Financial security in respect of more than one nuclear installation licence.

- (1) A holder of more than one nuclear installation licence relating to installations situated on a single site may provide financial security for nuclear damage at the level of the nuclear installations in the highest category. Such financial security must cover all nuclear installations on the site.

7. General

Government Notice 581 of 7 May 2004 is repealed.

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1574)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.


MPH GIGABA
MINISTER OF FINANCE

SCHEDULE

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty				
				General	EU	EFTA	SADC	MERCOSUR
7216.31	6	-- U sections	kg	10%	free	free	free	10%
7216.32	2	-- I sections	kg	10%	free	free	free	10%
7216.33	9	-- H sections	kg	10%	free	free	free	10%
7216.50	9	- Other angles, shapes and sections, not further worked than hot-rolled, hot-drawn or extruded	kg	10%	free	free	free	10%

NO. R. 774

SOUTH AFRICAN REVENUE SERVICE

04 AUGUST 2017

STAATSKOERANT, 4 AUGUSTUS 2017

No. 41023 17

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1574)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


MKH GIGABA
MINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg				
				Algemeen	EU	EFTA	SAOG	MERCOSUR
7216.31	6	-- U-profiele	kg	10%	vry	vry	vry	10%
7216.32	2	-- I-profiele	kg	10%	vry	vry	vry	10%
7216.33	9	-- H-profiele	kg	10%	vry	vry	vry	10%
7216.50	9	- Ander hoeke, vorms en profiele, nie verder bewerk as warmgewals, warmgetrek of gepers nie	kg	10%	vry	vry	vry	10%

DEPARTMENT OF TRANSPORT

NO. R. 775

04 AUGUST 2017

CIVIL AVIATION ACT, 2009 (ACT NO. 13 OF 2009)

CIVIL AVIATION REGULATIONS, 2011

The Minister of Transport intends, in terms of section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009) and on the recommendation of the Civil Aviation Regulations Committee (CARCom), to amend the Civil Aviation Regulations, 2011, by the amendment of the following Parts set out in Schedules below:

Schedule 1: Part 92 (Training)
Schedule 2: Part 187 (Fees relating to Part 177)

The Director of Civil Aviation intends, in terms of section 163 of the Civil Aviation Act and on Recommendation of CARCom, to amend the Technical Standards by the amendment of the Following parts set out in the Schedules below:

Schedule 3: SA CATS 171 (Aeronautical Telecommunication)

Electronic copies of the draft Amendments are available in the South African Civil Aviation Authority website at www.caa.co.za and can also be requested from Monica Sonjani at sonjanim@caa.co.za or Sipho Skosana at skosanas@caa.co.za

Interested persons are hereby invited to submit written comments on these draft amendments on or before the **4 September 2017** to the Chairperson: CARCom, for the attention of.

Monica Sonjani
Private Bag X73
Halfway House
1685
Email: sonjanim@caa.co.za
Tel: 011 – 545 1231

or

Sipho Skosana
Private Bag X73
Halfway house
1685
Email: skosanas@caa.co.za
Tel: 011 – 545 1095