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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 670.

5 April 1991

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 20 of 1991: Nuclear Energy Amendment Act, 1991.

No. 670.

5 April 1991

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 20 van 1991: Wysigingswet op Kernenergie, 1991.

Act No. 20, 1991

NUCLEAR ENERGY AMENDMENT ACT, 1991

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Nuclear Energy Act, 1982, so as to further provide for the giving of security by certain licensees in respect of liability for nuclear damage; and to extend the liability for the conveyance of nuclear-hazard material to instances where such material is to be returned to the nuclear installation or site from where it was transported; and to provide for matters incidental thereto.

(Afrikaans text signed by the State President.)
(Assented to 18 March 1991.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of section 39 of Act 92 of 1982, as amended by section 18 of Act 56 of 1988

1. Section 39 of the Nuclear Energy Act, 1982, is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) The Minister may, with the concurrence of the Minister of Finance, from time to time, whether during or after the expiry of the period of responsibility of a licensee to whom a nuclear licence mentioned in subsection (1) has been granted, require such licensee—

(a) although he has provided security in terms of that subsection, to give additional security, or to give security in another manner; or

(b) to give security, although security was not previously required in terms of subsection (1).

and the Minister may, with the concurrence of the Minister of Finance—

(i) reduce the amount of security given;

(ii) refund to the licensee the amount given as security; or

(iii) discharge the licensee from security given in any other manner.”.

Amendment of section 41 of Act 92 of 1982, as amended by section 20 of Act 56 of 1988

2. Section 41 of the Nuclear Energy Act, 1982, is hereby amended by the substitution for subparagraph (ii) of paragraph (a) of subsection (1) of the following subparagraph:

“(ii) by any nuclear-hazard material in the course of the conveyance thereof—

(aa) from the nuclear installation or site in question to any other nuclear installation or site or to any other place in the Republic, or from such other place or from any place on the way to such nuclear installation or site or other place, back to the nuclear installation or site from which the material was conveyed; or

ALGEMENE VERDUIDELIKENDE NOTA:

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Kernenergie, 1982, ten einde verdere voorsiening te maak vir sekerheidstelling deur sekere gelisensieerdes ten opsigte van aanspreeklikheid vir kernskade; en die aanspreeklikheid vir die vervoer van kerngevaarlike materiaal uit te brei na gevalle waar sodanige materiaal teruggeneem moet word na die kerninstallasie of terrein waarvandaan dit vervoer is; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Maart 1991.)*

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 39 van Wet 92 van 1982, soos gewysig deur artikel 18 van Wet 56 van 1988

- 5 1. Artikel 39 van die Wet op Kernenergie, 1982, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:
- “(3) Die Minister kan, met die instemming van die Minister van Finansies, van tyd tot tyd hetsy gedurende, of na verstryking van, die verantwoordelike-
heidstydperk van 'n gelisensieerde aan wie 'n in subartikel (1) vermelde
10 kernlisensie verleen is, eis dat dié gelisensieerde—
- (a) hoewel hy sekerheid ingevolge daardie subartikel gestel het bykomende sekerheid stel, of sekerheid op 'n ander wyse stel; of
- (b) sekerheid stel, al was sekerheid nie voorheen ingevolge subartikel (1) vereis nie,
- 15 en die Minister kan, met die instemming van die Minister van Finansies—
- (i) die bedrag waarvoor sekerheid gestel is, verminder;
- (ii) die bedrag wat as sekerheid gestel is aan die gelisensieerde terugbetaal; of
- (iii) die gelisensieerde van sekerheid wat op enige ander wyse gestel is, onthef.”

20 **Wysiging van artikel 41 van Wet 92 van 1982, soos gewysig deur artikel 20 van Wet 56 van 1988**

2. Artikel 41 van die Wet op Kernenergie, 1982, word hierby gewysig deur subparagraaf (ii) van paragraaf (a) van subartikel (1) deur die volgende subparagraaf te vervang:
- 25 “(ii) deur enige kerngevaarlike materiaal in die loop van die vervoer daarvan—
- (aa) vanaf die betrokke kerninstallasie of terrein na enige ander kerninstallasie of terrein of na 'n ander plek in die Republiek, of vanaf sodanige ander plek of vanaf enige plek onderweg na so 'n kerninstallasie of terrein of ander plek, terug na die kerninstallasie of terrein waarvandaan die materiaal vervoer is; of
- 30

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(bb) in the Republic or the territorial waters of the Republic to or from the nuclear installation or site, from or to any place outside the Republic; or”.

Short title

3. This Act shall be called the Nuclear Energy Amendment Act, 1991.

5

WYSIGINGSWET OP KERNENERGIE, 1991

Wet No. 20, 1991

(bb) in die Republiek of die territoriale waters van die Republiek na of van die kerninstallasie of terrein, van of na enige plek buite die Republiek; of”.

Kort titel

5 3. Hierdie Wet heet die Wysigingswet op Kernenergie, 1991.

