



**The National Nuclear Regulator Manual in terms of Section 14
of the Promotion of Access to Information Act. (Act No.2 of 2000)**

INTRODUCTION

The Promotion of Access to Information Act (PAIA) has been enacted to give effect to the right of access to information contained in the Bill of Rights, section 32 of the Constitution of the Republic of South Africa (Act No 106 of 1996). Together with the Administrative Justice Act and the Batho Pele principles – which the NNR has adopted as its values – the PAIA is part of an attempt to reverse the legacy of secretive and bureaucratic tendencies in the public sector and instead promote a public sector that is focused on giving effect to the rights of persons.

It is important to note that disclosure, in this manual, of the records held by the NNR does not preclude the NNR from refusing access to information when grounds exist for refusing such access. Sections 34 to 46 of PAIA stipulate the grounds for refusing access to information. In considering whether to provide access to information, the NNR must consider the limitations to disclosure of information provided for in Section 51 of the NNR Act (Act No 47 of 1999) as well as the grounds for refusing access to information set out in the PAIA.

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CHAPTER 1

1.1 Mandate

The NNR is mandated In terms of the National Nuclear Regulator Act, Act 47 of 1999 to provide for the protection of persons, property and the environment against nuclear damage.

1.2 Objects

The objects of the NNR are to:

- Provide for the protection of persons, property and the environment against nuclear damage through the establishment of safety standards and regulatory practices;
- Exercise regulatory control related to safety over the siting, design, construction, operation, manufacture of component parts, and decontamination, decommissioning and closure of nuclear installations;
- Exercise regulatory control over other actions, to which this Act applies, through the granting of nuclear authorisations;
- Provide assurance of compliance with the conditions of nuclear authorisations through the implementation of a system of compliance inspections;
- Fulfil national obligations in respect of international legal instruments concerning nuclear safety; and
- Ensure that provisions for nuclear emergency planning are in place.

1.3 Functions

The functions of the NNR are to:

- Grant or amend nuclear authorisations;
- Employ assets and deploy resources (hire, purchase, acquire);
- Collaborate with other institutions for the collection and dissemination of scientific and technical information regarding nuclear energy;
- Collaborate with other institutions regarding provision of instruction for or training of persons required by the NNR;
- Provide financial and other assistance for the training of people to enable the NNR to perform its functions;
- Insure itself against loss, damage, risk or liability;
- Advise the Minister on matters associated with any action or condition which;
 - Capable of causing nuclear damage
 - The Minister refers to the Regulator, or
 - The Regulator thinks necessary to advise the Minister on;
- Act as national competent Authority in connection with International Atomic Energy Agency's Regulations for the Safe Transport of Radioactive Material;
- Conclude contracts, enter into agreements or perform any act, whether in the Republic or elsewhere, whereby its objects are carried into effect or which is calculated, directly or indirectly, to enhance the value of the services which the Regulator renders towards the achievement of its objects or which may be prescribed;
- Produce and submit to the Minister an annual report on the health and safety related to workers, the public and the environment associated with all sites including, but not limited to, the prescribed contents.

CHAPTER 2

2.1 Contact details

Chief Information Officer: Chief Executive Officer

Telephone: +27 12 674 7186

Fax: +27 12 663 5513

Email: nnr@nnr.co.za

Deputy Information Officer: Stakeholder Communications Manager

Telephone: +27 12 674 7844

Fax: +27 12 663 5513

Email: gmoonsamy@nnr.co.za

Head Office

Postal Address: PO Box 7016, Centurion, 0046

Physical Address;
Centurion Office Park, Block A, 2nd Floor
Cnr Embankment & Hendrik Verwoerd Drive
Centurion
0157.

Telephone: +27 12 674 7100. Fax: +27 12 663 5513

Site Office

Postal Address P.O. Box 46055, Kernkrag, 7441

Physical Address;
17 Atlantic Road
Duynefontein
Melkbosstrand
7441

Telephone: +27 21 553 9518. Fax: +27 21 553 1361

The Information Officer can be contacted at the NNR's Head Office in Centurion.

CHAPTER 3

3.1 Guide on how to use the Act

This guide contemplated in section 10 of the Promotion of Access to Information Act, 2000, will be available from the South African Human Rights Commission not later than 31 August 2003.

Any queries relating thereto must be directed to:

The Research and Documentation Department
South African Human Rights Commission
PAIA Unit
29 Princess of Wales Terrace
Parktown
Johannesburg

Tel No: +27 11 484 8300. Fax No: +27 11 484 1360

Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

CHAPTER 4

4.1 Access to records held by the NNR

4.1.1 Automatic Disclosure

Information on the following subjects is available without formal request:

- 4.1.1.1 Annual reports
- 4.1.1.2 Location of offices
- 4.1.1.3 Press releases
- 4.1.1.4 Publicity Materials
- 4.1.1.5 Information on Nuclear Authorisation Fees

4.2 Information that may be formally requested

4.2.1 The NNR holds information pertaining to the subjects listed below. Access to some of the information will be restricted in accordance with the provisions of the Promotion of Access to Information Act, the National Nuclear Regulator Act and other relevant legislation. Therefore not all the information listed below will be made available upon a formal request in terms of clause 4.3 below.

4.2.1.1 Legislation and legal matters

- Matters pertaining to the NNR legislation
- Co-operative agreements
- Relationship Agreements with Regulatory Authorities in other Countries.
- Standards for regulatory control.

4.2.1.2 Organization and control

- Minutes of Board meetings
- Minutes of Board sub-committee meetings
- Minutes of external and internal committees (Management Committee, Executive Committee and Transformation Committee)
- Strategic and corporate planning documentation
- Delegation of authority
- Declaration of interests.

4.2.1.3 Human Resources

- Organizational structure
- Recruitment and appointments
- Job descriptions and evaluations
- Employee well – being and labour relations
- Conditions of service
- Organizational development and training
- Human Resource policy documentation
- Transformation policy and plan
- Employment Equity policy and plan
- Skills Development plan
- Information on staff benefits such as Medical scheme, Retirement Fund, Group Life Insurance etc.

4.2.1.4 Finance

- Budget and accounts
- Nuclear Authorisation fees (Gazette)
- Funds and investments
- Asset register
- Audit matters
- Financial Reports.

4.2.1.5 Risk management

- Information on the management of operational risks of the NNR
- Insurances
- Security information (information and physical security matters).

4.2.1.6 Services and administration

- Buildings
- Information services
- Administrative matters
- Membership of professional bodies.

4.2.1.7 Communication and public relations

- Information on public and community forums
- Exhibitions and shows
- Surveys.

4.2.1.8 Technical information relating to the technical functions (objects) of the Regulator

- Nuclear Authorizations
- Certificates of registration
- Compliance assurance reports
- Technical assessment documentation
- Scientific and Engineering reports
- Technical specifications documentation
- Conference Reports
- Guides (licensing)
- Regulatory Research Reports.

4.2.1.9 Board of Directors Meetings

- Minutes of meetings
- Plenary Reports
- Records of Workshops
- Papers presented to the Board and its Committees.

4.2.2 The aforesaid information is contained in the following format:

Reports, Minutes of meetings, Correspondence (incoming and out going), Internal memoranda, Invoices, statements and requisitions, Technical drawings (Stored electronically and on paper).

4.3 Request procedures

4.3.1 Access to information listed above shall be requested by: Completing the prescribed Form A ("request form") and payment of the prescribed fee as stated in attachments to this manual. However, a requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.

4.3.2 After the Information Officer has made a decision on the request the Information Officer will notify the requester of such a decision in a manner the requester prefers for such notification.

4.3.3 The requester must indicate if the request is for copy of the record or whether the requester wants to inspect the records at the offices of the NNR.

4.3.4 Access to the aforesaid information will only be granted to the requester in a manner requested, unless such manner would unreasonably interfere with the running and operation of the NNR or damage its records or infringe its copyright.

4.3.5 If for practical reasons, access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester has requested.

4.3.6 If the requester is unable to read or write, or has a disability, then they can make the request for an oral record, in which event the Information Officer will complete the form on behalf of such requester and furnish the requester with such completed form.

4.3.7 The requester must clearly indicate on the request form:

4.3.7.1 if they wish to be informed of the success of their request telephonically or in any manner.

4.3.7.2 the capacity in which the request is made, in the event the information is requested on behalf of somebody else.

4.4 Appeal against refusal of access to information

4.4.1 If after complying with the procedural requirements mentioned in 4.3 above, the Information Officer refuses to grant access to information, the requester may appeal against the decision of such Information Officer to the Board of the NNR.

4.4.2 If the requester is not satisfied with the decision of the Board of the NNR as stated in 4.4.1 above, then an appeal may be lodged with the Minister of Minerals and Energy.

4.4.3 The requester may lodge a Court application for further relief if not satisfied with the appeal decision of the Minister of Minerals and Energy.

4.4.4 No notice in terms of section 15(2) has been published at this stage.

CHAPTER 5

Miscellaneous

5.1 This Manual will be:

5.1.1 updated annually

5.1.2 available at the following places:

5.1.2.1 Every place of legal depots as defined in section 6 of the Legal Depots Act 1997;

5.1.2.2 The South African Human Rights Commission;

5.1.2.3 NNR offices in Centurion and Duynfontein.

5.1.2.4 NNR website at www.nnr.co.za

5.2 Arrangement allowing for public involvement in the formulation of policy and the exercise of power [Section 14(1)(g)]

- Public participation in terms of the provisions of section 21, 22 and 47 of the NNR Act No. 47 of 1999
- Public and workers forums established by the NNR.

Hearings and workshop – public may attend and make representations at these hearings and workshops.

Volunteers and Internship programmes – there is a recruitment policy in place for the recruitment of the public for such posts.

Consultants and contract work – Consultants' policy pertaining to procurement.

5.3 Updating the manual [Section 14(2)]

The NNR will update and publish its manual referred to in subsection (1) of section 14, at intervals of not more than a year.

5.4 Availability of the manual [Section 14(3)]

- Regulation No. R. 187 of 15 February 2002 prescribes in section 4(1) that the manual of a public body must be made available in the following manner:
- A copy in each of three of the official languages must be made available in every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997, the South African Human Rights Commission, at the offices of the NNR.
- The manual will be published in three of the official languages in the *Gazette*.
- The manual will be made available on the NNR website, www.nnr.co.za.

5.5 Request for access to record of public body

- All requests are to be made on the prescribed **Form A**.

5.6 Prescribed fees in respect of request for access to records

- Refer to **Schedule 1** for the prescribed fees applicable to request for access to records