

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

GOVERNMENT NOTICE No. 369 published on 04/11/2011

THE ATOMIC ENERGY ACT  
(CAP. 188)

**REGULATIONS**

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011.

ARRANGEMENT REGULATIONS

*Regulation*

*Title*

PART I

PRELIMINARY

1. Citation.
2. Application.
3. Interpretation.

PART II

LICENSE APPLICATIONS

4. General requirements.

PART III

PROSPECTING

5. Prohibited on prospecting.
6. Application for license to prospect.
7. Protection, waste management and transport plans.

PART IV

PREPARATION OF A SITE AND CONSTRUCTION

8. License to Prepare site and Construct a mine.
9. License to prepare site and construct ore processing facility.

PART V

OPERATIONS

10. License to operate a mine and ore processing facility.

PART VI

MANAGEMENT OF RADIOACTIVE WASTES AND OR TAILINGS

11. Modality for managing the wastes and or tailings.

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N. No 369 (contd.)*

- 12. General requirements.
- 13. Development of the Programme.
- 14. Construction of Tailings Storage Facilities.

PART VII

DECOMMISSIONING AND CLOSURE

- 15. License to decommission a mine or ore processing facility.
- 16. Funds for de-commissioning and closure work.

PART VIII

FORBEARANCE FROM REGULATORY CONTROL

- 17. Authorisation for forbearance from Regulatory Control.

PART IX

VENTILATION SYSTEM

- 18. Ventilation Systems.
- 19. Malfunctioned ventilation system.
- 20. Use of Respirators.

PART X

RADIATION SAFETY, SECURITY, TRANSPORT, Export and MANAGEMENT

- 21. Radiation levels.
- 22. Records keeping.
- 23. Radiation Safety Officer.
- 24. Incidents and their Preventive measures.
- 25. Reporting of Incidents.
- 26. Security during production, storage and transport.
- 27. Radiation Management Plans and Training.
- 28. Transport of radioactive ores.
- 29. Export of radioactive ores.

PART XI

GENERAL PROVISIONS

- 30. Contravention and conviction.
- 31. Other particulars.

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N. No 369 (contd.)

THE ATOMIC ENERGY ACT  
(CAP. 188)

**REGULATIONS**

*(Made under section 70)*

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011.

PART I

PRELIMINARY

1. These Regulations may be cited as Atomic Energy (Radiation safety in Mining and Processing of Radioactive Ores) Regulations, 2011.

Citation

2. These Regulations shall apply to all stages of prospecting, mining, processing and related mining activities involving radioactive minerals and ores containing radioactive substances.

Application

3. In these Regulations, unless context otherwise requires:-

Interpreta-  
tion

“Act” means the Atomic Energy Act;

Cap. 188

“Commission” means the Tanzania Atomic Energy Commission established under section 5 of the Act ;

“Excavation site” means a place at which uranium is moved by means of underground activities for the purpose of evaluating a potential ore body;

“Hazardous substance” means a substance containing radioactive material, used or produced in the course of carrying on a licensed activity and that may pose a risk to the environment or the health and safety of persons;

“Ore processing facility” means a facility ata which ore is processed and treated for the recovery of radioactive concentrate, and it includes any tailings-handling and water tretment system associated with the facility;

“Prospecting” means all processes and activities undertaken for the purpose of determining or discovering whether there deposits of radioactive ore in a given sites or area;

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N. No 369 (contd.)*

“Removal sites” means a place at which uranium is removed from its place of natural deposit by means of surface activities for the purpose of evaluating a potential ore body;

“Radioactive ore” means a mineral or chemical aggregate containing radioactive substance;

radioactive ore concentrate” means an extracted product that contains radioactive substance as a result from the physical or chemical separation of radioactive substance from ore;

“work place” means any area within a mine or ore processing facility where a worker could reasonably be expected to be in the course of performing work.

PART II

LICENCE APPLICATIONS

General  
require-  
ments  
GN.No.  
209 of  
2004

4.—(1) An application for a license to undertake any activity involving prospecting, site preparation, construction, mining or processing of radioactive ores shall be made to the Commission in the manner prescribed in the Third Schedule.

(2) An application for a license to operate a mine or ore processing facility other than a license to abandon, shall, in addition to the information required under the Atomic Energy (Protection from Ionizing Radiation) Regulations, contain the following information:-

- (a) in relation to the plan and description of the mine or ore processing facility:-
  - (i) a description of the site evaluation process and of the investigations and preparatory work to be done at the site and in the surrounding area;
  - (ii) a surface plan indicating the boundaries of the mine or ore processing facility and the area where the activity to be licensed is proposed to be undertaken;
  - (iii) a plan showing the existing and planned structures, excavations and underground development;
  - (iv) a description of the mine or ore processing facility, including the installations their purpose and capacity, and any excavations and underground development;
  - (v) a description of the site geology and mineralogy;

- (vi) a description of any activity that may have an impact on the development of the mine or ore processing facility, including any mining-related activity that was carried on at the site before the date of submission of application to the Commission;
  - (vii) a description of the design of and the maintenance program for every eating area;
  - (viii) the proposed plan for the decommissioning and closure of the mine or ore processing facility; and
  - (iv) a description of the proposed emergency response plan.
- (b) in relation to the activity to be licensed:-
- (i) a description of and the schedule for the planned activity;
  - (ii) a description of the proposed methods for undertaking the activity;
  - (iii) a list of the categories of material proposed to be mined and a description of the criteria used to determine those categories;
  - (iv) the anticipated duration of the activity; and
  - (v) the proposed quality assurance program for the activity;
- (c) in relation to the environment and waste management:-
- (i) the program to inform persons living in the vicinity of the mine or ore processing facility of the general nature and characteristics of the anticipated effects of the activity to be licensed on the environment and the health and safety of persons;
  - (ii) the program to determine the environmental baseline characteristics of the site and the surrounding area;
  - (iii) the impact on the environment that may result from the activity to be licensed, and the measures that will be taken to prevent or mitigate those effects;
  - (iv) the proposed positions, qualifications and responsibilities of environmental protection workers;
  - (v) the proposed environmental protection policies and programs;
  - (vi) the proposed effluent and environmental monitoring programs;

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N.No. 369 (contd.)*

- (vii) the proposed location, maximum quantities and concentrations, and the anticipated volume and flow rate of releases of radioactive materials and hazardous substances into the environment, including their physical, chemical and radiological characteristics;
- (viii) the proposed measures to control releases of radiative material and hazardous substances into the environment;
- (ix) a description of the anticipated liquid and solid waste streams within the mine or ore processing facility, including the ingress of fresh water and any diversion or control of the flow of uncontaminated surface and any ground water;
- (x) the proposed measures to prevent or mitigate the effects of accidental releases of radioactive material and hazardous substances on the environment, the health and safety of persons and the maintenance of security, including measures to:-
  - (a) assisting off-site authorities in planning and preparing to limit the adverse effects of an accidental release;
  - (b) notifying off-site authorities of an accidental release or the imminence of an accidental release;
  - (c) reporting information to off-set authorities during and after an accidental release;
  - (d) assisting off-site authorities in dealing with the adverse effects of an accidental release; and
  - (e) testing the implementation of the measures to control the adverse effects of an accidental release;
- (xi) the anticipated quantities, composition and characteristics of backfill; and
- (xii) a description of the proposed waste management system;
- (d) in relation to health and safety:-
  - (i) the effects on the health and safety of persons which may result from the activity to be licensed, and the measures to be taken to prevent or mitigate those effects;
  - (ii) the program for selecting, using and maintaining personal protective equipment;
  - (iii) the proposed worker health and safety policies and programs;

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

- (iv) the positions, qualifications and responsibilities of staff responsible for radiation protection including ventilation;
- (v) the training program for workers;
- (vi) the measures to control the spread of any radioactive contamination;
- (vii) the ventilation and dust control methods and equipment for controlling air quality; and
- (viii) the maintenance and in-service inspection program for the ventilation and dust control systems.

(3) Any licences issued under these Regulations shall be in the form prescribed in the Second Schedule.

PART III

PROSPECTING

5. A person shall not be authorised to prospect, or engage in any related activities for the exploration of radioactive ores unless that person:-

- (a) is a holder of a license obtained in accordance with the provisions of these regulations;
- (b) conforms to the standards set out in the act, these regulations and any other law relating to prospecting;
- (c) declares in writing not to directly or indirectly contribute to the development and production of nuclear weapons or devices.

Prohibition on prospecting

6.—(1) An application for licence to prospect radioactive ores shall be made to the commission in accordance with the provisions of the Act and these Regulations.

Application for a licence to prospect

(2) A person shall not undertake any activity in prospecting radioactive ores unless that person has obtained the licence from the commission.

7.—(1) Any person who intends to prospect for radioactive ores shall not undertake any prospecting work or other related activity unless that person, in addition to any other requirements stipulated under these regulations, submits to the commission for approval the following:-

Protection, waste management and transport plans  
GN. No. 408 of 2010  
Cap. 191 and cap. 297

- (a) a Radiation Protection Plan;
- (b) a Radioactive Waste Management Plan; and
- (c) a plan to transport and store radioactive ores and its products.

(2) Where a person intends to undertake uranium or thorium exploration that person shall, in addition to the requirements stipulated

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

under these Regulations, comply with the provisions of the National Environment Management Council Act, the Occupational Safety and Health Authority Act and the Mining (Safety, Occupational Health and Environmental Protection) Regulations.

PART IV

PREPARATION OF A SITE AND CONSTRUCTION

License to  
Prepare  
site and  
Construct  
a mine  
Gn. No.  
209 of  
2004

8.—(1) Notwithstanding the requirements provided for under part II of the Atomic Energy (Protection From Ionizing Radiation) Regulations, a person who intends to prepare a site and construct a mine shall apply for licence for preparation of a site or construction of a mine to the Commission.

(2) An application for a license to prepare a site and construct a mine shall, in addition to the information required under regulation 4, contain the following information:-

- (a) the results of a process-hazard analysis and a description of how those results have been taken into account;
- (b) a description of the design, construction and operation of the waste management system, including the measures to monitor its construction and operation, the construction schedule, the contingency plans for construction and the measures to control the movement of water in existing waterways;
- (c) a description of the disposition of the ore;
- (c) the anticipated quantities and grade of ore and waste rock that will be removed, their proposed storage location, and the proposed method, program and schedule, for their removal and disposal;
- (e) the planned mining methods and programs; and
- (f) the proposed commissioning plan for the components, system and equipment to be installed at the mine.

License to  
prepare  
site and  
construct  
ore  
process-  
ing  
facility

9.—(1) A person who intends to prepare a site and construct a ore processing facility shall apply for preparation of a site and construction of ore processing facility licence to the commission.

(2) An application for a license to prepare a site and construct an ore processing facility shall, in addition to the information required under regulation 4, contain the following information:-

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

- (a) the results of a process-hazard analysis and a description of how those results have been taken into account;
  - (b) a description of the proposed design, construction and operation of the waste management system, including the measures to monitor its construction and operation, the construction schedule, the contingency plans for construction and the measures to control the movement of water in existing waterways;
  - (c) the proposed ore processing methods and programs;
  - (d) a description of all proposed laboratory facilities and programs; and
  - (e) the proposed commissioning plan for the components, systems and equipment to be installed at the ore processing facility.
- (3) The Commission may refuse to grant the licence applied for under regulation (1) and shall, within thirty days inform the applicant of the reasons for the refusal.

PART V

OPERATIONS

10.-(1) A person who intends to operate a mine and ore processing facility shall apply to the commission for a license to operate that mine and ore processing facility.

License to  
operate a  
mine and  
ore  
processing  
facility

(2) An application for a licence to operate ore processing facility shall, in addition to the information required under regulation 4 of these regulations, contain the following information :-

- (a) the results of any commissioning work;
- (b) a description of the structures, components, systems and equipment at the mining and ore processing facility, including any changes to their design and their operating conditions as a result of the commissioning;
- (c) the proposed policies, methods and programs for operating and maintaining the mine and ore processing facility;
- (d) the proposed methods for handling, storing and loading concentrates and radioactive material, both solid and liquid;
- (e) the proposed operating schedule;
- (f) the daily and annual design production capacity of the ore and ore processing facility, and the expected recovery and composition of ore processing facility feed, concentrates and tailings; and

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N.No. 369 (contd.)*

(g) a description of the planned operation of the waste management system;

(h) a description of the radiation protection program.

(3) The commission may refuse to grant the licence applied for under subregulation 1 of this regulation and shall, within thirty days inform the applicant of the reasons for the refusal provided that the affected part has the right to appeal to the Minister against such refusal whose decision shall be final and conclusive.

PART VI

MANAGEMENT OF RADIOACTIVE WASTES AND TAILINGS

Modality  
for  
managing  
the  
wastes  
and or  
tailings  
GN. No.  
276 of  
1999

11. Without prejudice to the provisions of Part V of the Act and the Radioactive Waste Management for the Protection of Human Health and Environment Regulations, the radioactive wastes and tailings emanating from the mining and processing activities of radioactive ores shall be managed in accordance with the provisions of this part.

General  
require-  
ments

12. A person who hold a licence issued under regulation 10(1) of these regulations shall develop a radioactive waste and tailings management programme which includes proposals for radioactive and tailing management in relation to:-

(a) description of the mine and plant facilities and resources;

(b) a description of the base line environment conditions;

(c) operating, environmental, geo-technical and radiation dose assessment procedures;

(d) a description of the operation and the processes generating and treatment of the waste and or tailings;

(e) the chemical and physical characteristics of radioactive waste or tailings, including the quantities and rate of production;

(f) the heritage, social and cultural matters and the proposed present and future land use;

(g) the waste management facilities and practices, waste conditioning and containment including site, design of construction and operation;

(h) the discharges whether in liquid, solid or gaseous form, and the

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

receiving environment;

- (i) the discharge criteria;
- (j) the contingency plans to deal with natural events, incidents, equipment and operational failures;
- (k) a programme of assessment and review of the integrity of waste containment and disposal facilities;
- (l) a decommissioning and closure plans with regard to the final disposal of waste or tailings; and
- (m) any other relevant information that may be required.

13. A person who holds a licence issued under regulation 10(1) of these regulations shall:-

Develop-  
ment of  
programme

- (a) develop waste and tailings Management Programme to be integrated with the Radiation Protection and safety programme and with the overall project environmental management Programme;
- (b) annually submit to the commission an updated waste and tailings management programme;
- (c) where there is a significant change of circumstances, submit to the commission for approval an update waste and tailings management programme within thirty days of the changing circumstances;
- (d) where there is a significant change in operational procedures, submit an updated de-commissioning proposal within thirty days of the changed circumstances.
- (e) prepare a quality assurance programme in the waste and tailings Management Programme which includes :-
  - (i) civil engineering and geo-technical aspects of the containment system;
  - (ii) the mode of the operation of the system;
  - (iii) the scope and frequency of the monitoring system; and
  - (iv) any traceability to national and international standards.

14.—(1) Any processing of radioactive ore shall have an underground or in pit storage of tailings and other wastes from the processing of radioactive ores.

Construc-  
tion of  
tailings  
storage  
facilities

(2) The owner or management of the radioactive ore processing facility shall, in case of ground storage of tailings and other wastes, design

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N.No. 369 (contd.)

the storage facilities that offer maximum protection to the environment and people from:-

- (a) contaminated waste water liberated by erosion, seepage or any other from of leakage; and
- (b) radioactive materials and wastes for a minimum of one thousand years.

(3) The stability and construction of Tailings Storage Facilities shall be certified by an appropriately accredited engineer.

PART VII

DECOMMISSIONING AND CLOSURE

License to  
decom-  
mission  
and close  
mine or  
ore  
process-  
ing  
facility

15,—(1) A person who intends to decommission a mine or ore processing facility shall apply for a license for decommissioning of a mine to the Commission.

(2) An application for a license to decommission and close a mine or ore processing facility shall, in addition to the information provided for under regulation 4, contain the following information:-

- (a) a description of and the proposed schedule for the decommissioning work, including the proposed starting date and the expected completion date of the decommissioning work and the rationale for the schedule;
- (b) the land, buildings, structures, components, systems, equipment, radioactive materials and hazardous substances that will be affected by the decommissioning;
- (c) the proposed measures, methods and programs for carrying on the decommissioning; and
- (d) a description of the planned state of the site upon completion of the decommissioning work.

Funds for  
decom-  
mission-  
ing and  
closure  
work

16.—(1) Notwithstanding the provision of section 40 of the Act, every licensee under these Regulations shall be required to deposit a certain amount of money that will be determined by the Commission either by way of insurance or by such other means as may be specified for the purpose of making available sufficient funds to cover any costs relating to the work of decommissioning and or closure.

(2) The amount of money deposited under the provision of sub regulation (1) of this regulations shall only be used in case the licensee

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

fails to officially decommission the mine and or the radioactive processing facility in the manner provided for under these Regulations.

(3) The Commission shall determine the procedure and make such arrangements for proper receiving, keeping and use of such funds.

PART VIII

FORBEARANCE FROM REGULATORY CONTROL

17.—(1) A person intending to have forbearance from regulatory control in respect of a mine or ore processing facility shall apply to the Commission for such an authorisation.

Authori-  
sation for  
forbear-  
ance

(2) An application for an Authorisation for forbearance from regulatory control of a mine or ore processing facility shall, in addition to the information provided for under regulation 4 of these regulations, contain the following information:-

- (a) the program to inform persons living in the vicinity of the site of the mine or ore processing facility of the general nature and characteristics of the anticipated effects of the abandonment on the environment and the health and safety of person;
- (b) the results of the decommissioning work; and
- (c) the environmental monitoring programs.

PART IX

VENTILATION SYSTEM

18.—(1) A person who holds a licence issued under regulation 10(1) of these Regulations shall, with respect to the ventilation systems established in accordance with the license:-

Ventila-  
tion  
systems,  
cap 297

- (a) ensure that each main fan is equipped with a device that provides a warning signal when the main fan is not functioning properly;
- (b) ensure that a person is designated to receive and respond to a warning signal provided by a device referred to in paragraph (a); and
- (c) implement measures to prevent any person or activity from interfering with the proper operation of the ventilation systems.

(2) In addition to the requirements provided for under sub-regulation (1) of this regulation, the licence holder shall also comply with the provisions of the Occupational Safety and Health Authority Act and the Regulation made thereunder relating to ventilation system in the mines.

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

- Malfunc-  
tion  
ventila-  
tion  
system
- 19.—(1) Where a ventilation system in a work place is not functioning as required, the licensee shall:-
- (a) implement alternative measures to protect the health and safety of its workers; and
  - (b) ensure that only the work necessary to restore that system is performed in the affected work place.
- (2) The licensee shall, before a worker performs any work that is necessary to restore a ventilation system, inform that worker of the protective measures that have been taken and to be taken in connection with the work.
- Use of  
respira-  
tors
20. A person who holds a licence shall not rely on the use of a respirator unless that use:-
- (a) is for a temporary situation; and
  - (b) is permitted in the license.

PART X

RADIATION SAFETY, SECURITY, TRANSPORT AND MANAGEMENT

- Radiation  
levels
21. A person who holds a licence issued under regulation 10(1) of these Regulations shall:
- (a) post signs at all entrances to each area where the dose rate of gamma radiation exceeds 10 microsievert per hour, designating the area as a radiation area and indicating the dose rate of gamma radiation in that area; and
  - (b) provide every worker who is to enter an area where the dose rate of gamma radiation exceeds 100 microsievert per hour with a directreading dosimeter in addition to passive dosimeters;
  - (c) post, at a location within the mine or ore processing facility that is accessible to all workers and where it is most likely to come to their attention, a record of the measurements made in respect of every work place in accordance with the license and these Regulations.
- Records  
keeping
- 22.—(1) A person who holds any licence issued under the Act and these Regulations shall keep a record of :-
- (a) its operating and maintenance procedures;
  - (b) its mine plans showing the actual and planned mine workings;
  - (c) the schedules for all its planned mining operations;

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

- (d) the plans of every tailings-containment structure and area and every diversion structure and system associated with the waste management system;
- (e) the design of the mine or ore processing facility and of the components and systems installed at the mine or ore processing facility;
- (f) the method and relevant data used to ascertain the doses of radiation received by the workers at the mine or ore processing facility and the intake of radioactive materials by those workers;
- (g) any measurement made in accordance with the license or the regulations made under the act;
- (h) the inspections and maintenance carried out in accordance with the license or the regulations made under the act;
- (i) the quantity of air delivered by each main fan;
- (j) the performance of each dust control system; and
- (k) the training received by each worker;
- (l) regular medical checkups.

(2) every person who holds any licence issued under the act and these Regulation shall retain a record of the training referred to in paragraph (1) (k) of sub-regulation (1) for the period that the worker is employed at the mine or ore processing facility.

23.—(1) A person who holds any licence issued under the Act and these Regulations shall employ a suitably qualified Radiation Safety Officer.

Radiation  
Safety  
Officer  
Cap. 188

(2) The procedures for appointment, duties and powers of Radiation Safety Officer shall be as provided for under section 57, 58 and 59 of the Act.

24. A person who holds any licence issued under the Act and these Regulations shall put in place measures to prevent and mitigate the consequences of accidental release of radioactive or other hazardous substances to the environment and the health and safety of persons.

Incidents  
and their  
preven-  
tive  
measures

25.—(1) Any spillage of radioactive concentrate and processing plant liquors shall be reported to the Commission.

Reporting  
of  
incidents

(1) Any accidental release of waste water from the mine or processing facility shall be reported to the Commission.

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N.No. 369 (contd.)*

- |   |  |
|---|--|
| Security during production, storage and transport | <p>26.—(1) The licensee shall put in place adequate security measures to prevent unauthorised public access to the radioactive ores during production, storage and transportation.</p> <p>(2) The licensee shall install security devices and systems to ensure that no unauthorized access during;</p> <ul style="list-style-type: none"><li>(a) production of radioactive materials at a processing plant;</li><li>(b) packaging of radioactive materials at a processing plant; and</li><li>(c) transportation and export of radioactive materials.</li></ul> <p>(3) An employee who is not approved by the licensee and with appropriate security clearance shall not have access to packages or containers of radioactive material during production, transportation and export.</p>  |
| Radiation protection program                      | <p>27.—(1) Any person who holds a Licence issued under these Regulations shall develop Radiation Protection Program for mining, processing and transportation of radioactive minerals and ores; and waste and concentrates produced during processing of radioactives ores.</p> <p>(2) Any person who holds Licence issued under the Act shall develop a radiation safety training programme that is mandatory for all employees.</p>  |
| Transportation of radioactive ores                | <p>28. Transportation of radioactive material including ores and wastes or other materials produced through the processing of radioactive ores shall be done in accordance with the Packaging and Transport of Radioactive Materials Regulation, 2011.</p>   |
| Export of radioactive ore                         | <p>29.—(1) A person who intends to export any radioactive ore shall, in addition to observing relevant provisions of the Act, apply to the Commission for an authorization to export radioactive materials.</p> <p>(2) Radioactive ores, minerals, materials and concentrates may only be exported provided that:</p> <ul style="list-style-type: none"><li>(a) the authorized party has provided information on the end use and end user of any radioactive ores, minerals, materials or concentrates transferred that confirms its legitimate and peaceful use;</li><li>(b) the receiving state has made a binding commitment to use those ores, minerals, materials or concentrates for peaceful purposes only;</li><li>(c) international safeguards are applied as are administered by the International Atomic Energy Agency;</li></ul> |

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N.No. 369 (contd.)*

- (d) the receiving State has placed its nuclear material and nuclear facilities under international safeguards agreements as are administered by the International Atomic Energy Agency.

PART XI

OFFENCES, PENALTIES AND GENERAL PROVISIONS

30.-(1) Any Person who contravenes or fails to comply with any of the provisions of these Regulations, commits an offence and shall on conviction be liable to penalties and fines as prescribed in the First Schedule, which shall include an order for closure of a mine or processing facility and as stipulated in section 72(3) of the Act.

Contra-  
vention  
and  
convic-  
tion

(2) In addition to penalties and or fines that may be imposed by the court in accordance with the first schedule of these regulations the convicted person may be ordered to remedy the mining and processing facility in a situation which is safe or any other appropriate measure to which an offence has been committed.

(3) In case an offence has been committed whose penalties and or fines are not prescribed in first Schedule, the provisions of section 72(2) (e) of the Act shall apply.

31. Particulars relating to licence certificates including the terms and conditions attached to licences issued under these Regulations shall be as prescribed in the second Schedule to these Regulations.

Other  
particu-  
lars

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N.No. 369 (contd.)

FIRST SCHEDULE

(Made under regulation 30)

PENALTIES AND FINES EMANATING FROM PROVED NON COMPLIANCE  
WITH THE PROVISIONS OF THESE REGULATIONS

<i>Types of offence</i>	<i>Reference to the contravened regulation</i>	<i>Penal sanction (conviction)</i>	<i>Rate of fine in TShs</i>
Operating without license in respect of radioactive ore mining and processing.	regulation 10(1)	5 years imprisonment	25,000,000/=
Operating without license in respect to prospect.	regulation 6	4 years imprisonment	20,000,000/=
preparation, construction and operation of a mine and or ore processing facility without a license.	regulation 8(1)	5 years imprisonment	30,000,000/=
Transport or export radioactive ores without license.	regulation 28 and 29	10 years imprisonment	100,000,000/=
De-commissioning and or closure without a license.	regulation 15	4 years imprisonment	20,000,000/=
Non compliance with the requirements imposed under the Packaging and Transport of Radioactive Material Regulations, 2011 other than Transportation.	regulation 28	not more than 4 years imprisonment	20,000,000/=

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N.No. 369 (contd.)

SECOND SCHEDULE

(Made under section 31)

LICENCE CERTIFICATES

(a) Licence Certificate in respect of operating radioactive ore mine and processing facility.

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011

Form TAEC C'

Tanzania Atomic Energy Commission

License No:.....

P. O. BOX 743

Reg. No:.....

ARUSHA

TEL. 255-27-2508554

FAX. 255-27-2509709

E-mail: [taec@habari.co.tz](mailto:taec@habari.co.tz)

A LICENCE TO OPERATE RADIOACTIVE ORES MINE AND PROCESSING FACILITY

(Made under regulation 6)

Name of Licensee: .....

Head of Institution/Centre: .....

Title of the Head of Institution/Centre:.....

Address: .....

Township:..... Street.....

District:..... Region .....

is hereby licensed by the Tanzania Atomic Energy Commission to mine and process Radioactive Ores in accordance with regulation 5(2) and 11(1) of the aforementioned Regulations and subject to the conditions imposed hereunder:

..... Date ..... Director General

*Conditions of license:*

1. This licence is valid from:..... to .....
2. The holder is authorized to carry on the activity or activities or practice to which this licence issued only.
3. This licence is not transferable.
4. This licence should be visibly displayed on the wall in the main building of the radioactive

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N.No. 369 (contd.)

ores mine or processing facility for necessary and easy access.

5. This licence can be revoked in case of non - compliance with these regulations and the relevant parts of the Act.

6. Others:.....

(b) Licence Certificate in respect of prospecting radioactive ores

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011

*Form TAEC A'*

Tanzania Atomic Energy Commission

License No:.....

P. O. BOX 743

Reg. No:.....

ARUSHA

TEL. 255-27-2508554

FAX. 255-27-2509709

E-mail: [taec@habari.co.tz](mailto:taec@habari.co.tz)

A LICENCE TO PROSPECT RADIOACTIVE ORES

*(Made under regulation 5)*

Name of Licensee: .....

Head of Institution/Centre: .....

Title of the Head of Institution/Centre:.....

Address: .....

Township:..... Street.....

District:..... Region .....

is hereby licensed by the Tanzania Atomic Energy Commission to prospect Radioactive Ores in accordance with regulation 6 of the aforementioned Regulations and subject to the conditions imposed hereunder:

.....  
Date Director General

*Conditions of license:*

1. This licence is valid from:..... to .....

2. The holder is authorized to carry on the activity or activities or practice to which this licence issued only.

3. This licence is not transferable.

4. This licence should be visibly displayed on the wall in the main building or structure where prospecting is taking place.

ores mine or processing facility for necessary and easy access.

5. This licence can be revoked in case of non - compliance with these Regulations and the relevant parts of the Act.

6. Others:.....

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

G.N.No. 369 (contd.)

(c) Licence Certificate in respect of site preparation, construction of a mine and ore processing facility

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011

Form TAEC B<sup>1</sup>

Tanzania Atomic Energy Commission  
P. O. BOX 743  
ARUSHA  
Tel. 255-27-2508554  
Fax. 255-27-2509709  
E-mail: [tacc@habari.co.tz](mailto:tacc@habari.co.tz)

License No:.....

Reg. No:.....

A LICENCE TO PREPARE SITE AND CONSTRUCT RADIOACTIVE  
ORES MINE AND PROCESSING FACILITY

(Made under regulation 8 and 9)

Name of Licensee: .....

Head of Institution/Centre: .....

Title of the Head of Institution/Centre: .....

Address: .....

Township:..... Street.....

District:..... Region .....

is hereby licensed by the Tanzania Atomic Energy Commission to prepare site and construct a Radioactive ores mine and processing Facility in accordance with regulation 9(1) 10(1) and 11(1) of the aforementioned Regulations and subject to the conditions imposed hereunder:

.....  
Date

.....  
Director General

*Conditions of license:*

1. This licence is valid from:..... to .....
2. The holder is authorized to carry on the activity or activities or practice to which this licence issued only.
3. This licence is not transferable.
4. This licence should be visibly displayed on the wall in the main building at the site for necessary and easy access.
5. This licence can be revoked in case of non-compliance with these regulations and the relevant parts of the Act.
6. Others:.....

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

*G.N.No. 369 (contd.)*

(b) Licence Certificate in respect of de-commissioning and or closure work.

THE ATOMIC ENERGY (RADIATION SAFETY IN THE MINING AND PROCESSING  
OF RADIOACTIVE ORES) REGULATIONS, 2011

*Form TAEC D'*

Tanzania Atomic Energy Commission

License No:.....

P.O. BOX.743

Reg. No:.....

ARUSHA

Tel. 255-27-2508554

Fax. 255-27-2509709

E-mail: [tacc@habari.co.tz](mailto:tacc@habari.co.tz)

A LICENCE TO DECOMMISSION AND CLOSE RADIOACTIVE  
ORES MINE AND OR PROCESSING FACILITY

*(Made under regulation 15)*

Name of Licensee: .....

Head of Institution/Centre: .....

Title of the Head of Institution/Centre: .....

Address: .....

Township:..... Street.....

District:..... Region .....

is hereby licensed by the Tanzania Atomic Energy Commission to decommission and close radioactive ores mine and processing Facility in accordance with regulation 15(1) of the aforementioned Regulations and subject to the conditions imposed hereunder:

.....  
Date Director General

*Conditions of license:*

1. This licence is valid from:..... to .....
2. The holder is authorized to carry on the activity or activities or practice to which this licence issued only.
3. This licence is not transferable.
4. This licence should be visibly displayed on the wall in the main building of the radioactive ores mine or processing facility for necessary and easy access.
5. This licence can be revoked in case of non - compliance with these regulations and the relevant parts of the Act.
6. Others:.....

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

G.N.No. 369 (contd.)

THIRD SCHEDULE

(Made under regulation 491))

AUTHORIZATION PROCEDURES FOR PROSPECTING, PREPARATION OF SITE &  
CONSTRUCTION, PROCESSING AND DECOMMISSIONING OF RADIOACTIVE  
ORES MINES AND PROCESSING FACILITY IN TANZANIA

1.0 LICENCE APPLICATION PROCEDURE

Any person or body of persons applying for an authorization shall use the appropriate application form specified by the Commission, pay the prescribed fees and submit to the Commission relevant information necessary to support the application. Licence applications must contain all of the information specified in the application forms. This information should be detailed and complete for the scope of the activities being proposed at the time the application is submitted, so that Commission's assessment of the application can be as effective and efficient as possible, and so that any concerns can be identified and addressed at the earliest possible time. This, in turn, will minimize the time needed by the Commission to prepare recommendations regarding the application for consideration.

Authorizations shall be granted for a period determined by the Commission and shall be indicated in the licence certificate, and shall be subject to renewal. The licensee shall be required to submit the application for a renewal of license for a period that will be determined by the commission prior to the expiry date. The following licenses shall be applied for;

(a) *License to Prospect a Radioactive Ore Mine.*

The Applicant shall in pursuant to the Regulation 6 of these regulations submit a duly filled TAEC PP application form for a *License to Prospect a Mine* for radioactive materials in order to initiate the licensing process.

(b) *License to Prepare and Construct*

An applicant for a license to prepare a site and construct a mine shall, in addition to the information required under regulation 8(2) of these submit a duly filled TAEC PC application form to *prepare a site and construct a mine.*

(c) *License to Operate a Mine and Ore Processing Facility*

A person or body of person who intends to operate a mine and ore processing facility shall apply to the Commission for a license to operate the said mine and ore processing facility by submitting a duly filled TAEC OP form to operate a mine and ore processing facility. Such an application shall be submitted by a proponent pursuant to regulation 10 of these Regulations.

(d) *License to Decommission and or Closure*

A person or body of persons who intends to decommission a mine or ore processing facility shall for a license for decommissioning of a mine to the Commission. The application shall be submitted by a proponent pursuant to regulation 15(1) of these Regulations.

(e) *Renewal of Licence*

Renewal of licence shall be made by the licensee ninety (90) days prior to the license expiry date. The operator shall be required to submit to the Commission an application to renew the License. The application is required to include:

1. Details of current information;

*Atomic Energy (Radiation Safety in the Mining and Processing of  
Radioactive Ores)*

---

*G.N.No. 369 (contd.)*

2. Any modifications to the reclamation plan;

2.0 CONSIDERATION OF LICENCE APPLICATION

Once an application has been submitted to Commission, the application will be examined to ensure that all the necessary information has been included (e.g authorised signature, payment of application fees etc) If this has been provided, the applicant will then receive a letter of acknowledgment. However, If any of the basic information is not included, the license application shall be returned to the applicant with a covering letter describing the omission.

Upon receipt of a licence application to prepare a site for and construct uranium mine or mill, the Commission shall perform a thorough assessment of the design documentation, process-hazard analysis, and other information as required by these Regulations. The assessment shall focus on determining whether the proposed design and safety analysis, along with other required information, adequately complies with regulatory requirements. This review involves both rigorous engineering and scientific analyses.

Once the Commission has reviewed and assessed all the information provided, an Assessment Report will be prepared for consideration whether or not to issue license and what additional license conditions (if any) should be imposed.

The applicant will be advised in writing of the Commission's decision. Once a licence is issued it shall remain in force unless or otherwise suspended, revoked, cancelled or surrendered.

Dar es Salaam,  
18<sup>th</sup> October, 2011

HON. MAKAME MBARAWA (MP),  
*Minister of Communication,  
Science and Technology*