

SUBSIDIARY LEGISLATION

to the Gazette of the United Republic of Tanzania No. 44 Vol. 92 dated 4th November, 2011
Printed by the Government Printer, Dar es Salaam-Tanzania

GOVERNMENT NOTICE No. 366 published on 04/11/2011

THE ATOMIC ENERGY ACT
(CAP. 188)

REGULATIONS

THE ATOMIC ENERGY (FEES AND CHARGES) REGULATIONS, 2011

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY

Regulation *Title*

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

PART II
CHARGEABLE SERVICES AND OR PRACTICES

4. License fee.
5. Fees and charges for pre authorization and follow up inspections.
6. Fees and charges for other related activities.
7. Fees and charges for activities relating to prospecting, exploration, mining and processing of radioactive ores.
8. Fees for radioactivity analysis of foodstuff and other environmental samples.

PART III
GENERAL PROVISIONS

9. Repeal of third Schedule.

SCHEDULES

THE ATOMIC ENERGY ACT
(CAP. 188)

REGULATIONS

(Made under section 70)

THE ATOMIC ENERGY (FEES AND CHARGES) REGULATIONS, 2011

PART I
PRELIMINARIES

- Citation 1. These regulations may be cited as the Atomic Energy (Fees and Charges) Regulations, 2011.
- Application 2. These Regulations shall apply to all activities, practices and services to which the regulatory and promotional functions of the Commission applies.
- Interpretation 3. In these Regulations, unless the context otherwise requires:
- Cap 188 "Act" means the Atomic Energy Act;
- "category one" includes all extremely dangerous radioactive material which if not properly handled would cause permanent injury to a person handling it or contact it within few minutes;
- "category two" includes dangerous radioactive material which if not safely managed or securely protected could possibly be fatal within a period of several hours or a day;
- "category three" includes dangerous radioactive material which if not safely managed or securely protected could possibly cause permanent injury to person handling or who contact with it a period of several days;
- "Commission" means the Tanzania Atomic Energy Commission established under section 5 of the Act;.
- "Minister" means the Minister responsible for Atomic energy matters;
- "pre-authorization" means pre-authorization for new practices only;

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

PART II

CHARGEABLE SERVICES AND PRACTICES

License fee for various practices 4. The Commission shall charge fees in the prescribed in the first schedule in respect of every license granted under the Act and any Regulations made thereunder.

Fees and charges for pre authorization and follow up inspections 5.-(1) The Commission may, for the purpose of determining whether certain practice falls under the regulatory requirements and upon receipt of application for license, charges a pre- authorization fees in respect of that practice.

(2) The Commission may, in addition to the fees charged under subregulation (1), and depending on the nature of the practice in question, charge a follow up inspection fees.

(3) The fees and amount of charges for pre-authorization and follow-up inspection are as prescribed in the Second Schedule.

Fees and charges for other related activities or services 6.-(1) The Commission may, through an established Agreement, provide services related to its authorized functions and such services may be chargeable in the manner provided for in the Third Schedule.

(2) The fees and the amount of charges prescribed in the Third Schedule shall only act as guidance while negotiating the real cost for provision of the service in question.

Fees and charges for activities relating to prospecting/ exploration, mining and processing of radioactive ores 7.-(1) A person who intends to undertake any authorized activity relating to prospecting, mining and processing of radioactive ores or uranium shall, before undertaking that activity, pay fees to the Commission in the manner prescribed in the Fourth Schedule.

Fees for radioactivity analysis of foodstuffs and other environmental 8.-(1) The Commission shall charge fees for any analysis of radioactivity carried on foodstuffs and other environmental samples pursuant to the provisions of Protection from Radiation (Control of Radiation Contaminated foodstuffs) Regulations.

GN.No. 63 of 1998 (2) The amount of fees chargeable under this regulation shall be arrived in the manner prescribed in the Fifth Schedule.

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

PART III
GENERAL PROVISIONS

9. The Third Schedule to the Protection from Radiation (Control of Radiation Contaminated foodstuffs) Regulations, and the fifth Schedule to the Atomic Energy (Protection from Ionizing Radiation) Regulations are repealed.

Repeal of
Schedules
G.N No.
63 of 1998
and
G.N.No.
209 of
2004

FIRST SCHEDULE

(Made under regulation 4)

FEEES FOR LICENSING OF VARIOUS PRACTICES

(a) Medical Applications (Radiation Generating devices and Radiation sources)

	Type of Equipment and or Practice (s)	Fees/charges (Tshs)
1.	Authorization to use and or possess Medical Diagnostic Equipment:	
	a) X-ray machine and dermatology	Up to 2 units: 150,000/- with an increase of 25% for each additional unit
	b) CT Scanner	150,000/- per unit
2.	Authorization to Import and or Export Medical Diagnostic Equipment	
	a) X-ray machine and dermatology	120,000/-per unit
	b) Computed Tomography Scanner	200,000/- per unit
3.	Authorization to use and or possess therapeutic (teletherapy and brachytherapy) and biological irradiation facilities.	200,000/- per unit
4.	Authorization to Import and or Export Therapeutic and Biological Irradiation Facilities	300,000/- per unit
5.	Authorization to Import and or Export Computed Tomography Scanner	200,000/- per unit
6.	Registration of qualified experts (administer ionizing radiation to patients)	50,000/- per registrant

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

(b) Industrial Irradiation Facilities and Nuclear Installations

	<i>Type of Equipment and or Practice (s)</i>	<i>Fees/charges (Tshs.)</i>
1.	Authorization to use and or possess industrial irradiation & Nuclear Reactors	to be determined by TAEC in consultation with the Minister.
2.	Authorization to use and or possess fixed/portable nuclear gauges for level measurement, density measurement, thickness control, moisture measurement and control and in-stream analysis of slurries.	200,000/- per unit
3.	Authorization to use and or possess X-ray and or radioactive materials for Non Destructive Testing	200,000/- per unit
4.	Authorization to Transfer Radioactive Material to another user whether by hiring or Selling.	100,000/- per unit
5.	Authorization to transport Category 1 to 3 radioactive material within and on transit through Tanzania.	1,000,000/- per consignment
6.	Authorization to transport nuclear material through and within the country	5,000,000/- per shipment not exceeding five trucks, with an increase of 25% for each addition truck.
7.	Authorization to Import and or Export fixed or portable nuclear gauges for level detection, density measurement, thickness control, moisture measurement and control and in-stream analysis of slurries	200,000/- per unit
8.	Authorization to use and or possess X-ray equipment used for level detection and sorting of minerals	150,000/- per unit
9.	Authorization to Import and or Export Linear Accelerator or Radioactive Devices for Non Destructive Testing and Cargo/ Container Inspection	500,000/- per unit
10.	Authorization to Import and or Export X-ray equipment used for Level Detection and Sorting of Minerals	150,000/- per unit
11.	Authorization to Import and or Export Industrial Irradiation Sources	5,000,000/- per unit
12.	Authorization to Import and or Export X-ray Fluorescence, X-ray Diffraction and Neutron Activation Analysis	100,000/- per unit
13.	Authorization to use and or possess Linear accelerators and or Devices with Radioactive Sources for Cargo and or container inspection	600,000/- per unit

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

(c) Teaching and Research

	<i>Type of Equipment and or Practice (s)</i>	<i>Fees/ charges (Tshs.)</i>
1.	Authorization to use and or possess X-ray Fluorescence, X-ray Diffraction and Neutron Activation Analysis.	120,000/- per each equipment
2.	Authorization to use and or possess teaching and or educational radiation sources.	100,000/- per source/unit/set with an increase of 25% for each additional unit/ source/ set
3.	Authorization to use and or possess unsealed sources used for research teaching and nuclear medicine.	100,000/- for each practice
4.	Authorization to Impart and or export Unsealed Sources used for Research Teaching and Nuclear Medicine.	200,000/- per set
5.	Authorization to Import and or Export Teaching and or Educational Radiation Sources other than unsealed radioactive sources.	100,000/- per set/ unit
6.	Authorization to Import and or Export soil samples containing Uranium ores.	200,000/- per consignment

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

SECOND SCHEDULE

PRE-AUTHORIZATION FEES

(Made under regulation 5)

<i>No.</i>	<i>Types of Practice and or Service</i>	<i>Fees and charges (Tshs.)</i>
1.	Assessment and or inspection of Diagnostic Radiology x-ray unit (except Mammography and CT Scanner)	up to 2 units: 100,000/- with an increase of 25% for each additional unit.
2.	Assessment and or inspection of Duo diagnostic (Machine which have both Conventional and Fluoroscopy), Fluoroscopic and Mammography units	Up to 2 units: 150,000/- with an increase of 25% for each addition unit.
3.	Assessment and or inspection of Computed Tomography Scanner	Up to 2 units: 200,000/- with an increase of 25% for each addition unit.
4.	Assessment and or inspection of Radiotherapy devices and Nuclear medicine facilities.	Up to 2 units: 200,000/- with an increase of 25% for each addition unit.
5.	Assessment and or inspection of baggage screening and Mineral sorting radiation devices	Up to 2 units: 150,000/- with an increase of 25% for each addition unit.
6.	Assessment and or inspection of X-ray / Gamma units for No Destructive testing (NDT)	Up to 2 units: 300,000/- with an increase of 25% for each addition unit.
7.	Assesment and or inspection of liner accelerators and or Devices with Radioactive Sources for cargo and or Container inspection	Up to 2 units: 500,000/- with an increase of 25% for each addition unit.
8.	Assesment and or inspection of Industry irradiator	800,000/= with an increase of 25% for each addition unit.
9.	Assessment and inspection biological irradiator	Up to 2 units: 300,000/- with an increase of 25% for each addition unit.
10.	Assessment and or inspection of fixed/ Portable nuclear gauges.	Up to 2 units: 300,000/- with an increase of 25% for each addition unit.
11.	Assessment and or inspection of teaching and or educational radiation sources.	Up to 2 units: 50,000/- with an increase of 25% for each addition unit.
12.	Inspection of Nuclear Analytical techniques, x-ray Fluorescent Analysis and X-ray Diffraction.	Up to 2 units: 100,000/- with an increase of 25% for each addition unit.
13.	Assessment of Radon levels in underground mines.	5,000,000/-
14.	Assessment of the plan for any nuclear Power Plant and or Nuclear Research Reactor.	5,000,000/-

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

THIRD SCHEDULE

(Made under regulation 6)

FEES FOR OTHER RELATED ACTIVITIES

No.	Type of Practice and or Service	Fees and or charges (Tshs)
1.	Provide Structural Design and layout of diagnostic x-ray facilities.	100,000/= per unit.
2.	Review of radiation shielding (external beam radiation).	Diagnostic: 200,000/= per facility. Therapy: 240,000/= per facility. Industrial: 200,000/= per facility.
3.	Quality control tests of diagnostic x-ray equipment.	
	- Conventional Radiography.	Up to 2 units: 100,000/= with an increase of 25% for each addition unit.
	- Radiographic mammography & Fluoroscopy.	Up to 2 unit: 150,000/= with an increase of 25% for each addition unit.
	-CT scanner.	Up to 2 unit: 200,000/= with an increase of 25% for each addition unit.
4.	Testing of integrity of package of radioactive sources for transport.	150,000/= per device and 15,000/= for any additional device.

FOURTH SCHEDULE

(Made under regulation 7)

FEES AND CHARGES FOR ACTIVITIES RELATING TO PROSPECTING/EXPLORATION, MINING AND PROCESSING OF RADIOACTIVE ORES

No.	Type of Practice	Fees and or charges (Tshs.)
1.	Prospecting radioactive ore	10,000,000/=
2.	Siting and construction of a Mine and or Processing Facility	15,000,000/=
3.	Mining, and Processing of radioactive ore	20,000,000 per annum
4.	Transport of concentrated radioactive ore	7,000,000 per shipment
5.	Verification in respect of Decommissioning of radioactive ore mine and its processing facilities	100,000,000/= per mine or processing facility

Atomic Energy (Fees and Charges)

G.N No. 366 (contd.)

FIFTH SCHEDULE

(Made under regulation 8)

RADIOACTIVITY ANALYSIS FEES

Category A: For all imported Foodstuffs and Fertilisers shall be charged as follows:-

1. Tanzanian shillings 35,000/- for consignment whole Freight on Board value does not exceed equivalent of Tanzanian shillings ten million.
2. 0.4 percent of the Freight no Board value for all consignments with Freight on Board value above Tanzanian shillings 10 million and up to an equivalent of Tanzanian shillings one billion.
3. Tanzanian shillings four million for consignment whole Freight on Board value is above to an equivalent of Tanzanian shillings one billion.

Category B: For all exported Foodstuffs and Fertilisers all imported unprocessed Products (Raw Materials) and Imported relief foods.

1. Tanzanian shillings 35,000/- for consignment whole Freight on Board value does not exceed equivalence of Tanzanian shillings twenty million.
2. 0.2 percent of the Freight no Board value for all consignments with Freight on Board above Tanzanian shillings 20 million and up to an equivalent of Tanzanian shillings one billion.
3. Tanzanian shillings two million for consignment whole Freight on Board value is above to an equivalent of Tanzanian shillings one billion.

Category C: Extra Copy of Radioactivity Analysis Certificate

Each extra certified copy of the Radioactivity Analysis Certificate issued under category A and B of this Schedule for the same consignment shall be charged Tanzanian ten thousand shillings.

Dar es Salaam,
18th October, 2011

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