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OFFICIAL JOURNAL N°175 OF SEPTEMBER 24, 2013**Law No. 017/2013 of 08/21/2013 Law No. 017/2013 of August 21, 2013 on the organization of the radiological and nuclear safety and security regime and safeguards**

THE NATIONAL ASSEMBLY AND THE SENATE HAVE DELIBERATED AND ADOPTED;

THE PRESIDENT OF THE REPUBLIC, HEAD OF STATE, ENACTS THE LAW WHOSE TERMS FOLLOWS:

Article 1 : This law, taken pursuant to the provisions of Article 47 of the Constitution, organizes the system of radiological and nuclear safety and security and guarantees.

Chapter I: General provisions

Article 2 : The regime of radiological and nuclear safety and security and safeguards includes an institutional framework and a legislative framework.

Article 3 : Within the meaning of this law, the following terms mean:

- **safeguards** agreement, the agreement signed between the Gabonese Republic and the International Atomic Energy Agency relating to the application of safeguards under the Treaty on the Non-Proliferation of Nuclear Weapons and any additional protocol to this agreement ;
- **authorization** , the issuance by a regulatory body or any other official body of a document authorizing an operator to carry out certain specified activities;
- **regulatory control** , any form of control or regulation applied to facilities or activities by a regulatory body for reasons related to radiation protection or to the safety or security of radioactive sources;
- **radioactive waste** , any radioactive material in gaseous, liquid or solid form for which no further use is planned by the contracting party or a natural or legal person whose decision is accepted by the contracting party and which is controlled as waste radioactive by a regulatory body in accordance with the contracting party's legislative and regulatory framework;

- **declaration** , any document submitted by a legal person to the regulatory body to notify its intention to carry out a practice or to make another use of a source;
- **decommissioning** , the administrative and technical measures taken to lift some or all of the regulatory controls on an installation, except in the case of a repository or certain nuclear installations used for the final storage of residues from the extraction and processing of radioactive materials, which are "closed" and not "decommissioned";
- **dose** , the measure of the energy deposited by radiation on a target. Depending on the context, the quantities called absorbed dose, effective dose, committed effective dose, equivalent dose, committed equivalent dose or dose to the organ are used;
- **storage**, preservation of radioactive sources, spent fuel or radioactive waste in an installation which ensures their confinement, with the intention of recovering them;
- **calibration** , measurement or adjustment of an instrument, component or system to ensure that its accuracy or response is acceptable;
- **exclusion** , the deliberate exclusion of a particular class of exposure from the scope of a regulatory control instrument because it is not considered amenable to control through the instrument in question;
- **exemption** , the determination by a regulatory body that a source or practice need not be subject to some or all of the elements of regulatory control because exposure, including potential exposure, due to the source or the practice is too low to justify the application of these elements or that it is the optimal option of protection regardless of the actual level of doses or risks;
- **export** , the effective transfer, by the Gabonese Republic to an importing State, of nuclear material, equipment, information and related technologies;
- **exposure** , the act of exposing or being exposed to irradiation exposure can be categorized according to its nature and duration or according to the source of the exposure, the people exposed and/or the circumstances in which it occurs. which are exposed;
- **guarantees** , the commitment of the State to comply with or to apply its obligations resulting from the Treaty on the non-proliferation of nuclear companies;
- **management of radioactive waste** , all administrative and technical activities relating to the handling, pre-treatment, treatment, packaging, transport, storage and final disposal of radioactive waste;
- **management of sealed radioactive sources** , all the administrative and operational activities involved in the manufacture, supply, reception, possession, storage, use, transfer, import, export, transport , maintenance, recycling or disposal of radioactive sources;
- **import** , the effective transfer, by the Gabonese Republic to an exporting State, of nuclear material, equipment, information and related technologies;
- **facility** , a reactor, a critical facility, a processing plant, a manufacturing plant, a reprocessing plant, an isotope separation plant or separate storage facilities, or any location where nuclear material in quantities greater than one effective kilogram are usually used;
- **intervention** , any action intended to reduce or avoid exposure or to reduce the probability of exposure to sources which are not associated with a controlled practice or of which control has been lost following an accident;
- **release** , removal of radioactive materials or radioactive objects associated with authorized practices from any subsequent regulatory control by the regulatory body;
- **dose limit** , the value of the effective dose or the equivalent dose to individuals resulting from controlled practices which must not be exceeded;
- **nuclear material** , any raw material or any special fissile product as defined in the statutes of the International Atomic Energy Agency;
- **radioactive material** , any material designated in domestic law or by a regulatory body as having to be subject to regulatory control because of its radioactivity,
- **guideline level for medical exposure** , the value of dose, dose rate or activity chosen by professional bodies in consultation with the regulatory body to indicate the level above which practitioners should consider whether whether or not the value is excessive, taking into account the particular circumstances and exercising good clinical judgement;

- **notification** , the report submitted without delay to a national or international authority to give details of a real or potential emergency situation, the set of actions taken after detection of an emergency situation in order to alert all the organizations responsible for the emergency response in such a case;
- **regulatory body** , an authority or a network of authorities which the government of a State has vested with legal powers to direct the regulatory process, thus to regulate nuclear safety, radiation safety, the safety of radioactive waste and the source transport safety;
- **emergency plan** , the description of the objectives, orientations and activities of intervention in the event of an emergency situation, and of the structure, powers and responsibilities allowing a systematic, coordinated and effective intervention;
- **radiological protection or radiation protection** , the protection of people against the effects of exposure to ionizing radiation or radioactive materials and the means of ensuring this protection;
- **ionizing radiation** , radiation capable of producing ion pairs in biological matter;
- **security of radioactive sources** , measures aimed at preventing unauthorized access or damage to radioactive sources, as well as theft, sabotage, illegal transfer, loss, unauthorized disposal or other malicious acts involving radioactive sources;
- **source** , anything that can cause exposure to radiation and can be considered as a single entity for the purposes of protection and safety;
- **source of ionizing radiation** , a radiation generator, a radioactive source or other radioactive materials which are outside the nuclear fuel cycles of research and power reactors;
- **orphan source** , a radioactive source that is not subject to regulatory control;
- **radioactive source** , a radioactive material which is permanently enclosed in a capsule or fixed in solid form and which is not exempt from regulatory control;
- **radiation safety** , the safety of sources of ionizing radiation, including the means of ensuring this safety, preventing accidents and mitigating their consequences when they occur.

Article 4 : This law applies to all activities involving exposure to ionizing radiation, in particular:

- the adoption, introduction, interruption or discontinuation, design, manufacture, construction or assembly, acquisition, acquisition or export, distribution, sale, loan or rental, research, commissioning, processing, possession, use and operation, maintenance or repair, transfer or decommissioning, dismantling, transportation, storage or disposal of a source of ionizing radiation or any other nuclear or radioactive material;
- the extraction and processing of radioactive ores, and all other minerals, likely to increase exposure to ionizing radiation to levels defined by the regulations, the closure of radioactive ore processing facilities, the return to condition of sites or management of radioactive waste;
- any other activity involving exposure to ionizing radiation and considered as such by the Gabonese Agency for Nuclear Safety and Security, unless exposure to the source is excluded, in accordance with the texts in force.

Article 5 : Are excluded from the scope of this law, exposure to natural radioactivity contained in the human body, to cosmic rays on the surface of the earth and to unmodified concentrations of natural radionuclides contained in raw materials and any other exposure whose value or probability cannot be controlled, the list of which is to be determined by the Gabonese Nuclear Safety and Security Agency.

Certain activities and certain sources of ionizing radiation associated with activities may be exempted from the application of this law by the Gabonese Nuclear Safety and Security Agency according to the exemption levels set by regulation.

Chapter II: Institutional framework

Article 6 : It is created for the purposes of the application of the provisions of this law, and in accordance with the provisions of articles 58 and following of the law n°20/2005 of January 3, 2006 an independent administrative authority called Gabonese Agency of Safety and de Sécurité Nucléaires, abbreviated as AGSSN, hereinafter referred to as the Agency.

The Agency enjoys technical, administrative and financial autonomy. It has its headquarters in Libreville.

Section I: Missions

Article 7 : The Agency ensures the regulation and regulation of the field of radiological and nuclear safety and security in the Gabonese Republic.

Article 8 : In terms of regulations, the Agency is responsible in particular for:

- drawing up any regulations in application of the legislation in force with regard to radiation protection, nuclear safety and security and safeguards;
- design draft regulations governing the declaration, authorisation, exclusion and exemption of activities and sources of radiation;
- to define the regulatory process for the recognition of the required user qualifications, as well as the review and approval of the required training programs;
- developing the public information system through which the public, its representatives and the media can be informed about the safety and security aspects of the regulated activities and about the regulatory process;
- to draw up and publish guides to good practice for each category of work or particular intervention situations, including the safety and security measures relating thereto;
- to make recommendations to the Government on any question relating to activities involving ionizing radiation in order to facilitate the design and implementation of public policy in terms of radiation protection, nuclear safety and security and guarantees;
- to issue, modify, suspend or cancel, if necessary, authorizations, after setting the conditions and granting exemptions as necessary;
- take administrative measures necessary to mitigate an excessive threat or enforce regulatory requirements and impose penalties for non-compliance;
- to liaise and coordinate with the competent administration or non-governmental organizations in the areas of safety, security and guarantees.

Article 9 : In terms of regulation, the Agency is responsible in particular for:

- to set the dose limits, the rules for optimizing radiation protection as well as the indicative levels;
- to define and classify the positions of Persons Competent in Radiation Protection, abbreviated as PCR, within public and private establishments that use ionizing radiation sources;
- to set the terms and conditions, then organize the radiation protection qualification examinations, without prejudice to the delegations granted in accordance with the texts in force;
- to carry out inspections aimed at assessing the conditions of radiation protection, safety, radiological and nuclear security and their compliance with the applicable regulations;
- to set up and maintain a national register of sources of ionizing radiation;
- to establish and maintain a national accounting and control system for all nuclear materials;
- to organise, in collaboration with the departments responsible for nuclear techniques, permanent monitoring of radiation protection, in particular radiological monitoring of the environment throughout the national territory;
- to ensure, in collaboration with the Ministry of the Interior, the existence of appropriate national emergency plans applicable in emergency situations and to ensure the organization of emergency drills periodicals based on realistic scenarios;
- to participate, in liaison with the competent administrations, in the definition and implementation of a technical crisis organisation;
- to promote, coordinate or undertake research and development work in the field of radiological safety and nuclear security, in support of its regulatory functions;
- to use, in accordance with the texts in force, the services of governmental or non-governmental bodies, when such actions are necessary to enable the Agency to fulfill its regulatory responsibilities, in particular when such services cannot be provided by the Agency itself; these include services for dosimetry, environmental monitoring, equipment calibration, radio-analysis, and storage and disposal of radioactive waste.

Article 10 : The Agency may receive from the Government any other mission related to its field of activity.

Section II: Organization

Article 11 : The Gabonese Nuclear Safety and Security Agency includes:

- the Regulatory Board;
- the Executive Secretariat;
- the Accounting Agency.

Article 12 : The Regulatory Board of the Agency is the deliberative management body.

Article 13 : The Executive Secretariat is the executive body of the Agency.

Article 14 : The attributions and the organization of the Accounting Agency of the Agency are fixed in accordance with the texts in force.

Article 15 : The financial resources of the Agency consist in particular of:

- State subsidies;
- own resources, in particular remuneration for services provided;
- the proceeds of fines imposed.

These resources are subject to inclusion in the State budget. The Chairman of the Regulatory Board is the authorizing officer.

Article 16 : The staff of the Agency is made up of public agents seconded or made available and agents governed by the Labor Code.

Article 17 : The other provisions relating to the attributions, the organization and the functioning of the bodies of the Agency are fixed by the statutes approved by decree taken on the proposal of the Minister in charge of Energy.

Chapter III: Legislative framework

Section I : Radiation and nuclear safety

Sub-section 1: General principles of radiation protection

Article 18 : Only activities involving exposure to ionizing radiation having a net positive effect for people, property and the environment are authorized in their application.

Article 19 : The exposure doses must not exceed the limits set by the regulations.

In all cases, the doses, the number of people exposed and the probability of suffering exposures are kept as low as reasonably achievable, taking into account economic and social factors.

Sub-section II: Regulatory control

Paragraph 1: declaration and authorization

Article 20 : No one may engage in any activity covered by this law if he has not previously sent a declaration to the Agency and obtained, where applicable, an authorization.

Article 21 : The Agency determines the activities which require an authorization or a simple declaration.

The authorization mechanism takes into account the nature and extent of the risks associated with the activities concerned, which are classified according to the sources used.

Article 22 : The primary responsibility for radiological safety rests with the license holder.

Article 23 : The Agency sets the conditions for radiological protection. These conditions, which must be met in full by the applicant before any authorization of activity are in particular:

- have sufficient knowledge of the fundamental principles of radiation protection;
- take all necessary measures for the protection of workers and the public by keeping the doses below the threshold limit and by ensuring that all reasonable measures are taken to minimize the adverse effects on the population, in the immediate and the future. long term ;

- plan and implement the technical and organizational measures necessary to ensure adequate safety, including effective means of defense against radiological risks;
- prepare and implement an appropriate emergency plan approved by the Agency;
- ensuring compliance with the dose limits established by the Agency and monitoring the radiation exposure of workers;
- have adequate human, financial and technological resources to carry out the proposed activities in such a way as to guarantee safety and security;
- present sufficient financial guarantees for waste removal, dismantling and potential liability for radiological damage;
- allow free access to the inspectors of the Agency or of any body authorized by it, to all the places necessary for the performance of their missions;
- not modify the conduct of any authorized activity in a way that could affect the protection of workers or the public without having received prior approval from the Agency;
- provide, in accordance with the requirements provided for in the regulations or on request, all the information considered necessary by the Agency;
- present its annual activity report to the Agency.

Article 24 : Any lack of declaration or lack of authorization exposes the offender to the cessation of his activity, to a prison sentence of six months to one year and a fine of one to five million francs or one of these two penalties only.

Article 25 : The authorization issued may be suspended, modified or withdrawn in the event of violation, either of the conditions of the authorization, or of the provisions referred to in Article 23 above.

The terms and conditions for suspending, modifying or withdrawing authorizations are defined by regulation, on a proposal from the Agency.

Article 26 : The decisions of the Agency may be appealed under the conditions provided for by the texts in force.

Paragraph 2: Prohibitions

Article 27 : The following are prohibited in particular:

- the manufacture, import, possession and use of nuclear weapons or explosives;
- the addition of radioactive substances in the manufacture of foodstuffs, beverages, cosmetic products, products for household use and any other goods or products intended to be ingested, inhaled or absorbed through the skin or by application to a human being ;
- the use of radioactive substances in the manufacture of toys or jewelry;
- the import of radioactive waste, unless the substances before being at the origin of this waste are produced on the national territory.

Paragraph 3: Inspections and precautionary measures

Article 28 : The Agency carries out inspections to ensure that the holder of the authorization complies with the safety and security conditions set by the texts in force or indicated in the authorization.

However, these inspections do not exempt the holder of the authorization from his obligations of control, supervision and verification.

Article 29 : The Agency establishes a systematic inspection program whose nature and scope depend on the risk associated with the authorized materials and activities.

Depending on the needs, the Agency carries out announced or unannounced inspections.

Article 30 : The results of the inspections are recorded in the reports communicated to the license holders, and as necessary, to any competent authority.

The general results of inspections and regulatory decisions are made available to the public, unless the Agency decides otherwise.

Article 31 : The inspections referred to in this paragraph are carried out by authorized agents.

Before taking up their duties, these agents take an oath before the competent court.

The formula and the modalities of this oath are fixed by decree taken on the proposal of the Ministry in charge of Energy, after consulting the Regulatory Council.

Article 32 : The Agency ensures compliance with the regulations and the conditions laid down in the authorizations.

In the event of non-compliance, it sends injunctions to the holder of the authorization to the effect that the latter corrects the shortcomings observed.

Article 33 : Constitute technical and administrative breaches within the meaning of this law, in addition to non-compliance with the general principles of radiation protection:

- failure to declare;
- lack of authorization;
- violation of technical safety and security rules.

These breaches give rise to the application, as the case may be, of the provisions of articles 24 and 25 above.

Article 34 : The offenses listed below are punishable by criminal imprisonment and a fine of 100 to 300 million CFA francs:

- installation sabotage;
- the threat to obtain radioactive substances;
- threats using radioactive substances;
- diversion of radioactive materials;
- the use of radioactive and nuclear substances to cause damage to people, the environment and property.

Article 35 : The Agency's inspectors are empowered to take precautionary measures at the place of inspection, either to prevent or to stop damage, in particular in cases where public health, safety, security or the environment can be threatened.

Article 36 : The precautionary measures referred to in Article 35 above are taken in accordance with the procedures drawn up by the Agency and made available to license holders.

They are automatically enforceable, without prejudice to the means of appeal and notified in writing to the holder of the authorization.

Article 37 : Without prejudice to the provisions of the Penal Code and regulatory texts on the subject, is punished by imprisonment of one to three years and a penalty payment of two million francs per day or one of these two penalties. Only, the author of the refusal or the obstacle to a mission of control or inspection.

Sub-section 3: Special provisions

Paragraph 1: Intervention in case of emergency

Article 38 : The holder of the authorization, responsible for the activity, has the obligation to organize and carry out the intervention in case of emergency inside his installations. To this end, he must keep an emergency plan approved by the Agency and ensure the availability and operation of the means to be implemented in the event of an emergency.

These means must be approved by the Agency.

The content of the emergency plan is set by the Agency, depending on the nature of the installation and the activity.

Article 39 : Aux fins d'application des dispositions de la présente sous-section, il est mis en place un plan national d'urgence radiologiques et nucléaires sous la responsabilité du Ministre chargé de l'Intérieur en concertation avec toutes les autorités compétentes concernées, especially the Agency.

The national radiological and nuclear emergency plan determines the responsibilities of all intervening organisations. If this plan is implemented, the Agency acts as an adviser on radiological and nuclear safety and security.

The national plan is implemented when radioactive sources or any other radioactive materials are no longer under the control of the person responsible for them.

Article 40 : The authorities referred to in Article 39 above ensure that:

- the emergency plans take into account the results of any analysis of accidents which have occurred in connection with similar activities and that they are reviewed and updated periodically;
- provisions are made to provide training to personnel involved in the implementation of emergency plans and for the plans to be tested at appropriate intervals;
- information is provided in advance to members of the public who can reasonably be expected to be affected by an accident.

Paragraph 2: Transport of radioactive sources

Article 41 : The transport of any radioactive source and any nuclear material is subject to prior authorization issued by the Agency.

The Agency sets by regulation the conditions and procedures for the transport of radioactive sources and nuclear materials in accordance with the transport regulations of the International Atomic Energy Agency.

Article 42 : The primary responsibility for the safe transport of radioactive sources and nuclear materials rests with the license holder.

Paragraph 3: Extraction and processing of minerals

Article 43 : In addition to all other permits and authorizations issued by the competent authorities pursuant to the provisions of the Mining Code, any operation of extraction or processing of radioactive minerals, in particular uranium and thorium, is subject to prior authorization issued by the Agency.

This authorization, the terms and conditions of issue of which are set by regulation, covers in particular:

- any exploration activity involving possible exposure to ionizing radiation;
- the removal of the ore from the site for testing or evaluation, unless the Agency decides to exempt;
- excavation activities carried out on a site containing radioactive ore;
- the choice of the location, construction and operation of the mine or ore processing facility;
- transportation of the product of extraction or processing activities;
- decommissioning of the mine or processing facility;
- the management of radioactive waste.

Article 44 : before issuing the authorization for the extraction and processing of minerals, the Agency assesses the costs of closing the mine, dismantling the associated facilities and maintaining the radioactive waste storage facilities .

This assessment gives rise to a financial provision required from the authorization applicant.

The terms and conditions for setting up this provision are set by regulation.

When the mine closes, the holder of the authorization is required to return the mine area to a safe state accepted by the Agency.

Article 45 : The primary responsibility for the radiological safety of any mineral extraction and processing activity for which radiation protection measures are required rests with the license holder.

Paragraph 4: Radioactive waste

Article 46 : The production, conservation and management of radioactive waste are subject to the prior obtaining of an authorization issued by the Agency.

Article 47 : Any natural or legal person whose activities generate radioactive waste is responsible for this waste.

Article 48 : Before any importation of a sealed radioactive source, the license applicant must take the necessary contractual measures to ensure the return of the source to the supplier at the end of its use.

Section 2: Radiological and nuclear security

Sub-section 1: Physical protection of radioactive sources and nuclear materials

Article 49 : The Agency sets the rules for the physical protection of nuclear materials and radioactive sources, in particular:

- the categorization of materials based on an assessment of the damage that could result from the theft or diversion of a certain type and quantity of materials from authorized uses or from the sabotage of installations in which the radioactive sources and nuclear materials are produced, processed, used, handled, stored or disposed of;
- the necessary protective measures for the different categories of materials;
- accounting and control measures for nuclear materials and radioactive sources;
- the authorization conditions and procedures;
- the inspection and control measures to verify compliance with the applicable physical protection rules;
- coercive measures in the event of non-compliance or violation of the regulations or the conditions for granting the applicable authorizations.

Article 50 : The design basis threat of diversion, unauthorized use of nuclear material or sabotage, intended to serve as a common basis for planning, the implementation of physical protection by authorized persons, the examination, to the approval and monitoring of the measures to be taken by the Government, is determined by the competent services of the Ministry of the Interior, in consultation with those of the Ministries of Energy, National Defence, Foreign Affairs and the Agency.

Article 51 : The Government carries out periodic assessments of the design basis threat, depending on the types and quantities of nuclear materials to be taken into consideration and the national and international strategic context.

The Agency may modify regulatory requirements based on technological advances and changes in the design basis threat.

Article 52 : The holder of an authorization to undertake activities using nuclear materials or radioactive sources is primarily responsible for the security and physical protection of these materials and these sources, as the case may be.

Sub-section 2: Theft and illicit trafficking of radioactive sources and nuclear materials

Article 53 : In the event of theft, attempted theft or loss of nuclear materials or radioactive sources, the holder of the authorization must, without delay in writing, declare to the Agency the incident and the circumstances of the incident and provide any other related information.

Article 54 : The following are prohibited:

- the possession, use, transfer, modification, storage or dispersal of nuclear materials or radioactive sources in a way that causes or is likely to cause death or serious bodily injury to persons or substantial damage to property and the environment;
- the theft or attempted theft of nuclear materials or radioactive sources;
- diversion, attempted diversion or fraudulent obtaining of nuclear materials or radioactive sources;
- carrying, sending or moving nuclear materials or radioactive sources inside or outside Gabon without authorisation;
- any act directed against a nuclear installation or interfering with the operation of such an installation, by which the author intentionally causes or knows that his act is likely to cause death or serious damage to persons, property or environment ;
- the use of force, threat or any other form of intimidation to obtain nuclear materials or radioactive sources;
- the threat to use nuclear materials or radioactive sources to cause death or serious damage to persons, property or the environment;
- the organization, the direction of a group, the participation or incitement to commit one of the offenses described above;

- the provision of any form of support to any non-State actor who would attempt to develop, acquire, manufacture, possess, transport, transfer, use or threaten to use nuclear weapons, devices explosives or radiological dispersal devices.

Article 55 : The Gabonese courts have exclusive jurisdiction to hear facts constituting the prohibition provided for in article 54 above:

- when the act was committed inside Gabonese territory or on board a boat or an airplane registered in Gabon;
- when the alleged perpetrator is present on Gabonese territory.

Article 56 : Any opposition or any obstacle to the exercise of the missions of the sworn agents of the Gabonese Agency for Nuclear Safety and Security or those of any other authorized regulatory body, is punished by a prison sentence of three to six months and a fine of one to five million francs, or one of these two penalties only.

In the event of recidivism, the penalties provided for in the preceding paragraph are doubled.

Article 57 : Any person found guilty of one of the offenses referred to in Article 54 above is punished by ten to twenty years' criminal imprisonment and a fine of five hundred million to one billion francs, or only one of these two sentences.

Article 58 : No immunity from jurisdiction is recognized for diplomatic agents or any other natural person prosecuted for one of the offenses referred to in Articles 54 and 56 above.

Article 59 : In accordance with the commitments which bind the signatory States of the Convention on the physical protection of nuclear materials, in the event of theft, illegal taking or credible threat of illegal taking of nuclear materials or radioactive sources, the Gabonese State must take, without delay, the appropriate steps to inform the other States or international organizations which may be affected by the circumstances of this incident.

Section 3: Non-proliferation of nuclear weapons

Sub-section 1: Warranties

Article 60 : National bodies and license holders are required to cooperate with the International Atomic Energy Agency for the application of safeguards, in particular:

- en fournissant dans les meilleurs délais toutes les informations nécessaires pour assurer l'application des garanties ;
- en autorisant les inspecteurs d'avoir accès aux installations et aux emplacements concernés ;
- en coopérant avec les inspecteurs de l'Agence Internationale de l'Energie Atomique et en facilitant l'exécution de leurs tâches ;
- en procurant les services et moyens nécessaires à l'accomplissement des missions des inspecteurs de l'Agence Internationale de l'Energie Atomique.

Article 61 : Les représentants dûment habilités de l'Agence et les inspecteurs de l'Agence Internationale de l'Energie Atomique ont accès à toutes les installations et autres emplacements visés par l'Accord de Garanties, pour mener les activités de vérification autorisées par cet accord.

Article 62 : Toute personne exécutant des activités régies par l'accord de garanties est tenue d'autoriser l'Agence et les inspecteurs dûment désignés de l'Agence Internationale de l'Energie Atomique à procéder à toute mesure que celle-ci juge utile.

Article 63 : L'Agence veille à l'application des garanties au Gabon en établissant et en mettant en œuvre, conformément à l'accord :

- des procédures d'examen des écarts entre les mesures d'inventaire des stocks physiques et des pertes et celles visant à assurer l'application correcte des méthodes et règles comptables ;
- un système de mesure des matières nucléaires, d'évaluation de la précision des mesures, des stocks non mesurés, de relevés pour suivre l'évolution des stocks et des flux de matières nucléaires et de soumission de rapports à l'Agence internationale de l'Energie Atomique.

Sous-section 2 : Des mesures de contrôle des exportations et des importations

Article 64 : L'Agence fixe toutes les mesures nécessaires pour contrôler l'exportation et l'importation, la réexportation, le transit et le transbordement de matières, de matériels et de technologies nucléaires.

Article 65 : Toute exportation, toute importation, tout transbordement ou tout transit de matières, de matériels et de technologies nucléaires est soumis à l'autorisation préalable de l'Agence.

Les modalités et conditions d'autorisation d'exportation et d'importation des matières nucléaires sont fixées par voie réglementaire.

Chapitre IV : Des dispositions diverses, transitoires et finales

Article 66 : La mise en place de l'Agence emporte de plein droit la dissolution du Centre National de Prévention et Protection contre les Rayonnements ionisants créé par la loi n°11/2001 du 12 décembre 2001.

Article 67 : La Validation des autorisations délivrées sous l'empire de la loi n°11/2001 du 12 décembre 2001 demeure jusqu'à la date d'expiration.

Article 68 : Toute personne détenant sans autorisation des sources de rayonnements ionisants ou toute autre matière radioactive ou nucléaire est tenue d'en faire la déclaration à l'Agence dans un délai de deux mois à compter de la date de promulgation de la présente loi, sous peine des sanctions prévues à cet effet.

Article 69 : Des textes réglementaires déterminent, en tant que de besoin, les dispositions de toute nature, nécessaires à l'application de la présente loi.

Article 70 : La présente loi, qui abroge toutes dispositions antérieures, contraires, notamment celles de la loi n°11/2001 du 12 décembre 2001, sera enregistrée, publiée selon la procédure d'urgence et exécutée comme loi de l'Etat.

Fait à Libreville, le 21 août 2013

Par le Président de la République,

Chef de l'Etat

Ali BONGO ONDIMBA

Le Premier Ministre, Chef du Gouvernement

Raymond NDONG SIMA

Le Ministre du Pétrole, de l'Energie et des Ressources Hydrauliques

Etienne Dieudonné NGOUBOU

Le Ministre de l'Industrie et des Mines

Régis IMMONGAULT

Le Ministre de l'Economie, de l'Emploi et du Développement Durable

Luc OYOUBI

Le Ministre de la Santé

Professeur Léon NZOUBA

Le Ministre de la Justice, Garde des Sceaux, des Droits Humains et des Relations avec les Institutions Constitutionnelles, Porte-parole du Gouvernement

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The Minister of the Interior, Public Security, Immigration and Decentralization

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The Minister of Budget, Public Accounts and Civil Service

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