

2014) concerning

Dahir No. 1-14-149 of 25 Shawwal 1435 (22 August

the promulgation of Law No. 142-12 on nuclear and radiological safety and security, and the creation of the Moroccan Agency for Nuclear and Radiological Safety and Security.

PRAISE TO GOD ALONE!

(Great Seal of His Majesty Mohammed VI)

Be it known by these presents - may God elevate and fortify their content!

Our Cherifian Majesty,

In accordance with the Constitution, particularly Articles 42 and 50,

HAS DECIDED AS FOLLOWS:

The following law is hereby enacted and shall be published in the Official Gazette following this Dahir: Law No. 142-12 concerning nuclear and radiological safety and security and the establishment of the Moroccan Agency for Nuclear and Radiological Safety and Security, as adopted by the House of Representatives and the House of Councillors.

Issued in Al Hoceima, on the 25th of Chaoual 1435 (22 August 2014).

For countersignature:

The Head of Government,

ABDEL-ILAH BENKIRANE.

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Loi^o 142-12

**on safety and security
nuclear and radiological and the establishment of the
Moroccan Agency for Nuclear and Radiological Safety and Security**

PART ONE

ON NUCLEAR AND RADIOLOGICAL SAFETY AND SECURITY AND
RADIOLOGICAL

Chapter I

DEFINITIONS

Article 1

Au sens de la présente loi, on entend par :

Particle accelerator: the electromagnetic device that imparts kinetic energy to ionized particles to irradiate objects or substances;

Safeguards Agreement: the agreement between the Kingdom of Morocco and the International Atomic Energy Agency regarding the application of safeguards under the Treaty on the Non-Proliferation of Nuclear Weapons, signed in January 1973 and entering into force in February 1975;

Activity: any human activity that introduces sources of exposure or additional exposure pathways, extends exposure to more individuals, or modifies the network of exposure pathways from existing sources, thereby increasing exposure or the likelihood of exposure to individuals, or the number of exposed persons;

Activity of radionuclides: the quantity A for a quantity of radionuclides in a given energy state at a given time, defined by the relation: $A(t) = dN/dt$, where dN is the expected value of the number of spontaneous nuclear transformations corresponding to this energy state within the time interval dt . The SI unit of activity is the inverse of the second, called the becquerel (Bq);

Specific activity: activity per unit mass expressed in becquerels per kilogram;

Nuclear activity: activity associated with a nuclear facility or nuclear materials;

the Agency: the Moroccan Agency for Nuclear and Radiological Safety and Security established under Title III of this law;

Safety analysis: the evaluation of potential hazards associated with the operation of an activity;

Waste characterization: the determination des physical, chemical, and radiological properties of waste to determine the need for adjustment, treatment, or conditioning, or the feasibility of subsequent handling, processing, interim storage, or final disposal;

Spent fuel: nuclear fuel that has been irradiated in a reactor core and has been permanently removed from it;

Containment: the physical methods or structures designed to prevent or control the release and dispersion of radioactive substances;

Contamination: the accidental or unwanted presence of radioactive substances on surfaces or in solids, liquids, or gases, including within the human body, or the process causing such presence;

Fuel cycle: all the operations related to nuclear energy production, including:

a) the extraction and processing of uranium or thorium ores;

b) uranium enrichment;

c) nuclear fuel fabrication;

d) the operation of nuclear reactors, including research reactors;

e) the reprocessing of spent fuel;

f) all waste management activities, including decommissioning, related to operations associated with the production of nuclear energy;

g) any related research and development activities;

Radioactive waste: waste containing radionuclides or contaminated by radionuclides, where the concentration or activity exceeds the clearance levels established by regulatory authorities;

Decommissioning: all steps leading to the lifting of control over a facility other than a permanent radioactive waste storage facility. These steps include decontamination and dismantling operations;

Decontamination: the complete or partial removal of contamination by a process physical, chemical, or deliberate biological process;

Dose: the measure of energy deposited by radiation in a target;

Storage: maintaining radioactive sources, spent fuel and/or radioactive waste in a facility that ensures their containment, with the intention of retrieving them;

Commissioning tests: all operations that consist of operating manufactured systems and components for facilities and activities, and verifying that they conform to the design and meet prescribed performance criteria;

Calibration: the measurement or adjustment of an instrument, of a component or system to ensure its accuracy or its response is acceptable;

Radioactive waste disposal: the dispatch, or the organization of dispatching radioactive waste to a specified destination, whether temporary or permanent, including for processing, final storage, or interim storage;

Safety assessment: the evaluation of all aspects relevant to an activity or facility related to safety;

Threat assessment: the systematic analysis process the hazards associated with facilities, activities, or sources within or beyond the Kingdom's borders, aimed at identifying:

a) *the events and associated areas for which* protective actions might be required in the Kingdom;

b) *actions that would be effective in mitigating the* consequences of such events;

Periodic safety review or safety reassessment of the safety : the systematic reevaluation of the safety of an existing facility or activity, conducted at regular intervals to address the cumulative effects of aging, as well as modifications, operational experience, technological advancements, and site selection aspects, aiming to ensure a high level of safety throughout the facility's or activity's operational lifetime;

Exclusion : the exclusion deliberate of a category specific exposure outside the scope of this law, as it is not considered suitable for regulation under this law. Such exposure is termed excluded exposure;

Exemption: the determination by the Agency that a source or practice need not be subject to some or all regulatory control requirements because the exposure, including potential exposure, from the source or practice is too low to justify applying these requirements or because it represents the optimal protection, regardless of actual dose levels or risks;

Operator: any entity or individual holding an authorization and who is responsible for nuclear safety, radiation safety, radioactive waste safety, or transport safety when conducting activities or regarding any nuclear facility or source of ionizing radiation;

Export: the actual transfer by the Kingdom of Morocco to an importing state, of nuclear material and related equipment, information, and technology;

Exposure: the act of exposing or the state of being exposed to ionizing radiation;

Public exposure: the exposure of members of the public to radiation sources, excluding exposure from occupational or medical sources

or normal local natural background radiation, but including exposure from authorized sources and activities, as well as exposure during intervention situations;

Emergency exposure: exposure received in an emergency situation. This may include unplanned exposures resulting directly from the emergency situation and exposures planned of personnel responding to mitigate the consequences of the emergency situation;

Medical exposure: the exposure experienced by patients as part of their own medical or dental examination or treatment, whether due to diagnostic or therapeutic exposure);

Occupational exposure: all exposures experienced by workers during their work, excluding exempt exposures and those resulting from exempted practices or sources;

Ore processing: the transformation of extracted radioactive ores to obtain a concentrate through a chemical process;

Closure: the completion of all operations for a specified period after placing spent fuel or radioactive waste in a permanent disposal facility. These operations include final structures or other works required to ensure the long-term safety of the facility;

Supplier: any legal entity to which an authorization holder of an authorization delegates, in whole or in part, obligations related to the design, manufacture, production, or construction of a source;

Radioactive waste management: all activities administrative and technical activities related to handling, pretreatment, treatment, conditioning, transport, storage, and final disposal of radioactive waste;

Spent fuel management: all activities pertaining to the handling or storage of spent fuel, excluding off-site transport;

Import: the physical transfer, by an exporting State to the Kingdom of Morocco, of nuclear material, equipment, information and related technology;

Incident: any unintentional event, including erroneous maneuvers, the failures of equipment, the events initiating events, the precursors accident, the near-miss events or other anomalies, or unauthorized acts—whether malicious or not—whose actual or potential consequences are significant from a protection or safety perspective;

Facility for managing of radioactive waste : the facility specifically designed for handling, processing, packaging, or storage of waste radioactive;

Nuclear facility: the facility, including associated buildings and equipment, where nuclear materials are produced, processed, used, handled, stored, or permanently disposed of. The nuclear facility notably includes nuclear fuel fabrication plants, nuclear power plants, research reactors (including critical and subcritical assemblies), spent fuel storage facilities, enrichment plants, or reprocessing facilities;

Emergency response: the implementation of actions to mitigate the consequences of an emergency situation on health and safety, quality of life, property, and the environment. It may also serve as a basis for restoring normal economic and social activity;

Release: the removal of radioactive materials or of radioactive objects associated with authorized activities at any subsequent control by the Agency;

Dose limits: the dose value for individuals resulting from controlled activities that must not be exceeded;

Operating limits and conditions: the set of rules establishing parameter limits, functional capabilities, and performance levels for equipment and personnel, approved by the Agency for the safe operation of an authorized facility;

Nuclear material: plutonium, except for plutonium with an isotopic concentration of plutonium-238 exceeding 80%, uranium-233, uranium enriched in uranium-235 or 233, uranium containing the mixture of isotopes found in nature other than in the form of ore or ore residue, and any material containing one or more of the aforementioned elements or isotopes;

Radioactive material: any material containing one or more radionuclides whose activity or concentration does not peut être négligée de point de vue de la radioprotection ;

Mesures de sûreté : toute action qui pourrait être accomplie, toute condition qui pourrait être remplie ou toute procédure qui pourrait être suivie afin de satisfaire aux dispositions fondamentales des prescriptions de sûreté ;

Mines ou installation de traitement de minerais radioactifs : l'installation d'extraction ou de préparation de minerais contenant des radionucléides de la famille de l'uranium ou du thorium.

Par mine de minerais radioactifs, on entend toute mine d'où sont extraits des minerais contenant des radionucléides de la famille de l'uranium ou du thorium en quantités ou en concentrations suffisantes pour en justifier la mise en valeur ou, lorsqu'ils accompagnent d'autres substances extraites, en quantités ou en concentrations imposant de prendre les mesures de radioprotection fixées par l'Agence.

By radioactive ore processing facility, we mean a facility that processes extracted radioactive ores to obtain a concentrate through physical or chemical methods;

Clearance level: the values established by regulatory means and expressed as volumetric or mass activity and/or total activity, at or below which sources of ionizing radiation may be exempted from the application of current legislative and regulatory provisions;

Exemption level: the value established by regulatory means and expressed in the form of activity concentration, total activity, dose rate, or radiation energy;

Intervention level: the level of avoidable dose at which a specific protective action is implemented in an emergency situation or in case of chronic exposure;

Safety standards: the standards published in accordance with Status of the International Atomic Energy Agency;

Radiation protection officer: any person technically qualified in radiation protection matters related to a specific type of practice, whom the operator designates to oversee the implementation of safety requirements;

Emergency plan: the description of objectives, guidelines and response activities in emergency situations, and of the structure, powers and responsibilities enabling a response systematic, coordinated and effective. The emergency plan serves as the basis for developing other plans, procedures, and checklists;

Waste producer: the operator responsible for a facility or activity that generates waste;

Protection against the radiation ionizing or **radiation protection or radiological protection** the protection of individuals against the effects of exposure to ionizing radiation and the means to ensure this protection;

Physical protection: measures to protect nuclear materials or authorized facilities, designed to prevent unauthorized access to facilities, unauthorized removal of fissile materials, or acts of sabotage concerning safeguards, as outlined in the Convention on the Physical Protection of Nuclear Material;

Radioactive: possessing radioactivity; emitting or related to the emission of ionizing radiation or particles;

Radioactivity: the phenomenon of random spontaneous atomic decay, typically accompanied by the emission of radiation;

Ionizing radiation: for radiation protection purposes, radiation capable of producing ion pairs in the biological material;

Radioactive discharges: radioactive substances originating from a source associated with a practice, which are released into the environment as gases, aerosols, solids, or liquids, typically for the purpose of dilution and dispersion;

Reprocessing: the process or operation aimed at extracting radioactive isotopes from spent fuel for subsequent use;

Radiological risks:

- the effects sanitaires harmful of exposure to radiation, including the likelihood of such effects occurring;
- any other safety-related risks, including risks to the ecosystems of the environment, which may be a direct consequence:
 - of exposure to radiation;
 - of the presence of radioactive materials, including waste radioactive, or of their release into the environment;
 - loss of control over a nuclear reactor core, a chain reaction, a radioactive source, or from any other source of radiation;

Sabotage: any deliberate act directed against a facility nuclear or nuclear materials in use, storage, or transport, which is likely, directly or indirectly, to harm the health and safety of personnel or the public or the environment by

causing exposure to radiation or a release of radioactive substances;

Safety: nuclear safety and radiological safety;

Nuclear security: measures aimed at preventing and detect theft, sabotage, unauthorized access, illegal transfer, or other malicious acts involving nuclear materials and other radioactive materials or associated facilities, and to take action in such cases;

Radiological security: measures intended to prevent unauthorized access or damage to radioactive sources, as well as the loss, theft, or unauthorized transfer of these sources;

Emergency situation: an unusual situation that requires prompt action to mitigate a hazard or adverse consequences for human health and safety, quality of life, property, or the environment. This includes both nuclear or radiological emergencies and conventional emergencies such as fires, hazardous chemical releases, storms, or earthquakes. It also covers situations where prompt action is justified to mitigate the effects of a perceived hazard;

Uncontrolled source: a radioactive source that is abandoned, lost, misplaced, stolen, or transferred without authorization;

Source of ionizing radiation: the emitting source radiation capable of producing ion pairs in biological matter. This source includes radioactive material, nuclear material, and electrical devices generating ionizing radiation;

Expired source: a source is considered expired 10 years at the latest after the authorization or declaration issuance date, unless extended by the Agency;

Radioactive source: the radioactive material that is permanently enclosed in a capsule or fixed in solid form and not exempt from control. This term also includes any released radioactive material if the radioactive source leaks or breaks, but excludes materials packaged for final storage or nuclear materials part of the fuel cycle for research and power reactors;

Sealed source: radioactive material that is enclosed permanently in a capsule or fixed in solid form;

Unsealed source: radioactive source that does not meet not according to the sealed source definition;

Final disposal: the placement of radioactive waste in an appropriate facility with no intention of retrieval;

Safety: nuclear safety and radiation protection;

Nuclear safety: achieving proper operating conditions, preventing accidents or mitigating their consequences, resulting in the protection of workers, the public, and the environment from undue radiological risks;

Radiation protection: measures aimed at minimizing as much as possible the likelihood of accidents involving radioactive sources and, should such an accident occur, to mitigate its consequences.

Chapter II

General Provisions

Article 2

The provisions of this law apply to all activities involving radiation sources of ionizing type.

These activities include:

- design, construction, commissioning testing, operation and the maintenance of facilities implemented in practice the sources of ionizing radiation, as well as their shutdown permanent shutdown, including where applicable, their decommissioning and their dismantling;
- the manufacture, acquisition, import, export, transit, distribution, possession, use, transfer for free or for consideration, transport, storage and disposal of sources de rayonnements ionisants ;
- la gestion des déchets radioactifs ;
- l'extraction et le traitement de minerais radioactifs.

Article 3

Ne sont pas régies par les dispositions de la présente loi les expositions :

- à la radioactivité naturelle dans l'organisme humain ou animal ;
- radon em1s from materials used in the construction of dwellings;
- cosmic radiation at the Earth's surface;
- concentrations of naturally occurring radionuclides contained in raw materials and any other source not altered by human activities;
- from activities and associated sources where the radionuclide activity, dose rate, or radiation energy is below exemption levels established by regulation.

Article 4

The activities v1sees referred to in Article 2 above, as well as the facilities and associated ionizing radiation sources, are distributed as follows:

Category I

This category includes:

- nuclear facilities and nuclear activities, as defined in Article 1 above;
- permanent storage facilities.

Category II

This category includes facilities and activities involving the use of radioactive sources or radioactive materials à with the exception of nuclear materials, devices containing these radioactive materials, devices emitting ionizing radiation, or particle accelerators.

Category II installations and activities are classified into regulatory-defined classes, based particularly on the radiological risks they pose.

Article 5

The following are prohibited:

- the addition of radioactive materials of any kind or radiation energy in the manufacture of foodstuffs, cosmetic products, household and personal use items, and construction materials;
- the use of radioactive materials in the manufacture of toys;
- the import and export of such products, foodstuffs, and toys;
- the import of radioactive waste, subject to the provisions of Article 36 of this law;
- the export of radioactive waste to states whose legislation prohibits their importation or which lack the legislative, regulatory, technical, and administrative means to safely manage radioactive waste;
- the shipment of spent fuel or waste radioactive materials for storage or final disposal to a destination located south of 60° south latitude.

Article 6

Are subject to authorization by the administration after consultation with the Agency, under the terms set by regulation, nuclear installations and nuclear activities, as well as Category I final disposal facilities.

Article 7

With prejudice to provisions legislative or regulatory provisions subjecting to prior authorization or declaration prior to engaging in certain activities or professions, must be subject, as applicable, to authorization by the Agency or declaration to the latter, under the conditions set by regulatory means, for activities, facilities, and associated ionizing radiation sources falling under Category II.

The list of activities, facilities and sources of associated ionizing radiation, subject to authorization by the Agency, and those

Chapter III

Authorizations

Section 1. - Specific Authorizations for Category I

Subsection 1. - Nuclear Facilities and Activities

as well as permanent storage facilities

Article 8

The following are subject to the authorization referred to in Article 6 above: - the construction of any nuclear facility; - the discharge of liquid or gaseous radioactive effluents from

said facility;

- the commissioning tests of said facility;

- the operation of said facility;
- the permanent shutdown of the facility, its decommissioning and its declassification.

Article 9

Also subject to the authorization referred to in Article 6 above:

- the construction of any permanent storage facility; - the operation of said facility; - the closure of said facility.

Article 10

Authorizations are granted to legal entities that meet the following conditions:

- For a private legal entity, to be incorporated as a company with its registered office in the Kingdom of Morocco and not to be under judicial reorganization or liquidation;
- For a public legal entity, to be authorized, under the provisions of its founding text, to carry out the activities referred to in Article 2 above;

Article 11

The authorizations referred to in Articles 8 and 9 above do not may only be granted if the applicant demonstrates, in the documents submitted in support of the authorization request referred to ~~in Article 2 above~~ that the technical or organizational measures taken or planned at various stages of site evaluation, design, construction, commissioning tests, and operation, as well as the general principles proposed for the decommissioning and final shutdown of nuclear facilities, comply with the technical requirements and regulations concerning nuclear and radiological safety and security and safeguards, referred to in Article 173 of this law.

The administration takes into account the technical capabilities and financial resources of the applicant, which must enable them to carry out their project in compliance with the provisions of this law, and in particular to cover the costs of final shutdown, decommissioning of the facility, site restoration, and monitoring of its location.

Article 12

The authorization application file, the content of which is as stipulated by regulation, must mandatorily include a facility safety analysis report comprising a site selection and evaluation report and an environmental impact assessment, along with an updated internal emergency plan and physical protection plan at each authorization phase.

Prior to initiating the authorization request construction, the applicant may request the Agency's opinion on the chosen measures to ensure the nuclear facility's safety and security.

Article 13

Before receiving administrative authorization, the proposed construction of a Category I facility is submitted by the administration for review to the municipal council(s) of the project's location.

The aforementioned councils shall submit, within a four-month period, from the date they were submitted, proposals that are reviewed by the Agency and communicated, along with its opinion, to the administration.

Article 14

The construction project for a Category 1 facility triggers a public inquiry whose procedure is determined by regulatory means.

This inquiry aims to allow the public to review the project and submit any comments in a register opened for this purpose, and is conducted by the president of the relevant municipal council.

Article 15

Before the start date of the inquiry, the president of the relevant municipal council must post a notice at the town hall indicating the opening and closing dates of said inquiry.

Article 16

The observations made during this investigation are reviewed by the municipal council before being submitted to the Agency within two months of the investigation's closing date. The Agency then forwards them to the administration, along with its opinion.

Article 17

The processing period for authorization requests for construction and permanent shutdown of a Category I facility is a maximum of thirty-six (36) months, starting from the date of submission to the relevant administrative authority.

Article 18

The maximum processing period for discharge authorizations of liquid or gaseous radioactive effluents and for commissioning tests of a nuclear facility is six (6) months.

Article 19

The maximum processing period for the authorization to operate a Category I facility is twelve (12) months.

Article 20

Authorizations are issued through an administrative act published in the "Official Gazette". They cannot be subject to any transfer.

They may be subject to technical conditions specified in the authorization document.

Any refusal of authorization must be justified.

Article 21

Commissioning tests, operation, and maintenance of a Category I facility must be carried out in accordance with the operational limits and conditions defined in the safety analysis report referred to in Article 12 and approved by the Agency.

Article 22

The operator shall take the necessary measures to ensure the tracking and accounting of nuclear materials under its responsibility.

This accounting is subject to periodic audits by agents duly authorized for this purpose by the Agency.

Article 23

The operator bears primary responsibility for the safety and physical protection of nuclear facilities and materials under its responsibility.

It is required to implement protective measures for the facility and the nuclear materials under its responsibility, in accordance with the requirements set forth by regulation.

Article 24

The operator must conduct, at regular intervals, as defined in the authorization document, a safety review of their facility, taking into account the international best practices in the field.

He submits to the Agency a report containing the findings of this review and, where applicable, the measures he plans to take to address any identified irregularities or to enhance the safety of his facility.

The Agency may, after analyzing the report, impose new technical requirements.

Article 25

The operator must conduct verification through analysis, monitoring, and testing to verify that the physical condition of the facility and its operation remain compliant with applicable regulatory provisions and the limits and operating conditions as approved by the Agency.

Article 26

Any proposed modification to the limits and conditions of operation, or any other modification related to the nuclear and radiological safety and/or security of the facility, must be reported to the Agency by the operator, accompanied by all supporting documentation.

These modifications are permitted, where applicable, by an administrative act following review of the file by the Agency.

Article 27

During the operational period of a Category 1 facility, in the event of an unplanned or uncontrolled release of radioactive materials into the environment, the operator is required to take appropriate corrective measures to control the release and mitigate its effects.

Article 28

During the final shutdown and decommissioning of a nuclear facility, the operator remains responsible for:

- the safety of the facility; - the management of radioactive waste and materials; - the physical protection of the facility.

Article 29

Appropriate measures must be taken to ensure the safety of decommissioning a nuclear facility. These measures must guarantee:

- the availability of qualified personnel and adequate financial resources;
- compliance with radiation protection measures and those related to effluent discharges and non-emissions programmed and uncontrolled;
- compliance with the provisions regarding organization for emergency situations;
- maintaining records containing information critical for decommissioning.

Article 30

The operator submits an annual report to the Agency containing the safety conditions of their facility. Based on this, the Agency assesses the compliance of the facility's safety conditions with the technical regulations referred to in Article 11 above and the conditions set by the authorization act, and prepares a publicly available report.

Article 31

Adequate financial resources and a sufficient number of qualified personnel must be available for all safety-related activities of a nuclear facility throughout its entire lifecycle. These activities must cover the facility's design, construction, operation, permanent shutdown, and decommissioning.

Article 32

The State shall take appropriate measures, including necessary financial provisions, to enable, following the closure of a permanent radioactive waste storage facility:

- maintaining the records required by the Agency concerning the facility's location, design, and contents; installation ;
- ensuring, where necessary, controls such as monitoring or access restrictions;
- to implement intervention measures during the control period, if an unplanned release of radioactive materials into the environment is detected and if necessary.

Article 33

The operator ensures that decommissioning plans for a radioactive waste management facility, as well as closure plans for permanent storage facilities, are developed and updated using information obtained during the facility's operational phase.

Subsection 2. - On the import, export, and transit of nuclear materials

Article 34

The import, export, and transit of nuclear materials across the national territory by land, waterways, airports, or seaports are authorized by the Administration, following review of the application dossier by the Agency.

Article 35

The granting of an authorization for the import of nuclear materials, related equipment, or technology is subject to the following conditions:

- the material, equipment, or related technology to be imported must not be prohibited by any current legislative or regulatory provision;
- the operator must demonstrate that they have the capabilities and technical, human, and financial resources to use the material, equipment, or related technology under the safety and security conditions stipulated by this law;

- the applicant must hold an authorization to commission their facility and comply with all obligations related to their operations;

- the applicant must ensure the tracking, accounting, containment, monitoring, and physical protection of nuclear materials and nuclear facilities;

- nuclear materials to be imported must be placed under the safeguards regime provided by the Non-Proliferation Treaty to prevent the proliferation of nuclear weapons;

- the transfer of nuclear materials to the applicant must have been previously notified to the Kingdom of Morocco and authorized by the State of origin;

- any potential reprocessing of supplied nuclear materials or any other modifications to these materials must be subject to prior approval by the State of origin.

The same conditions apply to the importation of nuclear materials, equipment, or related technology, into existing free industrial zones within the national territory.

Article 36

The reimportation into national territory of waste derived from nuclear materials, which were legally exported by the Kingdom of Morocco for reprocessing, is subject to authorization by the administration, following consultation with the Agency.

The same provision applies to industrial zones existing within the national territory.

Article 37

The granting of an authorization for the export of nuclear material, equipment, or related technology is subject to the following conditions:

- the commitment of State of destination to user, solely for peaceful purposes, nuclear material, equipment or related technology, as well as the transferred information;

- the commitment of the destination State to submit to safeguards international all its materials and nuclear facilities as well as nuclear material, the related equipment and technology to be exported;

- the commitment of the destination state not to transfer to a Third-party state without the prior agreement of the Kingdom of Morocco a material or technology previously transferred;
- the physical protection levels to be applied to the exported material must comply with those established by the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities;
- the recipient must communicate to the Agency information on the end-use and final destination of the nuclear material, equipment, or related information to be transferred, confirming its peaceful use;
- the State of destination must possess the means administrative and technical capabilities, resources, and the necessary legislative and regulatory framework to manage these materials safely;
- the destination state must have received prior notification of the transfer and granted its approval for this transfer;
- the recipient must hold the required permits for their facility or operations and comply with all related obligations;
- the recipient must have the necessary measures in place for tracking, accounting, containment, monitoring, and the physical protection of exported nuclear materials;
- nuclear materials to be exported must be placed under international safeguards as part of the Treaty on the Non-Proliferation of Nuclear Weapons.

Subsection 3. - Transport of Nuclear Materials

Article 38

Any transport of nuclear materials requires authorization from the administration, excluding internal transportation within of a Category I facility.

The transport of nuclear materials is defined, under the terms of this law, as:

- any movement of nuclear materials by road, rail, or inland waterway that involves, in whole or in part, a territory or area under Moroccan sovereignty and outside facilities authorized to hold such materials;
- any movement of nuclear materials by sea from or to a port under Moroccan jurisdiction;
- any movement of nuclear materials by air from or to an airport under Moroccan jurisdiction.

Article 39

The procedures for transporting nuclear materials are established by regulatory means.

Article 40

Any operator holding the authorization provided for in Article 38 above is responsible for monitoring nuclear materials during transport.

To this end, they must implement a set of measures of protection tailored to the nature and quantities of materials transported, in accordance with the terms of their authorization and the provisions set forth in the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities.

Article 41

Prior to the transport of nuclear materials, a notice must be submitted to the authorities. In case of multiple consecutive transports, the transfer conditions between them must be included with this notice. These provisions do not apply to natural uranium, depleted uranium, or thorium.

Article 42

The authorities may impose any protective measures they deem necessary, considering the nature and quantity of the nuclear materials.

The carrier must take the necessary steps to arrange for the participation, at their expense, of law enforcement in escorting the nuclear materials.

Article 43

When two or several carriers participate successively in the same transport operation, the obligation to ensure protection is transferred from one carrier to the next under conditions guaranteeing the continuity of such protection.

Article 44

Any incident or accident affecting the transport operation shall be reported without delay to the agency and the competent authorities of the administration such as set by means of regulation.

Section II. - Specific Authorizations for Category II

Subsection 1. - General Provisions

Article 45

The authorizations referred to in Article 7 of this Act are not granted or renewed unless the required conditions are met regarding:

- compliance of ionizing radiation sources, subject of the authorization request with the design and de required for their leur certification ;
- regarding radiation protection qualifications for personnel respons for handling the sources of ionizing radiation objet de la demande d'autorisation, et de la personne compétente in radiation protection;
- to the safety analysis concerning the installation, activity, and the associated ionizing radiation sources. Projects for installations designated by regulatory means must additionally undergo an environmental impact assessment;
- to the compliance of premises with radiation protection standards; - to protective measures for exposed workers, the population, and the environment against the effects of ionizing radiation;

- to the detection and measurement equipment for ionizing radiation;
- to the medical monitoring of exposed workers, in accordance with current regulations;
- to the dosimetric monitoring of exposed workers to radiation;
- to the measures taken in case of radiological emergency for sources of ionizing radiation that pose a high risk, as per the categories outlined in Article 4 of this law;
- where applicable, to the physical protection of facilities;
- where applicable, to transportation means; - where applicable, to measures taken to ensure compliance

the legislative and regulatory provisions regarding the management of radioactive waste;

- the applicant's commitment to only supply sources of ionizing radiation to authorized operators for this purpose;

- where applicable, the planned measures for the recovery of sealed sources;

- the commitment to obtain, for the categories defined by regulation, an insurance policy covering civil liability that may arise from the activity subject to the authorization request.

The implementation procedures for this article are established by regulation.

Article 46

Permits are issued by the Agency within a period of two (2) to six (6) months starting from the date of receipt of the complete application file. This date framed by regulatory means for each of the categories listed in Article 4 of the present law.

Any refusal of authorization must be justified by the Agency.

Article 47

The authorization specifies in particular the operator, the purpose of the activity, the nature, quantity, supplier, and country of origin and the technical specifications of radiation sources ionizing

Article 48

Any authorization may be subject to conditions specific conditions related to radiological safety and security that the Agency deems necessary to impose, including the requirement for the operator to establish an internal emergency plan when the activity in question is likely to cause an incident or accident that could harm human health due to exposure to ionizing radiation sources, or the environment, and to maintain an up-to-date inventory of ionizing radiation sources under its care.

These conditions may be modified, supplemented, or removed.

Article 49

For activities involving the use of radionuclides under For unsealed radioactive sources, the authorization sets forth the technical requirements applicable to waste and effluents produced until their release or disposal to authorized facilities.

Article 50

Each authorization is issued for a maximum duration determined by the Agency based on the purpose of the authorization. It may be renewed upon request by its holder.

Article 51

The operator is primarily responsible for the safety and security of the facilities and activities for which they are authorize

Article 52

If an authorized activity is not implemented within the timeframe set by regulation according to the classes specified in the final paragraph of Article 4 of this law, the Agency must be notified by the operator. In this case, the authorization becomes void.

Article 53

Must be subject to a new authorization request to the Agency, any change of operator or assignment of premises intended to house sources of ionizing radiation, or any extension of the scope covered by the authorization initial, or any modification des characteristics

Article 54

The Agency may conduct a review of the authorization it has issued, whenever new evidence warrants reassessing the justification for the authorized activity, its safety, or security.

Article 55

The cessation of an activity requiring authorization under the provisions of this section, as well as any discontinuation of the use of ionizing radiation sources, must be reported to the Agency within the timeframe specified in the authorization document.

The Agency shall approve the measures to be implemented for the retrieval of radioactive sources by the supplier and the disposal of any radioactive waste.

Any user of sealed sources is required to return expired or unusable sources to their supplier. However, as an exception, this obligation does not apply when the characteristics of the sources allow for decay at the place of use or when the activity level is below the limits set by regulations.

Subsection 2. - Transport of Radioactive Materials**Article 56**

Any transport, whether by land, sea, or air, of materials radioactive composed of radionuclides whose activity exceeds the exemption limits set by regulatory is subject à authorization of The Agency, in accordance with the provisions of this law, the implementing texts, and the technical regulations established by the Agency.

Transport includes all operations and conditions associated with the movement of radioactive materials, such as the design of packaging, its manufacture, maintenance, and repair, the preparation, shipment the loading, transport, y storage in en the le déchargement et la réception au lieu de destination finale des shipments of radioactive materials.

Article 57

The following are excluded from the scope of this subsection: the transport of:

- radioactive materials that are an integral part of the means of transport;
- radioactive materials moved within a facility where activities under category II are conducted;
- radioactive materials installed or incorporated into the organism of a living being for diagnostic purposes or therapy;
- natural materials and ores containing natural radionuclides not intended to be processed for the use of these radionuclides, provided that the specific activity of these materials does not exceed the values set by regulations;
- radioactive materials used as samples for biological testing.

Article 58

The authorization may be general or specific.

A general authorization may be granted to a carrier who wishes to regularly transport radioactive materials. This authorization is granted for a period not exceeding five years. It is renewable upon request by the carrier.

The carrier holding a general authorization shall inform the Agency on a monthly basis, in accordance with the procedures established by the latter, of radioactive material shipments carried out during the previous month.

A specific authorization may be granted to a carrier wishing to conduct an occasional shipment of radioactive materials.

Article 59

If during the transport of radioactive materials it becomes apparent that a danger threatens public safety, the radioactive materials transport officer must immediately notify the competent authorities as well as other parties involved in the relevant transport.

Article 60

The conditions and procedures for transporting materials Radioactive substances are defined by the Agency under the technical regulations referred to in Article 173 of this law.

Subsection 3. - Authorizations Related to Extraction and Mineral Processing**Article 61**

Activities requiring authorization from the Agency include the extraction of radioactive ores containing uranium or thorium family radionuclides in quantities or concentrations sufficient to warrant exploitation or, when accompanying other extracted substances, in quantities or concentrations necessitating radiation protection measures as specified by regulation, as well as the processing of said ores.

Article 62

This authorization covers:

- any exploration activity involving potential exposure to ionizing radiation;
- the removal of uranium or thorium ore from the site for experimentation;
- excavation activities conducted on a site containing uranium or thorium ore;
- the selection of the site location, construction and operation of the mine or processing facility;
- transportation of extracted materials or processing products;
- decommissioning of the mine or processing facility.

Article 63

The operator shall implement, during the operation of the mine or the processing facility and after their closure, the radiological protection measures provided for by this law, intended to ensure the protection of workers, the public, and the environment.

Article 64

The authorization for decommissioning of the mine or de l'installation de traitement n'est accordée qu'après remise de la zone dans un état sûr.

Section III. - Dispositions communes aux autorisations pour les catégories I et II**Article 65**

Les autorisations sont accordées sous réserve des droits des tiers .

Article 66

L'exploitant est tenu de respecter les prescriptions et les règlements techniques prévus par les dispositions de la présente

Article 67

The operator must give due priority to safety and security.

To this end, they are required to have and implement the necessary resources to ensure activities related to safety, security, and where applicable, physical protection.

They are also required to designate at least one person qualified in radiation protection, responsible for safety matters radiological.

The qualified person must have previously completed successfully, radiation protection training provided by an accredited organization, in accordance with the provisions of Chapter XI of this Title.

The required qualifications of the person competent in radiation protection, the terms of their training, as well as the terms of execution of their duties are established by regulatory means.

Article 68

The operator of an installation capable of generating radioactive effluent discharges into the environment, bears the cost of associated preventive measures, including analyses, as well as prescribed measures to reduce risks and radioactive releases.

Article 69

The operator is required to implement a program of appropriate quality assurance, in accordance with the technical specifications defined by the Agency in the technical regulations referred to in Article 173 of this law. This program aims to ensure that the requirements related to safety, security, physical protection, and safeguards are met.

Article 70

The operator must take the measures techniques, organizational and operational measures to:

- reduce the likelihood of malicious acts, including sabotage;
- minimize the radiological consequences of malicious acts involving radioactive or nuclear materials.

Article 71

The operator shall promptly report incidents to the Agency significant matters relating to safety, security, or protection physical aspects of authorized activities.

Article 72

The provisions of this section apply, subject to the agreements concluded by the Kingdom of Morocco regarding the transport of hazardous materials duly published in the "Official Gazette", and without prejudice to any other provisions applicable to the transport of goods hazardous. In case of contradiction or confusion regarding the transport of radioactive materials, the provisions of this law, the texts enacted for its implementation, and the technical regulations issued by the Agency shall prevail over the provisions established for the transport of hazardous materials.

Chapter IV

Declarations

Article 73

For any activity or facility falling under Category II, subject to prior declaration to the Agency in accordance with the provisions of Article 7 of this Act, the declaration shall specify, in particular, the establishment head, the person responsible for the activity, the purpose of the activity, the nature and the geographical location of the facility, the available premises, the technical characteristics of the ionizing radiation sources, their conditions of use or possession, as well as the qualifications of the personnel using them. This declaration is accompanied by all relevant supporting documents.

A certificate is issued to the declarant by the Agency, following review of the file.

Article 74

Any modification concerning one or more of the elements listed in Article 73 above, as declared to the Agency, must be subject to prior notification to the latter.

Article 75

The cessation of an activity subject to declaration as well as any cessation of the use of radiation sources ionizing sources must be reported to the Agency.

The Agency shall, where applicable, notify its approval of the measures that will be implemented for the recovery of radioactive sources and the disposal of any radioactive waste.

Chapter V

Common provisions for authorization regimes and reporting

Article 76

Persons subject to authorization or reporting under this law, ionizing radiation sources may only be used for purposes specified in the authorization granted to them or in the declaration they have made.

Article 77

Ionizing radiation sources subject to authorization or declaration must comply with Moroccan standards or, failing that, with the required international standards in this field.

Chapter VI

Authorizations related to the management of radioactive waste

Article 78

No one may release into the environment, in any form whatsoever, non-exempt radioactive waste unless they hold a discharge authorization issued by the Agency, specifying the release levels.

Article 79

Waste management activities and facilities for radioactive materials, excluding nuclear materials and radioactive waste storage facilities, are subject to authorization issued by the Agency, or to declaration to this Agency, in accordance with the provisions of this law and the texts adopted for its implementation.

Article 80

Exempt from the application of the provisions of this chapter are radioactive wastes that meet exemption levels set by regulatory means.

Article 81

The export of Category II radioactive waste is subject to authorization issued by the Agency, in accordance with the provisions of this law and its implementing regulations.

Article 82

Radioactive waste not subject to authorized discharge must be managed through the designated waste management pathways as specified by regulatory means.

Article 83

The management of radioactive waste must adhere to a clear allocation of responsibilities among the following parties:

- the producer of radioactive waste;
- the entity legally responsible for the management of centralized radioactive waste generated at the national level;
- the Agency.

In any case, the State remains responsible in the absence of any other duly designated party.

Article 84

The entity in charge of centralized radioactive waste management generated at the national level shall manage the radioactive waste transferred to it by producers, in accordance with the provisions of this chapter.

The transfer of responsibility for radioactive waste from the producer to the centralized radioactive waste management organization begins when said waste is received by said organization.

Article 85

The management of radioactive waste must comply with the following principles:

- achieve and maintain a high level of safety regarding spent fuel management and radioactive waste management; radioactifs ;
- ensure a protection adequate of humankind of the environment and future generations against the effects harmful of radiation ionizing, without compromising their ability to fulfill their aspirations;
- prevent accidents and mitigate their consequences.

Article 86

The operator implements waste management measures for radioactive waste aimed at:

- keeping production and
the activity of radioactive waste as low as reasonably achievable;
- taking into account the existing interdependencies between various stages of radioactive waste management, such as pretreatment, treatment, conditioning, interim storage, and disposal;
- account for biological, chemical, and other risks risks associated with radioactive waste management;
- apply characterization and management procedures

regulatory means.

Article 87

The operator shall take measures to assess the safety of the radioactive waste management facility and its impact on human health and the environment.

Article 88

The essays of putting in service, operation, the maintenance, as well as the monitoring of a radioactive waste management facility, are carried out in accordance with the technical specifications established by the operator and approved by the Agency.

Article 89

During the operation of a radioactive waste management facility, including for effluent discharge operations, the operator is required to take all measures necessary to prevent unplanned and uncontrolled releases of radioactive materials into the environment.

Article 90

The producer of radioactive waste maintains an up-to-date inventory of its waste. It submits an annual report to the Agency on the status of the radioactive waste under its management.

Article 91

All data pertaining to radioactive waste generated within a radioactive waste management facility must be archived in accordance with regulatory provisions.

Article 92

The costs associated with waste management shall be borne by their producer, who must have the necessary funds available effect.

Article 93

The provisions of Section III of Chapter III of this law shall apply to radioactive waste management activities radioactive waste.

Chapter VII

Protection against ionizing radiation

Article 94

For any exposure to radiation sources the operator is required to take the necessary measures and means to ensure the protection of workers, patients, the public, and the environment in accordance with the provisions of this law.

Article 95

Any exposure to sources of ionizing radiation must be carried out selon the principles of justification, optimization, and dose limitation.

The justification principle requires that no activity involving exposure to ionizing radiation may not be authorized unless its application produces a net positive economic, social, or other benefit compared to the potential health detriment it may cause.

The optimization principle requires that the exposure of individuals to ionizing radiation be kept as low as reasonably achievable, taking into account economic and social factors.

The dose limitation principle requires that the sum of attributable doses à all activities does not exceed the dose limits as set by regulatory standards. These dose limits do not apply in the following cases:

- a) *exposure of people for the needs of medical diagnostics and treatments they benefit from;*
- b) *the exposure of volunteers participating in medical and biomedical research programs;*
- c) *the exposure of members of the public and responders in cases of radiological emergency situations, for which reference levels are established by regulation;*
- d) *exposure of individuals to natural radiation.*

Article 96

The operator is responsible for the assessment an the implementation of necessary preventive measures to protect its personnel, including the provision, maintenance, and inspection of personal and collective protective equipment and devices, as well as instruments for measuring exposure to ionizing radiation, which concerns the inspection technical of radiation protection and the effectiveness checks of the radiation protection technical measures, as defined by regulatory means.

The operator is also required to ensure the calibration of ionizing radiation detection equipment

Article 97

The operator is required to provide medical monitoring and individual dosimetric monitoring for workers exposed to ionizing radiation, taking into account both external and internal exposure risks, in accordance with current regulations.

Chapter VIII

On the use of ionizing radiation for medical purposes

Section 1. - General provisions

Article 98

To ensure the protection of patients, workers, To protect the population and the environment, the use of ionizing radiation sources for diagnostic, therapeutic, or research purposes in medical, dental, or veterinary fields may only be performed by qualified personnel with the required training, in specially designed and equipped facilities compliant with regulatory provisions.

The required training for each professional category using ionizing radiation sources for the intended purposes under this chapter shall be defined by regulation.

Article 99

Seuls peuvent être utilisés aux fins prévues à l'article 98 above, the devices or ionizing radiation sources approved by the Administration, following consultation with the Agency and listed in an annually published inventory.

This list, prepared by the Administration after consulting the National Councils of the relevant professional orders, specifies à For what purposes may the approved materials or sources be used, considering their medical value in diagnosis, treatment, or research.

Article 100

The handling of ionizing radiation sources for the intended purposes à Article 98 above by a non-medical healthcare professional may only be performed upon prescription and under the responsibility of a physician, dentist, or veterinarian in the case of animal health, who are authorized to use these sources in accordance with the provisions of this law.

The list of authorized non-medical healthcare professionals permitted to handle ionizing radiation sources is determined by regulatory means.

Article 101

Specialist physicians in radiology, in medicine nuclear or radiotherapy, as well as physicians, pharmacists and veterinary doctors, specialists in biophysics may, each within the scope of their expertise, use ionizing radiation sources for diagnostic, therapeutic, or research purposes.

Physicians, dentists, doctors veterinarians and pharmacists, practicing one of the specialties established by regulation, may use ionizing radiation sources for the purposes outlined in the first paragraph ci- The list of ionizing radiation sources that may be used by these professionals is established by regulation.

Notwithstanding the provisions of the first paragraph above, the public healthcare services may use X-ray equipment to perform standard examinations without preparation, provided they obtain special authorization issued by the Agency. The list of such examinations is determined by the Administration after consultation with the National Council of the National Order of Physicians. This list is communicated to the Agency.

Article 102

Any healthcare facility offering nuclear medicine or radiotherapy services must have at least one medical physicist on staff.

Radiology centers meeting the criteria established by regulatory pathway must have a medical physicist. However, a Contract may to have been reviewed by a medical physicist for a limited duration meeting the needs of the establishment.

The required qualifications of the medical physicist as well as the terms of performing their duties are established through regulatory means.

Article 103

In case of exposure of a pregnant woman to sources of ionizing radiation, the radiation exposure of the embryo or fetus must be reduced to the minimum compatible with the examination undertaken. Section II. - **On maintenance and quality control obligations of devices or sources of ionizing radiation**

Article 104

The user of a device or of a source of medical ionizing radiation devices listed in Article 99 above must ensure the maintenance of performance and proper upkeep of the equipment, as well as its implementation.

This obligation may, where applicable, give rise to a quality control as defined in this chapter, the cost of which shall be borne by the operator.

Article 105

The operator responsible for the resale of a medical device or a source of medical ionizing radiation listed in Article 99 must, prior to resale, obtain from an approved body a certificate confirming regular maintenance and sustained performance of the medical device in question, in accordance with the procedures defined by the Agency.

Article 106

The manufacturer and user of a medical device or source of ionizing radiation who become aware of an incident or potential incident involving said device or source, which has resulted or could result in harm to a patient, user, or third party, must report it immediately to the Agency and the relevant authorities.

Article 107

The Agency shall establish the list of devices or sources of ionizing radiation subject to:

- the maintenance requirement, carried out either by the manufacturer or under their responsibility, or by a third-party maintenance provider, or by the operator themselves;

- internal quality control, if performed by the operator or, under their responsibility, by a service provider;
- and external quality control, if performed by an independent body separate from the operator, manufacturer, and the person responsible for maintaining the device

For each device or radiation source subject to internal or external quality control, the Agency defines the specific procedures for this control, based on the devices or ionizing radiation sources.

Article 108

External quality control of devices or sources of ionizing radiation is performed by organizations accredited for this purpose by the Agency in accordance with the provisions of Chapter XI of this title and the regulations adopted for its application.

Chapter IX

On physical protection, security, safeguards, and non-proliferation

Section 1. - Physical protection of facilities and nuclear materials

Article 109

The State shall establish and implement a national system for the physical protection of nuclear facilities and nuclear materials.

This system must include measures to protect confidential information.

Article 110

The national system for the physical protection of nuclear facilities and nuclear materials is based on the state's assessment of the design basis threat. This threat is reassessed on a regular basis.

The design basis threat refers to the means and characteristics of potential aggressors, whether internal or external to the facility, aiming at unauthorized removal of nuclear materials or sabotage, based on which a physical protection system is designed and evaluated.

Article 111

Nuclear materials are categorized in accordance with Annex I of the Convention on the Physical Protection of nuclear materials and nuclear facilities.

Physical protection measures are defined based on the potential consequences that could result from an unauthorized removal of nuclear materials or sabotage.

Article 112

The physical protection levels for nuclear materials during import, export, transport, or transit must comply with those specified in the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities.

Section II. - Security of Radioactive Sources

Article 113

The administration is responsible for:

- assessing the national baseline threat to serve as the foundation for establishing a national system for the physical protection of radioactive sources;
- responding to malicious acts involving a radioactive source;
- minimizing the radiological consequences of such acts malicious putting en play sources radioactive;
- to take appropriate measures to protect confidential information.

Article 114

The Agency has the responsibility:

- to establish and maintain a national inventory of radioactive sources;
- to propose aux relevant departments competent the regulations applicable to measures of security designed to deter, detect, and delay unauthorized access to radioactive sources, their theft, loss, or unauthorized removal;
- to propose to the relevant ministerial departments, requirements for security verification of radioactive sources;
- to establish a search plan for uncontrolled sources.

Article 115

The operator is responsible for the safety of the sources radioactive materials they are authorized to possess. To this end, they must - impleme the technical operational, and et the likelihood of losing control over these sources; - the probability of malicious acts, including acts of

- la probabilité de perte de contrôle sur ces sources ;
- la probabilité d'acte malveillant, y compris l'acte de sabotage, based on the guidance provided by the Agency, considering the reference threat outlined in Article 110 above.

For radioactive sources falling under the specified classes through regulatory means, the operator is required to include in the authorization application file a security plan, specifying measures to prevent unauthorized access or damage to radioactive sources, as well as the loss, theft, or unauthorized transfer of these sources.

The operator must immediately inform the Agency of any loss, theft, or missing radioactive source.

Section III. - Guarantees and Non-Proliferation

Article 116

The provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and those of the safeguards agreement are applicable in this matter, in accordance with the commitments made by the Kingdom of Morocco.

In this regard, the State and operators fully cooperate with the International Atomic Energy Agency (IAEA) for the application of safeguards, including:

- a) by promptly communicating the required information under the safeguards agreement;
- b) by providing duly authorized representatives of the Agency as well as IAEA inspectors with access to facilities and other locations as required by the safeguards agreement;
- c) by cooperating with IAEA inspectors and assisting them in carrying out their duties;
- d) by providing the necessary services requested by the IAEA inspectors.

Article 117

Under the technical regulations referred to in Article 173 of this Act, the Agency shall establish and implement a national system for nuclear material accounting and control, comprising:

- a system for measuring nuclear materials; - a system for assessing measurement accuracy; - procedures for reviewing measurement discrepancies; - procedures for measuring physical inventories and losses;
- a system for assessing unmeasured inventories;
- a system of records and reports to track the evolution of stockpiles and the flow of nuclear materials;
- procedures to ensure the correct application of accounting methods and rules;
- procedures for reporting to the IAEA.

Chapter X

Emergency Plans

Article 118

The State shall establish a national response plan to address any radiological or nuclear emergency situation.

This plan, designed to alert, protect, and assist the population in the event of a radiological or nuclear emergency, is periodically updated and tested at regular intervals to verify its effectiveness.

Article 119

The national response plan consists of two levels of coordinated preparedness and response to emergenc radiological and nuclear incidents that may occur on national territory or following a cross-border nuclear accident.

- at the national level, a plan developed and implemented under the responsibility of the designated government authority through regulatory means;
- at the local level, a plan developed and implemented under the responsibility of the competent administrative authority of the relevant region with the support of the Agency.

Article 120

The plan interven plan establishes levels of intervention, both at the national and local levels, for the implementation of urgent protective measures and for their termination.

Article 121

The plans referred to in Article 119 outline the organization and the means intended to address various potential accidental scenarios, including emergency medical response measures resulting from radiological or nuclear emergencies.

They also include provisions for public information measures regarding the radiological or nuclear emergency situation, as well as, where applicable, on the recommended course of action.

Article 122

The intervention plans incorporate risk assessments of potential radiological or nuclear emergency situations that may occur at authorized facilities or during authorized activities, or that may result from cross-border nuclear accidents.

Article 123

The plan plan internal established by the operator, in accordance with Article 12 of this Act, must be coordinated with the locally established plan referenced in Article 119.

In the event of an emergency situation, the operator must proceed with an assessment of the circumstances and consequences of the situation and provide assistance for the response efforts.

Article 124

The administration shall make the necessary arrangements for situations where workers or personnel involved in various response operations may be subject to emergency exposures resulting in doses exceeding the authorized dose limits for exposed workers.

In any case, all response actions must comply with the principles of justification and optimization as defined in Article 95 of this Act.

Article 125

The Agency provides technical assistance to the authorities responsible for developing emergency plans related to radiological or nuclear accidents.

It is involved in managing emergency situations of a nuclear or radiological nature occurring on national territory or that may affect it.

Article 126

The administration shall take the necessary measures to notify a radiological or nuclear emergency situation occurred on the territory national, in accordance with the international commitments of the Kingdom of Morocco in this matter.

Chapter XI

Approved technical organizations

Article 127

Only organizations approved by the Agency, in accordance with the procedures established by regulation, may provide the following technical services, enabling operators to meet the following nuclear or radiological safety or security obligations:

- a) *individual dosimetric monitoring of workers* exposed to ionizing radiation;
- b) *the calibration* of equipment for detection of ionizing radiation;
- c) *the training and knowledge assessment of* qualified radiation protection personnel;
- d) *the radioactivity measurements* specified by the Agency; e) *external quality control of devices or sources* of medical-use ionizing radiation;

f) *the verification of* the effectiveness of technical measures and organizational measures implemented by the operator to comply with the safety requirements set forth in this law;

g) *the technical radiation protection inspection of sources and* ionizing radiation-emitting devices, protective and alarm systems, as well as measuring instruments used.

The Administration may, as needed, supplement or amend the aforementioned list based on evolving safety and security requirements applicable to the activities covered by this law.

Article 128

Each service requires specific approval. The validity period of the approval is set at one year, at most, for an initial application and up to five years maximum for a renewal application.

Article 129

Approval is granted only if the applicant possesses the technical and organizational resources, as well as the technical expertise and professional qualifications required to fulfill their duties, as defined by regulatory provisions.

Article 130

The applicant must have a quality system compliant with Moroccan standards. Applicants are deemed to meet this requirement if they hold a certificate of compliance with said standards, issued in accordance with current regulations, or possess a certificate issued by an accreditation body recognized by the competent authorities.

Article 131

Approved organizations must conduct their activities within organizational, technical, and financial conditions designed to ensure their independence of judgment and adherence to ethical standards. They are bound by confidentiality obligations regarding the results obtained and operational procedures.

Article 132

Approved organizations must facilitate access to their premises for quality control personnel to verify their continued compliance with the approval conditions as stipulated by this law.

They further commit to informing the Agency of any changes in the conditions under which they operate, as stated in their approval application.

Article 133

When one or more of the conditions required for the issuance of an approval cease to be met, it shall be suspended for a period determined by the Agency, starting from the date of suspension, to allow its holder to comply again with the required conditions.

If at the end of this period, the conditions are still not met, the approval shall be withdrawn by the Agency.

Article 134

The list of approved organizations and that of withdrawn approvals are published annually in the "Official Bulletin".

TITLE II

ON RESEARCH AND VERIFICATION

OFFENSES - PENALTIES

Chapter One

On the Investigation and Recording of Offenses

Article 135

In addition to judicial police officers and agents, the following are authorized to investigate and record offenses under the provisions of this law and related implementing texts, the inspectors specially authorize an appointed for this purpose by the Agency.

The aforementioned inspectors are sworn in accordance with current legislation and are bound by professional confidentiality under penalty of the sanctions provided for in Article 446 of the Penal Code.

The appointment of an inspector must take in consideration of their level of education, their experience professional background, their legal and technical expertise in the field, in light of the requirements necessary for carrying out their inspection duties.

The aforementioned inspectors, who have—either personally or through an intermediary—interests in a facility or activity related to their duties that could compromise their independence, may not be designated as inspectors for overseeing said facility or activity.

The inspectors certify by sworn statement of their independence regarding the facilities or activities under their supervision in relation to the requirements set forth in the preceding paragraph.

In addition to the procedural rules provided for in this title and those of common law, the technical methods of inspection are established by regulatory means.

Article 136

Violations are recorded in official reports that are considered valid until proven otherwise. A copy of the report is given to the operator.

For any violation covered by this title, the official verbal reports are transmitted within five days of their preparation to the competent King's Prosecutor.

Article 137

In carrying out their duties, inspectors of the Agency have access, in the presence of the operator or their representative, to professional-use facilities, premises, and means of transport that they are authorized to inspect, excluding residential premises which they may access in accordance with the provisions set forth in the Criminal Procedure Code.

They may also, for the same purpose to provide communicate all documents and data computer necessary, after drawing up a list countersigned by the operator or their representative, including those containing individual medical data when the inspector is a qualified physician.

The follow-up to the inspection is notified by the Agency to the operator who shares their observations with them.

Inspectors may collect samples for analysis potentially by a body approved by the Agency.

Article 138

Inspectors may proceed with the seizure of all devices, materials, objects, products, or relevant documents, upon a justified authorization from the competent King's prosecutor.

The seizure request must include all elements of information necessary to justify this seizure. It is carried out under the authority and supervision of the King's prosecutor who authorized it.

The seized devices, materials, objects, products, or documents are immediately inventoried. The inventory is attached to the on-site report. Copies of the report and inventory are provided to the operator.

The original copies of the report and inventory are submitted, within five days of their creation, to the King's prosecutor who ordered the seizure. They may, at any time, order the lifting of the seizure.

Inspectors may request the King's prosecutor with jurisdiction to authorize them to access the premises if the operator cannot be reached, if they oppose access, or if the access concerns premises used as a residence.

Article 139

Without prejudice to the sanctions provided by the legislation in force and by this law, the Agency shall immediately seize, without compensation and at the expense of the offender, any radioactive waste acquired or possessed illegally or used in a manner dangerous to humans or the environment.

This waste shall be handed over, at the expense of the offender and without delay, to a duly authorized radioactive waste management facility authorized in accordance with the provisions of this law.

Chapter II

Penalties

Section I. - Administrative penalties applicable to Category I installations and activities

Article 140

If a Category I facility is not put into operation within the timeframe specified in the administrative permit authorizing its construction, the Administration, upon proposal from the Agency, may revoke the facility's authorization.

The Administration, upon proposal from the Agency, may impose specific requirements on the operator to ensure site remediation. Inspections by the Agency's inspectors remain applicable to this facility.

Article 141

If it is found that a Category I facility poses risks serious for Man and the environment, the Administration decides, at the initiative of the Agency, to suspend of its operation during the period required to implement measures capable of eliminating these risks.

Except in cases of emergency, the operator is required to submit comments on the proposed suspension.

In cases of serious and imminent risks, the Agency suspends, if necessary, after notifying the Administration, as a temporary and precautionary measure, the operation of the facility.

Article 142

The Administration, upon proposal from The Agency may order the permanent shutdown of a Category I facility that poses serious risks which the prescribed measures are insufficient to prevent or adequately mitigate.

Article 143

If a Category I facility ceases operation for a durée period exceeding à two year, the administration may, upon proposal from the Agency, prohibit the resumption of the facility's operation and require the operator to submit, within a specified timeframe, a request for authorization to permanently shut down the facility.

Article 144

When certain conditions imposed on the operator of a Category I facility are not met, the Agency, irrespective of any criminal proceedings that may be initiated, formally notifies the party concerned to comply with these conditions within a specified period.

If, upon expiration of the allotted period, the party has not complied with the formal notice, the Agency may, through a reasoned decision and after allowing the party to present their observations:

a) *require them to deposit with a public accountant a sum corresponding to the cost of the required work or measures, which shall be refunded to the operator as they carry out the prescribed work or measures;*

b) *have the required work or measures carried out automatically at the expense of the person in default, with the sums deposited under the provisions of a) may be used to cover the expenses thus incurred;*

c) *suspend the operation of the facility in question.*
This measure is automatically lifted upon full compliance with the imposed conditions.

Article 145

The sums whose deposit with a public accountant was ordered under the provisions of Article 144 above shall be recovered as public debts.

When the enforceable order issued pursuant to a measure of deposit is challenged before the administrative court, the president of the administrative tribunal, ruling in summary proceedings, may, notwithstanding this challenge, at the request of the Agency and if none of the arguments put forward in support of the petition is capable of raising, at this stage of the proceedings, serious doubt as to the legality of the decision, rule within fifteen days that the appeal shall not have suspensive effect.

Article 146

When the Agency has ordered a suspension measure, the operator of the facility is required to ensure that its personnel, during the period of this suspension, receive payment of their wages, including those to which they were previously entitled, and in general, to comply with the applicable labor legislation.

The operator of the facility provides for the conditions contractual terms under which external company personnel working at the facility site are guaranteed continued payment of wages, allowances, and compensation during this suspension period.

Article 147

When the operator fails to implement the measure In accordance with Article 23 of this law, the Administration, upon proposal by the Agency, formally requires the responsible party to implement prescribed measures for the physical protection of the facility and nuclear materials under its responsibility, as well as for nuclear material control, within a specified timeframe. Upon expiration of this period, the authorization may be suspended or revoked if the requirements of the formal notice are not met.

Section II. - Administrative sanctions applicable to Category II facilities and activities

Article 148

Without prejudice to criminal proceedings provided for this purpose, the authorizations provided for in Section II of Chapter III of Title I of this law may be revoked at any time by the Agency:

- in case of serious violation of the provisions of this law, the texts adopted for its implementation, or the requirements set forth in the authorization;

- if authorization was obtained by making a fraudulent or inaccurate declaration or by providing false supporting documents;
- if the operator is prevented from carrying out the authorized activity due to incapacity or for any other reason, or if, for any reason, they are no longer qualified to hold the granted authorization.

The withdrawal, duly justified, is issued after the expiration of a one-month period following the notification of a formal notice to the concerned party specifying the grievances raised against them.

Article 149

In the event of non-compliance with the provisions of this law, the implementing texts adopted under it, or the requirements set forth in the authorization, or in cases of emergency involving public health or safety, the Agency may order the temporary suspension of an authorized activity or one subject to a prior declaration. The Agency shall formally notify the party concerned to comply with the measures it prescribes to remedy the situation.

The suspension may not exceed ninety days. If the causes of the suspension are not resolved within this period, the authorization shall lapse. In such cases, current or future radioactive sources and waste must be managed at the expense of the violator under conditions determined by the Agency.

Article 150

Non-compliance with the provisions of Articles 104 and 105 above may result in the temporary or permanent decommissioning of a device or source of ionizing radiation, as ordered by the Agency, and, where applicable, the withdrawal or suspension of the establishment's authorization under the conditions provided by applicable legislation.

Section III. - Criminal penalties relating to facilities and Category 1 activities

Article 151

1. - Shall be punished by imprisonment of five to ten years and a fine of 5,000,000 to 7,500,000 dirhams for:

1° engaging in nuclear activities without authorization, as defined in Articles 8 and 9 of this law;

- 2° unlawfully appropriating nuclear materials;
- 3° abandoning or dispersing nuclear materials;
- 4° altering or damaging nuclear materials;
- 5° destroying structural components containing

nuclear materials.

II. - The court may additionally order the confiscation of nuclear materials as well as equipment used in their production, utilization, or transportation.

III. - Attempting the offenses specified in items 2°, 4°, and 5° of Section I above shall be punishable by the same penalties.

Article 152

I. - Shall be punished by imprisonment of one to three years and a fine of 500,000 to 1,500,000 dirhams, the act of continuing the operation of a Category I facility in violation of an administrative measure or a judicial order to cease or suspend operations.

II. - Shall be punished by imprisonment of one to two years and a fine of 300,000 to 750,000 dirhams or one of these two penalties only, the act of:

1° operating a Category I facility without complying with a formal notice to adhere to a regulatory requirement;

2° failing to comply with the conditions for site rehabilitation measure

III. - Shall be punishable by imprisonment of six months to one year and a fine of 50,000 to 150,000 dirhams or either of these two penalties only, the act by the operator of a Category I facility:

1° to refuse, after being required to do so, to provide to the Administration and the Agency any information relating to the nuclear safety of their facility;

2° to obstruct inspections conducted by the Agency's inspectors;

3° to fail to report an incident or accident as required by this law;

4° to include false information in the report annual provision set forth in Article 30 of this law.

Article 153

Shall be punishable by imprisonment of one to two years and by a fine of 200,000 to 300,000 dirhams, the act of obstructing the exercise of nuclear material controls or providing inspectors responsible for such controls with inaccurate information.

Article 154

Shall be punishable by a fine of 50,000 to 100,000 dirhams, the act of: 1° failing to comply with the technical conditions specified

in the authorization document or the regulations and technical requirements referred to in Article 173 of this law;

2° operating a facility without conducting the safety reassessment mentioned in Article 24 of this law within the prescribed timeframe, or failing to submit the report containing the findings of this assessment within the prescribed timeframe;

3° operating a facility without having implemented the measures specified in the internal emergency plan;

4° failing to make the required transmissions of information or documents to the Agency, or providing false information in these documents;

5° modifying the operating limits and conditions or making any other changes related to the nuclear and radiological safety and/or security of their facility without obtaining the required authorizations;

6° obstructing the execution of work or measures of containment prescribed by the Agency as mentioned in Article 144 above.

The act is punishable by a fine of 30,000 to 75,000 dirhams for the operator of a Category I facility failing to submit the annual report required under Article 30 of this law.

Article 155

Any holder of an import or transport authorization for nuclear materials or an authorization referred to in Article 8 of this law, or any person having custody or management of nuclear materials subject to the provisions of Title I of this law, who becomes aware of the loss, theft, disappearance, or diversion of such materials and fails to notify the police or gendarmerie within twenty-four hours of such discovery, shall be punished by imprisonment of one to two years and a fine of 250,000 to 400,000 dirhams.

Article 156

Intentional violation by individuals or Any moral entity involved in any capacity whatsoever in facilities holding nuclear materials—whether through laws and regulations, operational limits and conditions, or the operator's internal rules—when such involvement may compromise nuclear facility safety, nuclear material protection, or the security of persons and property, may immediately result in:

1° For individuals, without prejudice to applicable criminal penalties, without notice or compensation and after the responsible party has been informed of the alleged misconduct and given an opportunity to respond, the suspension or termination of contractual or statutory ties under which these individuals operate, notwithstanding any contrary provisions in applicable statutes or agreements;

2° For legal entities, the revocation of administrative authorizations, the suspension or termination without notice or compensation of agreements under which these entities operate, notwithstanding any contrary provisions in such agreements.

Article 157

In the event of conviction for an offense under Article 152 above, the following additional penalties may be imposed:

1° The public posting of the decision or the dissemination of the same by any appropriate means;

2° the confiscation of the object used or intended to commit the offense or of the object that is its product;

3° a prohibition for a maximum duration of five years from practicing the professional activity in the course of or on the occasion of which the offense was committed.

Article 158

In case of conviction for an offense provided for in 1° of Article 151 or in I and II of Article 152 above, the court may:

1° to decide on the cessation or suspension of operations of all or part of the facility;

2° to order the restoration of the site within a timeframe it determines. The restoration order may be accompanied by a penalty payment, the rate and maximum duration of which it sets.

The court may rule that the restoration work will be carried out at the operator's expense. In such cases, it may order the operator to deposit with a public accountant a sum covering the cost of the required work.

Article 159

The penalties provided for in Article 151 above shall apply to the act of transferring or transporting, outside the territory of the Kingdom of Morocco, in violation of the provisions of Article 37 of this law, nuclear materials falling within the scope of Articles 1 and 2 of the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities.

Section IV. - Criminal Penalties Relating to Facilities and Category II activities

Article 160

Shall be punishable by imprisonment from three months to one year and a fine of 50,000 to 100,000 dirhams, or by one of these two penalties only, the act of:

- importing or exporting sources of ionizing radiation without having obtained prior authorization;
- undertaking or engaging in Category II activities without holding the authorization provided for in Section II of Chapter III of Title I or without having submitted the declaration required under Chapter IV of the same title;
- providing false information or supporting documentation of the authorization request or when submitting the declaration referred to above;
- to perform one of the acts referred to in Article 53 of this law without having obtained authorization;
- to fail to comply with the requirements of the aforementioned authorization mentioned above;
- to engage in a Category II activity, the duration of the authorization has expired without having requested and obtained the renewal of said authorization;
- to engage in a Category II activity despite a withdrawal or a suspension of this activity ordered by the Agency;
- failure to immediately report the loss, theft, or shortage of radioactive sources, in violation of the provisions of Article 115 above;
- failure to report to the Agency significant incidents affecting the safety or security of authorized activities, in violation of the provisions of Article 71 above,
- failure to comply with the requirements of Article 101 of this Act.

Article 161

The following acts shall be punishable by a fine of 2,000 to 10,000 dirhams:

- importing or exporting sources of ionizing radiation without having made the required declaration;
- for the person responsible for transporting nuclear materials to fail to notify the competent authorities, in accordance with Article 59 of this law, of any danger threatening public safety during the transport of said materials;
- failure to submit to the Agency any new fact or any modification of previously provided information to obtain authorization;
- failure to notify the Agency of changes concerning one or more of the elements referred to in Article 73 of this Act;
- failure to report to the Agency the cessation of an activity subject to authorization or declaration, in violation of the provisions of Articles 55 and 75 of this Act.

Section V. - Criminal penalties relating to the general provisions

Article 162

shall be punishable by imprisonment of three months to one year and a fine of 50,000 to 100,000 dirhams, or either of these two penalties only, the act of:

- refusing to bear the cost of preventive measures, and other measures provided for under Article 68 of this law;
- failing to implement technical, organizational and operational physical protection measures, in violation of the provisions of Articles 70 and 115 of this law.

Article 163

shall be punishable by imprisonment for a term of three months to two years and a fine of 2,000 to 50,000 dirhams, or either of these two penalties alone, for any producer or holder of radioactive waste or effluents who fails to comply with the provisions of Chapter VI of Title I of this law, as well as the texts issued for its implementation.

Article 164

shall be punishable by imprisonment for a term of three months to two years and a fine of 8,000 to 100,000 dirhams, or either of these two penalties alone, for:

- reimporting into national territory, without the authorization provided for in Article 36 of this law, radioactive waste derived from nuclear materials legally exported by the Kingdom of Morocco for treatment or reprocessing;
- exporting radioactive waste falling under Category II without the authorization provided for in Article 81 of this law.

Article 165

Shall be punishable by imprisonment from three months to three years and a fine of 2,500 to 100,000 dirhams, or by either of these two penalties alone, the failure to comply with:

- the prohibitions set forth in Article 5 of this law;
- the provisions of Chapter VII of Title I of this law relating to protection against ionizing radiation as well as those of the texts enacted for their implementation;
- the provisions of Chapter VIII of Title I of this law as well as those of the texts enacted for their implementation.

Article 166

Punishable by imprisonment of six months to two years and a fine of 8,000 to 50,000 dirhams, or either of these two penalties alone, the failure to comply with:

- the technical prescriptions and regulations established by the Agency;
- the measures set forth in Article 67 of this law.

Section VI. - Common Provisions

Article 167

The imprisonment penalties provided for in this chapter shall be imposed on the natural person legally or statutorily vested with the representation of the legal entity moral.

The legal entity may also be sentenced to one or more of the following penalties:

- partial confiscation of its assets;
- dissolution of the legal entity;
- publication of the conviction decision through any appropriate means.

Additionally, the legal entity may be sentenced: • to confiscation of objects and items whose manufacture, carrying, possession, or sale constitutes an offense, even if they belong to a third party and even if no conviction is pronounced;

- to confiscation of objects and items that were used or intended to be used in the offense, or that are its proceeds, as well as gifts or other benefits that were used or intended to reward the perpetrator of the offense.

Article 168

The criminal liability of the legal entity does not exclude that of its directors and managers, who are responsible for the offenses provided for by this law.

However, the court may, without prejudice to the criminal liability of said directors and managers, decide, taking into account the circumstances of the facts and the working conditions of the latter, that the payment of fines imposed under this law shall be, in whole or in part, the responsibility of the legal entity or its director or manager.

Article 169

In case of recidivism, the penalties provided for in this chapter shall be doubled.

A person is considered a recidivist if, having been convicted by a final judgment for one of the offenses provided for in this chapter, they commit the same offense within 5 years after the expiration of that sentence or its statute of limitations.

For the application of this article, the following shall be considered as constituting the same offense all offenses provided for in this chapter.

TITLE III

OF THE MOROCCAN AGENCY FOR NUCLEAR AND RADIOLOGICAL SAFETY AND SECURITY

NUCLEAR AND RADIOLOGICAL

Chapter One

On the establishment and duties of the agency

Article 170

There is hereby established, under the name "Moroccan Agency for Nuclear and Radiological Safety and Security," a public institution endowed with legal personality and financial autonomy.

Article 171

The Agency shall operate under State supervision, which aims to ensure that the Agency's competent bodies enforce the provisions of this law, particularly those pertaining to its assigned duties, and more generally to oversee compliance with legislation and regulations concerning public institutions.

The Agency shall also be subject to the financial oversight of the State as applicable to public enterprises and other entities in accordance with current legislation.

Article 172

In addition to the tasks expressly assigned to it by the provisions of Titles I and II of this Act concerning nuclear and radiological safety, security, safeguards, and non-proliferation—particularly those related to authorizations, declarations, approvals, certifications, inspections, and controls—the Agency is responsible for:

a) proposing to the government the legislation and the regulations concerning nuclear safety and security and radiological matters;

b) provide opinions on draft legislative and regulatory texts in this field;

c) advise the government authorities on the issues related to nuclear safety and security and radiological matters;

d) publish best practice guides for operators, as needed;

e) establish a national system for accounting and control of nuclear materials;

f) assist the administration in establishing a national system for the physical protection of materials and nuclear facilities and its implementation;

g) establish a national register of radioactive materials and sources of ionizing radiation;

h) assist the administration in implementing the national response plan referred to in Article 118 of this law and its execution;

i) establish cooperative relationships with similar organizations in other countries and with international or regional organizations;

j) assist the government in the negotiations international negotiations within its areas of competence and, at the government's request, participate in Morocco's representation at relevant international bodies;

k) take the measures necessary in view of public information on regulatory processes and the safety-related aspects of authorized activities;

l) promote the establishment of a safety and security culture at authorized facilities and activities in accordance with the provisions of this law;

m) maintain an up-to-date list of issued authorizations and declarations filed in accordance with the provisions of the present law;

n) ensure the dissemination to relevant authorities of information within its area of competence, as needed;

o) collaborate with national organizations having direct or indirect responsibilities related to its activities;

p) maintain constant vigilance regarding safety and radiological and nuclear safety, safeguards and non-proliferation, as well as in scientific, health, and medical matters concerning the effects of ionizing radiation on health, taking into account international developments.

Article 173

The Agency is also responsible for establishing the regulations and technical standards in the field of nuclear and radiological safety and security and safeguards, which are approved by the administration.

Article 174

The Agency carries out its missions to the exclusion of any function related to the use and promotion of nuclear energy or sources of ionizing radiation.

Chapter II

Governing and management bodies

Article 175

The Agency is governed by a board of directors comprising representatives from the administration and individuals recognized for their scientific, technical, and legal expertise in the field of nuclear and radiological safety, appointed by the administration for a four-year term.

The individuals referred to in the preceding paragraph must not have no interest in any entity responsible for promoting or using nuclear energy, including sources of ionizing radiation.

The procedures for appointing board members are established by regulatory means.

The Board of Directors may invite to its meetings, in an advisory capacity, any person whose participation is deemed useful.

Article 176

The Board of Directors has all the powers and authorities necessary for the administration of the agency. To this end, it determines through its deliberations all general matters concerning the Agency, including:

- approves the Agency's annual action program;
- approves the annual budget, multi-year financial statements, and the funding arrangements for the Agency's action programs and the depreciation policy;
- approves the accounts and decides on the allocation of results where applicable;
- adopts the Agency's organizational chart defining its structure organizational structures and their responsibilities;
- adopts the Staff Regulations of the Agency, which establish in particular the recruitment conditions, remuneration and career progression of said staff;
- adopts the regulations setting out the rules and procedures for procurement;
- determines the conditions for issuing loans and accessing other forms of bank credit, such as advances or overdrafts;
- sets the prices for services and benefits provided by the Agency, where applicable;
- adopts the internal regulations of the Agency;
- approves the report of the auditor to whom the board of directors assigns the oversight of the Agency's accounting.
- rules on the annual report presented to it by the director;

The board of directors may delegate to the Agency's director the settlement of specific matters.

Article 177

The Board of Directors meets upon convening by its chairperson as often as the Agency's needs require and at least twice a year:

- before June 30 to rule on the director's report and approve the summary statements of the closed fiscal year;
- before October 15 to review and approve the budget and the forecasted program for the following fiscal year.

Article 178

The Board of Directors validly deliberates when the at least half of its members are present or represented.

If after a first notice, the board of directors does not achieve this quorum, a second meeting held 15 days later shall be valid regardless of the number of members present.

Decisions are made by a majority vote of the members present or represented. In the event of a tie, the vote of the chairperson shall be decisive.

Article 179

The Board of Directors may decide to establish any committee, determining its composition and operating procedures, and to which it may delegate a portion of its powers and responsibilities.

Article 180

The Agency is managed by a director, appointed in accordance with applicable legislation.

The director has all the powers and responsibilities necessary for the management of the Agency. To this end, they:

- implements the decisions of the board of directors and, where applicable, those of committees established by the board;
- manages the Agency's affairs and acts on its behalf; - oversees the management of all departments and coordinates their activities, appoints to positions within the Agency in accordance with its staff regulations;
- represents the Agency vis-à-vis the State, of any public or private administration and all third parties, and performs all protective actions;
- represents the Agency in court and may initiate any legal action aimed at defending the Agency's interests, but must immediately notify the chairman of the board of directors;
- prepares the Agency's draft budget, taking into account the priorities and national objectives set by the government;
- prepares at the end of each year an annual report on the activities of the Agency, and the general state of nuclear and radiological safety and security, and presents it to the Agency's board of directors. This report is submitted to the Head of Government;
- participates in an advisory capacity in meetings of the board of directors and, where applicable, of committees established by the board of directors.

The Agency director may, under their responsibility, delegate a portion of their powers and responsibilities to staff of the Agency's management.

The director may not assume or retain any interest, nor hold positions in authorized activities or approved technical services.

Chapter III

Financial Organization and Personnel

Article 181

The Agency's budget includes: Revenue: - income and proceeds from its movable

or immovable property;

- income from fees for services rendered, notably the fees instruction of requests authorization, of declarations an of requests accreditation;
- revenue from earmarked taxes established for its benefit;
- repayable advances from the Treasury, public or private entities as well as authorized loans in accordance with current regulations;
- subsidies from the State or other legal entities of public or private law, as well as donations and bequests that do not compromise the Agency's independence;
- all other revenue related to its activities. Expenditures: - operating and investment costs; - repayment of advances and loans; - any other expenses related to its activities.

Article 182

To fulfill the missions assigned to it under this law, the Agency shall be staffed with personnel recruited in accordance with its staff regulations or seconded from public administrations in compliance with applicable laws and regulations.

The Agency may also engage consultants and national or foreign contractors for specific assignments.

Chapter IV

Transitional and Miscellaneous Provisions

Article 183

Upon the effective date of this law, the following shall be transferred to the Agency: the responsibilities previously exercised by the departments of health and energy, which now fall under the Agency's mandate pursuant to the provisions of this law, particularly matters authorizations, of declarations, approvals, certifications, inspections, and controls.

All documents and files held by the aforementioned departments and pertaining to the missions assigned to the Agency.

Article 184

Permanent and probationary staff employed in the administrative structures under the departments referred to in Article 183 above and listed in a mutually agreed-upon roster between the Agency and said departments shall be seconded, upon request, to the Agency as of the effective date of this law.

The staff assigned under the first paragraph above may, upon request, be integrated into the Agency's framework in accordance with its staff regulations.

Article 185

The status conferred by the Agency's staff regulations to staff integrated under Article 184 above shall in no case be less favorable than that held by the individuals in their original framework at the time of their assignment.

Pending the adoption of the specific regulations for the Agency's staff, integrated or assigned personnel retain all rights and benefits they enjoyed in their original framework.

The services performed in their original administration by integrated staff are considered as having been performed within the Agency.

Notwithstanding any contrary provisions, the personnel referred to in Article 184 shall remain enrolled in the pension schemes with the funds to which they contributed prior to the effective date of this law.

TITLE IV

FINAL PROVISIONS

Article 186

This law shall enter into force no later than one year after its publication in the *Official Gazette* of the regulatory provisions adopted for the implementation of Title III of this law.

Effective from the same date, the following provisions are repealed: • Law No. 005-71 of 2 Sha'ban 1391 (12 October 1971)

concerning protection against ionizing radiation. However, provisions of texts issued for the implementation of said law shall remain in force until expressly repealed, insofar as they are not contrary to the provisions of this law;

- the second and third bullet points of paragraph 2 of Article 2 of Law No. 17-83 establishing the National Center for energy, nuclear sciences and technologies (CNESTEN), enacted by Dahir No. 1-85-98 of 11 Rabi I 1407 (November 14, 1986).

References in current legislative and regulatory texts to the provisions of the aforementioned Law No. 005-71 shall be replaced by the corresponding provisions contained in this law.

Article 187

Any other measure necessary for the full implementation of this law may, as needed, be enacted through regulatory means.

The regulatory texts required for the implementation of this law must be adopted within a maximum period of 5 years.