

Government Notice No. 192 of 2019

**THE RADIATION SAFETY AND NUCLEAR SECURITY
ACT 2018**

**Regulations made by the Minister under section 43 of
the Radiation Safety and Nuclear Security Act 2018**

1. These regulations may be cited as Radiation Safety and Nuclear Security (Control of Import and Export of Radiation Sources and Other Controlled Items) Regulations 2019.

2. In these regulations –

“Act” means the Radiation Safety and Nuclear Security Act 2018;

“controlled item” has the same meaning as in the Act;

“Director-General” has the same meaning as in the Mauritius Revenue Authority Act;

“effective date” means the date by which all required documents and information are submitted;

“export” has the same meaning as in the Customs Act;

“guidelines” means guidelines issued by the Authority –

- (a) setting out the requirements for, the applicable law relating to, and the procedures for, an application for permit under Part IV and section 33 of the Act;
- (b) listing all fees leviable under these regulations; and
- (c) listing all radiation sources, including nuclear material and other radioactive material or radioactive waste or any controlled item which should be subject to a permit for import or export;

“import” has the same meaning as in the Customs Act;

“permit” means an import or export permit issued by the Authority under regulation 3;

“TradeNet” has the same meaning as in the Customs Act.

3. (1) No person shall import or export any radiation source, including nuclear material and other radioactive material or radioactive waste or any controlled item, as specified in the First Schedule, unless he makes an application for a permit to, and holds a permit from, the Authority.

(2) Every application for a permit shall be –

- (i) made in such application form as approved by the Authority, and shall be submitted to the Authority through the TradeNet or in such other manner as it may determine; and
- (ii) accompanied by any other document or information as specified in the guidelines.

(3) On receipt of the application for a permit, the Director shall process the application and may grant or refuse to grant a permit within 5 working days of the effective date of receipt of the application.

(4) (a) Notwithstanding paragraph (3), where verification, testing or analysis of the goods is required for the purpose of processing an application for a permit, the Director may grant or refuse to grant the permit within 2 working days –

- (i) after the verification of the goods; or
- (ii) from the receipt of the test report,

as the case may be.

(b) Where the goods are under the Customs control, the Director or an officer shall, for the purpose of paragraph (a), take the goods or sample of the goods, as the case may be, in accordance with section 25B(3) and (5) respectively, of the Customs Act.

(5) The Director shall, for the purpose of paragraphs (3) and (4), notify his decision to grant or refuse to grant a permit to the Director-General and the importer or exporter, as the case may be, through the TradeNet or in such other manner as the Authority may determine.

(6) Any permit granted by the Authority shall –

- (a) be for such duration as it may determine;
- (b) be subject to such terms and conditions as it may determine;
- (c) be subject to the payment of the appropriate fee as specified in the Second Schedule; and
- (d) not be transferable.

(7) The Director-General shall, subject to paragraph (8), release or clear the goods imported or exported in accordance with section 25B of the Customs Act.

(8) (a) Any fee payable under this regulation may be paid to the Director-General through the TradeNet or in such other manner as the Director-General may determine.

(b) The Director-General shall, not later than 15 working days after the end of every month, remit the fees collected to the Authority.

4. The guidelines shall be –

- (a) available for consultation at the Authority; and

- (b) posted on the website of the Authority.
5. The Radiation Protection (Permit Fees for the Importation of Sources) Regulations 2011 are revoked.

Made by the Minister on 5 October 2019.

FIRST SCHEDULE

[Regulation 3(1)]

List of Radiation Sources and Other Controlled Items

HEADING	H.S. CODES	DESCRIPTION OF GOODS
RADIOACTIVE CHEMICAL ELEMENTS AND RADIOACTIVE ISOTOPES		
2844		Radioactive chemical elements and radioactive isotopes (including the fissile or fertile chemical elements and isotopes) and their compounds; mixtures and residues containing these products
	2844.10.00	- Natural uranium and its compounds; alloys, dispersions (including cermets), ceramic products and mixtures containing natural uranium or natural uranium compounds
	2844.20.00	- Uranium enriched in U235 and its compounds; plutonium and its compounds; alloys, dispersions (including cermets), ceramic products and mixtures containing uranium enriched in U235, plutonium or compounds of these products
	2844.30.00	- Uranium depleted in U235 and its compounds; thorium and its compounds; alloys, dispersions (including cermets), ceramic products and mixtures containing uranium depleted in U235, thorium or compounds of these products
	2844.40.00	- Radioactive elements and isotopes and compounds other than those of 2844.10.00, 2844.20.00 or 2844.30.00; alloys, dispersions (including cermets), ceramic products and mixtures containing these elements, isotopes or compounds; radioactive residues
	2844.50.00	- Spent (irradiated) fuel elements (cartridges) of nuclear reactors

HEADING	H.S. CODES	DESCRIPTION OF GOODS
2845		Isotopes other than those of 2844; compounds, inorganic or organic, of such isotopes, whether or not chemically defined
	2845.10.00	- Heavy water (deuterium oxide)
	2845.90.00	- Other
NUCLEAR REACTORS; FUEL ELEMENTS (CARTRIDGES), NON-IRRADIATED FOR NUCLEAR REACTORS, MACHINERY AND APPARATUS FOR ISOTOPIC SEPARATION		
8401		Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation
	8401.10.00	- Nuclear reactors
	8401.20.00	- Machinery and apparatus for isotopic separation, and parts thereof
	8401.30.00	- Fuel elements (cartridges), non-irradiated
	8401.40.00	- Parts of nuclear reactors
APPARATUS BASED ON THE USE OF X-RAYS OR OF ALPHA, BETA OR GAMMA RADIATIONS		
9022		Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like

HEADING	H.S. CODES	DESCRIPTION OF GOODS
9022.1		Apparatus based on the use of x-rays, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus
	9022.12.00	- Computed tomography apparatus
	9022.13.00	- Other, for dental uses
	9022.14.00	- Other, for medical, surgical or veterinary uses
	9022.19.00	- For other uses
9022.2		Apparatus based on the use of x-rays, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus
	9022.21.00	- For medical, surgical, dental or veterinary uses
	9022.29.00	- For other uses
	9022.30.00	- X-ray tubes

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SECOND SCHEDULE

[Regulation 3(6)]

Fees

	(Rs)
Fee for the issue of an import permit for the importation of radiation source or any other controlled item –	
(a) in a single shipment	1,000
(b) in multiple shipments over a period not exceeding 12 months	5,000
Fee for the issue of an export permit for the exportation of radiation source or any other controlled item	1,000
