REPUBLIC OF CAMEROON

PEACE-WORK-FATHERLAND

DECREE No. ------ OF------ OF------ to change the name of and reorganize the National Radiation Protection Agency

THE PRESIDENT OF THE REPUBLIC,

- Mindful of the Constitution;
- Mindful of Law No. 98/015 of 14 July 1998 to regulate establishments classified as dangerous, unhealthy and obnoxious;
- **Mindful of** Law No. 2016/015 of 14 December 2016 to lay down the general weapons and ammunition regulations in Cameroon;
- **Mindful of** Law No. 2017/010 of 12 July 2017 to lay down the general rules and regulations governing public establishments;
- Mindful of Law No. 2018/012 of 11 July 2018 relating to fiscal regime of the State and other public entities;
- Mindful of Law No. 2019/012 of 19 July 2019 to lay down the general framework for radiological and nuclear safety, nuclear security, civil liability and safeguards enforcement;
- **Mindful of** Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018;
- Mindful of Decree No. 2019/320 of 19 June 2019 to lay down conditions for implementing some provisions of Law No. 2017/010 and Law No. 2017/011 of 12 July 2017 to lay down the general rules and regulations governing public establishments and public corporations,

HEREBY DECREES AS FOLLOWS:

CHAPTER I GENERAL PROVISIONS

- ARTICLE 1: (1) This decree changes the name of and reorganizes the National Radiation Protection Agency, abbreviated to "NRPA".
- (2) The National Radiation Protection Agency shall, with effect from the date of signature of this decree, be referred to as the Radiological

Safety and Nuclear Security Authority, abbreviated to "ASRAN", hereinafter referred to as "the Authority".

- ARTICLE 2: (1) The Authority shall be a public administrative and technical establishment endowed with legal personality and financial autonomy.
- (2) The Authority shall be under the technical supervisory authority of the Ministry in charge of scientific research and under the financial supervisory authority of the Ministry in charge of finance.
- (3) Its head office shall be in Yaounde. It may be transferred to any other location on the national territory by decree of the President of the Republic.
- (4) Regional branches of the Authority shall, as and when necessary, be set up by resolution of the Board of Directors.

CHAPTER II MISSIONS AND PREROGATIVES OF THE AUTHORITY

ARTICLE 3: (1) In the name and on behalf of the State, the Authority shall be responsible for monitoring radiological safety, nuclear security and safeguards enforcement. It shall provide information and raise public awareness on radiological and nuclear risks.

In that capacity, it shall, with regard to:

(1) General terms:

- implement, in conjunction with the relevant government services, the national policy on radiological and nuclear safety, nuclear security and safeguards enforcement;
- propose to the government draft instruments and standards relating to radiological safety, nuclear security and safeguards;
- carry out safety, security and safeguards inspections, monitor and evaluate all activities, practices and facilities involving ionizing radiation;
- ensure that the people or entities authorized to carry out an activity or practice comply with legal and regulatory obligations, including financial obligations where applicable, and take coercive measures in the event of non-compliance;
- organize training, acquire and disseminate information and documentation relating to nuclear safety, nuclear security and safeguards;
- develop scientific and technical cooperation with national and international bodies in areas of common interest;

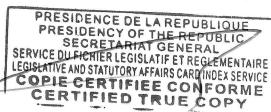
- participate in the implementation of international legal instruments to which Cameroon is a party and in the preparation of related national reports;
- make recommendations to the Government on the peaceful use of nuclear energy;

(2) Radiological safety:

- ensure the protection of people, property and the environment against the harmful effects of ionizing radiation;
- examine, prior to issuance of the relevant titles and permits by the competent authorities, the conformity of applications for authorization to conduct research, exploration or mining of uranium or thorium ore, or the construction of facilities involving ionizing radiation sources;
- issue, renew, amend, suspend or quash authorizations for activities, practices and facilities involving exposure to ionizing radiation;
- establish, keep and update a national register of ionizing radiation sources and associated workers;
- grant licences to any natural or legal person engaged in an activity involving ionizing radiation sources, including transport, or providing services in this field, including training;
- define the levels of exemption and release of radioactive materials and effluents containing them;
- control exports and imports of nuclear materials, radioactive substances, equipment and associated technologies;
- ensure individual dosimetry, radiological monitoring of the environment and calibration of detection equipment;
- conduct radiological checks on imported and exported foodstuffs and other consumer products;
- conduct isotopic analyses and issue certificates of non-contamination for import-export products;
- draw up and implement the national programme to track, recover, monitor and secure orphan radioactive sources;

(3) Nuclear security:

- ensure compliance with nuclear security requirements nationwide;
- define, in conjunction with the relevant government services and other competent entities, the national nuclear security threat level;
- raise awareness among industrialists, health professionals, the public and public authorities of the hazards relating to orphan radioactive sources;
- draw up and submit to the competent authority, in conjunction with the competent government services and bodies, the national radiological and nuclear emergency plan;



(4) Safeguards:

- establish, conserve and maintain the national system of accounting for and controlling nuclear materials;
- support international safeguards inspections by the International Atomic Energy Agency (IAEA);
- perform any other duties assigned thereto by the State.
- (2) However, the Authority shall carry out activities relating to dosimetry, quality control and equipment calibration only where there are no operators in the relevant sector.

ARTICLE 4: (1) In the discharge of its duties, the Authority shall have powers to requisition and investigate. To this end, it shall:

- call on law enforcement authorities;
- access all the databases of users of ionizing radiation sources;
- access buildings, infrastructure, premises and facilities likely to house ionizing radiation sources;
- request any document or opinion necessary for the performance of its duties, save those classified as defence secrets, and have them sent to it against receipt.
- (2) It may issue injunctions and standards in connection with its duties. The injunctions and standards shall be binding on public and private authorities.

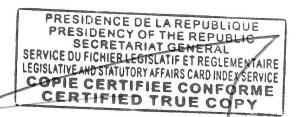
ARTICLE 5: To perform its duties, the Authority shall be independent of users and operators of ionizing radiation sources.

ARTICLE 6: The Authority shall prepare and submit to the President of the Republic a specific annual report on the status of nuclear safety and security.

CHAPTER III ORGANIZATION AND FUNCTIONING

ARTICLE 7: The Authority shall be managed by the following organs:

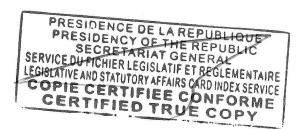
- the Board of Directors;
- Management.



<u>SECTION I</u> BOARD OF DIRECTORS

ARTICLE 8: The Board of Directors shall be chaired by a personality appointed by decree of the President of the Republic. In addition to the Board chairperson, the Board of Directors shall comprise the following members:

- a representative of the Presidency of the Republic;
- a representative of the Prime Minister's Office;
- a representative of the Ministry in charge of scientific research;
- a representative of the Ministry in charge of finance;
- a representative of the Ministry in charge of defence;
- a representative of the Ministry in charge of public health;
- a representative of the Ministry in charge of mines;
- a representative of the Ministry in charge of the environment;
- a representative of the Ministry in charge of external relations;
- a representative of the Delegate General for National Security;
- a peer-elected staff representative.
- ARTICLE 9: (1) The Board Chairperson shall be appointed by decree of the President of the Republic for a 3 (three)-year term of office, renewable once.
- (2) The instrument appointing the Board Chairperson shall automatically confer on him the status of Board member.
- (3) In case of expiry of the term of office of the Board Chairperson, the technical supervisory ministry shall inform the appointing authority.
- ARTICLE 10: (1) Members of the Board of Directors shall be appointed, on the recommendation of the government services or bodies they represent, by decree of the President of the Republic for a 3 (three)-year term of office, renewable once.
- (2) The staff representative shall be elected by his peers for a 3 (three)-year term of office, renewable once.
 - (3) The term of office of a board member shall end:
 - upon death or resignation;
 - following the loss of the capacity that prompted the appointment;

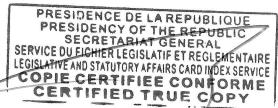


- by termination due to gross misconduct or activities incompatible with the duty of board member;
- at its normal expiry.
- (4) In the cases provided for in (3) above, the Board member concerned shall be replaced under the same conditions as those of his appointment.
- (5) Six (6) months prior to the expiry of a Board member's term of office, the Board Chairperson shall refer this to the entity he represents for his replacement, and copy the technical and financial supervisory ministers.
- (6) No Board member may sit on the Board beyond expiry of tenure.
- (7) In case of death during the term of office or in all cases where a Board member is no longer able to perform his duties, the institution he represents shall appoint another Board member for the remainder of the term of office.
- ARTICLE 11: The Board Chairperson and Board members shall be subject to the restrictions and incompatibilities provided for by the regulations in force.
- ARTICLE 12: (1) The Board Chairperson shall be entitled to a monthly allowance and benefits. The amount of the monthly allowance and benefits shall be fixed by the Board of Directors, in accordance with the regulations in force.
- (2) Board members shall receive a session allowance fixed by decision of the Board of Directors, within the limits of the ceilings fixed by the regulations in force. They may claim a refund of expenses incurred as a result of Board meetings, upon presentation of supporting documents.
- (3) The Board of Directors may grant special payments to its members for duties and assignments entrusted to them, or authorize the refund of travel and other expenses incurred in the interests of the Authority.
- ARTICLE 13: (1) The Board of Directors shall have the most extensive powers to define and steer the general policy of the Authority, and evaluate the management thereof, within the limits of its corporate purpose and in accordance with the regulations in force.

To this end, it shall:

- set the objectives and approve the Authority's performance plans;
- adopt the Authority's budget and performance plans, and approve its final accounts;
- approve the annual performance reports;

- adopt, on the proposal of the Director-General, the Authority's organization chart and the internal rules and regulations;
- authorize staff recruitment, in accordance with the recruitment plan proposed by the Director-General and approved by the Board of Directors;
- authorize staff dismissal, on the recommendation of the Director-General;
- appoint to positions of sub-director, director and persons ranking as such, on the recommendation of the Director-General;
- accept all gifts, legacies and subsidies;
- approve all performance contracts or any other agreements, including loans, prepared by the Director-General and having an impact on the budget;
- authorize the disposal of any movable or immovable, tangible or intangible property, in accordance with the regulations in force;
- ensure compliance with governance rules and order the conduct of audits to guarantee the proper management of the Authority;
- fix staff remuneration and benefits, in compliance with the laws and regulations in force, the internal rules and regulations and budget forecasts, on the proposal of the Director-General;
- fix the monthly remuneration and benefits of the Director-General and Deputy Director-General, in accordance with the ceilings fixed by the regulations in force.
- (2) The Board of Directors may delegate some of its powers to the Director-General, who shall report, as necessary, on the use of the said delegation.
- ARTICLE 14: (1) The Board Chairperson shall convene and chair Board meetings. He shall ensure that its resolutions are implemented.
- (2) The Director-General shall provide secretariat services to the Board of Directors.
- (3) At each Board of Directors meeting, the status of Board members' term of office and the quorum shall be verified beforehand.
- ARTICLE 15: (1) Where the position of Board Chairperson becomes vacant as a result of death, resignation or non-performance of the Board Chairperson, Board meetings shall be convened by the financial supervisory minister at the behest of the Director-General, or of 2/3 (two thirds) of the Board members.
- (2) Board meetings convened in accordance with (1) above shall be chaired by a peer-elected Board member.



ARTICLE 16: (1) When convened by its Chairperson, the Board of Directors shall meet at least twice a year in ordinary session as follows:

- one session to consider the performance plan and adopt the budget;
- one session to approve accounts, which shall be held no later than 30 June of the financial year following that to which the accounts relate.
- (2) The Board of Directors may be convened in extraordinary session, at the request of its Chairperson or of 2/3 (two thirds) of its members, on a specific agenda.
- (3) The Board Chairperson shall be in default where he fails to convene at least 2 (two) Board meetings per year.
- (4) Where the Board Chairperson refuses to convene a Board meeting in accordance with (1) above, 2/3 (two thirds) of the members shall refer the matter to the Minister in charge of finance, who shall convene the Board on a specific agenda.
- (5) Convening notices, together with the files to be considered, shall be sent to Board members by any means leaving a written trail at least 15 (fifteen) days to the scheduled meeting date. In case of emergency, this period may be reduced to 5 (five) days.
- (6) The convening notice shall specify the agenda, date, venue and time of the meeting.
- ARTICLE 17: (1) Any Board member who is unavoidably absent may be represented at the Board meeting by another Board member.
- (2) No Board member may represent more than one Board member during the same session.
- (3) Any Board member present or represented in a Board meeting shall be considered as having been duly convened.
- (4) Where the Board Chairperson is unavoidably absent, the Board of Directors shall elect a session Chair from among its members, by a simple majority of members present or represented.
- ARTICLE 18: The Board of Directors shall consider any item included on the agenda by the Chairperson or at the request of 2/3 (two thirds) of Board members.
- ARTICLE 19: (1) The Board of Directors may validly deliberate only if at least 2/3 (two thirds) of its members are present or represented. Where the quorum

is not attained on a first sitting, another sitting shall be convened where the quorum shall be reduced to half the Board members.

- (2) Each member shall have one vote. Board decisions shall be taken by a simple majority of votes of members present or represented. In the event of a tie, the Chairperson shall have the casting vote.
- ARTICLE 20: (1) Decisions of the Board of Directors shall be in the form of resolutions. They shall be signed forthwith by the Board Chairperson or where applicable, by the session Chairperson and one Board member.
- (2) Any Board member who refuses to sign resolutions shall provide a reasoned decision in writing. In the event of persistent refusal of the Board Chairperson to sign a resolution, it shall be signed automatically by 2 (two) members appointed forthwith by 2/3 (two thirds) of Board members.
- (3) Board decisions shall take effect from the date they are adopted.
- ARTICLE 21: (1) Board deliberations shall be recorded in minutes co-signed by the Chairperson and session secretary. Minutes shall mention the members present or represented. The minutes shall be read and approved by the Board of Directors during a Board meeting.
- (2) The minutes shall be entered in a special register kept at the Authority's head office.
- ARTICLE 22: (1) In the performance of its tasks, the Board of Directors may set up, as and when necessary, not more than 4 (four) internal committees and commissions.
- (2) The committees and/or commissions shall only express an opinion and make recommendations.
- (3) Committee or commission members shall be entitled to working facilities and allowances within the limits of the ceilings set by the regulations in force.

SECTION II MANAGEMENT

ARTICLE 23: Management shall be under the authority of a Director-General, possibly assisted by a Deputy Director-General.



- (2) The Director-General and Deputy Director-General shall be appointed by decree of the President of the Republic for a 3 (three)-year term renewable twice.
- (3) The renewal provided for in (2) above shall be tacit. In any case, the cumulative terms of the Director-General and Deputy Director-General shall not exceed 9 (nine) years.

ARTICLE 24: (1) The Director-General shall be responsible for managing and implementing the Authority's general policy under the supervision of the Board of Directors to whom he shall be answerable.

To that end, he shall:

- prepare the draft budget and performance plan, produce administrative accounts and annual performance report;
- prepare Board resolutions, attend Board meetings in an advisory capacity and implement decisions thereof;
- recruit and dismiss temporary, casual and seasonal staff based on service and other needs, in accordance with the regulations in force;
- propose a staff recruitment plan to the Board of Directors;
- recruit staff in accordance with the recruitment plan approved by the Board of Directors;
- submit for approval by the Board of Directors, the Authority's draft organization charts, internal rules and regulations, staff rules and regulations, salaries scale and benefits;
- ensure the technical, administrative and financial management of the Authority;
- appoint personnel subject to the powers of the Board of Directors;
- manage the Authority's movable and immovable, tangible and intangible assets in compliance with its corporate purpose and the powers of the Board of Directors;
- represent the Authority in all acts of civil life and in court.

(2) The Director-General may delegate some of his powers to the Deputy Director-General. Where there is no Deputy Director-General, the Director-General shall delegate his powers to an official ranking as Director at least.

ARTICLE 25: (1) The Director-General or his Deputy, shall be answerable to the Board of Directors which may sanction them in case of gross mismanagement or misconduct likely to hinder the proper functioning or tarnish the image of the Authority, under conditions laid down by the laws in force.

- (2) In the cases provided for in (1) above, the Board Chairperson shall be bound to convene an extraordinary session during which the Director-General or his Deputy shall be heard.
- (3) Files bearing the charges shall be forwarded to the Director-General or his Deputy at least 10 (ten) days prior to the date of the extraordinary session.
 - (4) The Board of Directors shall hear all the parties.
- (5) The Board of Directors may deliberate only when two thirds (2/3) of its members are present. Proxies shall not be allowed in this case.

ARTICLE 26: (1) The Board of Directors may impose the following penalties on the Director-General or Deputy Director-General:

- suspension of some powers;
- suspension from duty for a limited period, with immediate effect;
- suspension from duty with immediate effect, together with a request for dismissal sent to the President of the Republic.

The decisions shall be sent for information purposes to the technical and financial supervisory authorities, at the behest of the Board Chairperson.

- (2) Where the Director-General or Deputy Director-General are suspended from duty, the Board of Directors shall take appropriate measures to ensure the proper functioning of the Authority.
- ARTICLE 27: (1) Where the Director-General is temporarily unavailable, the Deputy Director-General shall deputize.
- (2) In the event of vacancy as a result of death, resignation or end of term, the Board of Directors shall make necessary arrangements to ensure the proper functioning of the Authority, pending the appointment of a new Director-General by the President of the Republic.
- (3) Where the Director-General or Deputy Director-General are sanctioned under Article 26(1) above, the Board of Directors shall take appropriate measures to ensure the proper functioning of the Authority.

CHAPTER IV STAFF

ARTICLE 28: (1) The Authority may use:

staff recruited directly;

- civil servants on secondment and State employees governed by the Labour Code placed at its disposal;

- casual, seasonal and temporary staff whose recruitment, remuneration and contract termination shall be set forth in the staff rules and regulations.
- (2) Civil servants on secondment and State employees governed by the Labour Code placed at the disposal of the Authority shall be governed by labour laws throughout their employment period, subject to the provisions of the General Rules and Regulations Governing the Public Service, and the special regulations relating to retirement, advancement and end of secondment.
- (3) Irrespective of original status, civil servants on secondment and State employees governed by the Labour Code shall be paid in full by the Authority. This shall concern payment of salary and salary incidentals, allowances, bonuses and other benefits.
- ARTICLE 29: (1) Civil and/or criminal liability of the Authority's staff shall be governed by ordinary law rules.
- (2) Disputes between staff and the Authority shall fall under the jurisdiction of ordinary law courts.
- ARTICLE 30: The Authority's staff shall under no circumstances earn a salary, any form of remuneration, or have a direct interest in the operations of a body financed by the Authority.
- ARTICLE 31: The instrument appointing the Director-General and Deputy Director-General shall not confer on them the status of Authority employee, unless they had been previously under contract with the Authority.

CHAPTER V FINANCIAL RESOURCES AND ACCOUNTS, CORPORATE PROPERTY AND CONTRACTS REGIME

SECTION I FINANCIAL RESOURCES

ARTICLE 32: The financial resources of the Authority shall be public funds. They shall be managed in accordance with the rules set by the fiscal regime of the State.

ARTICLE 33: The resources of the Authority shall comprise:

- annual subsidies from the State;
- fixed duties from the issuance and renewal of licenses;
- a share of royalties paid by holders of authorizations granted to carry out nuclear activities;
- a share of proceeds from the tax on hazardous substances;

- a share of proceeds from the tax on radiology;
- proceeds from services rendered to owners and users of ionizing radiation sources;
- proceeds from sanctions and penalties;
- a share of resources made available by development partners by virtue of agreements signed with Government;
- loans;
- gifts and legacies;
- any other resources provided for by separate instruments.

SECTION II BUDGET AND ACCOUNTS

ARTICLE 34: The financial year of the Authority shall run from 1 January to 31 December.

ARTICLE 35: (1) The Director-General shall be the main authorizing officer of the Authority's budget.

- (2) Secondary authorizing officers may be instituted by the Board of Directors, on the Director-General's recommendation.
- ARTICLE 36: (1) The Authority's draft annual budget, together with the draft annual performance plan including investment plans, shall be prepared by the Director-General and presented to the Board of Directors for approval.
- (2) The budget shall be structured into programmes and subprogrammes consistent with national and local policy objectives.

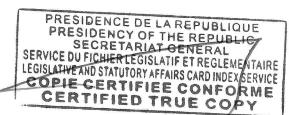
ARTICLE 37: (1) The budget of the Authority shall be balanced in income and expenditure.

- (2) All the Authority's income and expenditure shall be included in the budget and adopted by the Board of Directors.
- ARTICLE 38: (1) The budget thus adopted by the Board of Directors shall be sent to the Minister in charge of finance, for information and approval.
- (2) The budget shall be enforceable upon adoption by the Board of Directors, unless as otherwise provided for by the laws and regulations in force.

ARTICLE 39: The accounts of the Authority shall give a true and fair view of its assets and financial position.

ARTICLE 40: (1) The Authority shall keep 3 (three) types of accounting:

- income and expenditure accounting;
- general accounting;
- cost accounting.
 - (2) The Authority may also keep other types of accounting.
- ARTICLE 41: (1) An accounting officer shall be appointed to the Authority by the Minister in charge of finance.
- (2) The accounting officer shall record all of the Authority's income and expenditure. He shall control the regularity of income authorizations, commitments and payments ordered by the Director-General.
- (3) Payment of authorized expenditures shall be made solely to the Authority's accounting officer.
- ARTICLE 42: (1) A specialized financial controller shall be appointed to the Authority by order of the Minister in charge of finance.
- (2) The specialized financial controller shall be responsible for controlling revenue and expenditure-generating documents issued by the Director-General or his assistants. Overall, he shall be responsible for budget implementation control.
- ARTICLE 43: (1) At the end of every financial year, the Director-General shall prepare a statement on the situation of all bank accounts, deposit accounts and portfolios. He shall also make an inventory and prepare a statement of claims and debts.
- (2) The Director-General shall present to the Board of Directors and, as the case may be, to the Minister in charge of finance and the technical supervisory authority, administrative and management accounts, and annual performance reports, within 6 (six) months of the end of a financial year.
- (3) The specialized financial controller and accounting officer shall present to the Board of Directors their respective reports on the execution of the Authority's budget.
- (4) Copies of the reports shall be forwarded to the Minister in charge of finance, the technical supervisory authority and the Director-General.
- ARTICLE 44: (1) The Ministry in charge of finance shall monitor the management and performance of the Authority.



In this regard, the Authority shall forward to the Ministry in charge of finance, all the documents and information relating to the life of the institution and made available to Board members, in particular the activity reports and the specialized financial controller's reports.

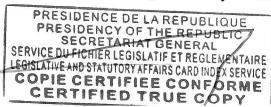
- (2) The Authority shall be bound to publish an annual information memorandum showing its assets and liabilities and summarizing its annual accounts in a legal notices journal.
- (3) Independent audits may be requested by the Board of Directors or the Minister in charge of finance.

<u>SECTION III</u> <u>PROPERTY MANAGEMENT</u>

- ARTICLE 45: (1) Assets under public, national and private State property transferred for use to the Authority in accordance with land legislation shall maintain their initial status.
- (2) Assets under private property of the State transferred for ownership to the Authority, shall ultimately form part of its property.
- (3) Assets under the Authority's private property shall be managed according to ordinary law.
- ARTICLE 46: (1) The Director-General shall manage the property of the Authority, under the control of the Board of Directors.
- (2) The property management referred to in (1) above shall concern asset acquisition and disposal.
- ARTICLE 47: (1) In case of disposal of an asset belonging to the Authority, the Director-General shall seek the prior authorization of the Board of Directors. He shall update the Board of Directors on the status of the property which shall be considered during one of its sessions.
- (2) The authorization of the Board of Directors shall be granted through a resolution adopted by at least 2/3 (two thirds) of its members.

SECTION IV CONTRACTS REGIME

- ARTICLE 48: (1) The Authority shall be subject to the provisions of the Public Contracts Code.
 - (2) The Director-General shall be the contracting authority of all



public contracts.

ARTICLE 49: The internal tenders board set up at the Authority shall ensure compliance with the rules of transparency, competition and fair pricing.

CHAPTER VI MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 50: All previous provisions repugnant hereto, in particular those of Decree No. 2002/250 of 31 October 2002 to lay down the establishment, organization and functioning of the National Radioprotection Agency, are hereby repealed.

ARTICLE 51: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

PRESIDENCE DE LA REPUBLIQUE
PRESIDENCY OF THE REPUBLIC
SECRETARIAT GENERAL
SERVICE DU FICHIER LEGISLATIF ET REGLEMENTAIRE
LEGISLATIVE AND STATUTORY AFFAIRS CARD INDEX SERVICE
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PAUL BIYA, 7 9 NOV 2024

PRESIDENT OF THE REPUBLIC