

REPUBLIC OF CAMEROON

PEACE - WORK - FATHERLAND

LAW N° **9'5 / 08** OF **3 0 JAN. 1995**
ON RADIATION PROTECTION

*The National Assembly has deliberated and
adopted,
The President of the Republic hereby enacts
the law set out below :*

SECTION 1: (1) The purpose of this law shall be to ensure the protection of man and his environment against the hazards that may result from the use of one or several sources of ionizing radiation, the use of a radioactive substance or the exercise of an activity that involves exposure to radioactivity.

(2) It shall govern the use of radioactive substances and energy for peaceful purposes, in the general interest.

SECTION 2: The protection mentioned in Section 1 above shall concern the following:

- preservation of the air, water, soil, vegetation and wildlife;
- prevention or limitation of activities likely to pollute the environment and affect people and goods;
- repair of or compensation for any degradation suffered by the environment;
- maintenance or restoration of the resources nature has placed at man's disposal.

SECTION 3: (1) The activities targeted by this law shall be all those relative to the cycle of nuclear fuel and, particularly, the exploration and extraction of uranium ore and thorium, the acquisition, handling, production, transfer, processing, use, stocking, conveyance, importation of radioactive substances and radioactive sources as well as the installation of nuclear devices and equipment.

(2) These activities shall be subject to a prior authorization issued in accordance with terms and conditions laid down by statutory instruments, when a net positive benefit in the public interest can be derived from them, pursuant to the provisions of Section 2 above.

SECTION 4: (1) Any activity authorized in accordance with this law and the regulations relating to its implementation shall be subject to the following general principles:

- It shall not involve uncontrollable risks to the health and security of persons;
- It shall include the application of measures and precautions to ensure optimum protection for persons, property and the environment, in accordance with the terms and conditions laid down by statutory instruments;
- It shall be carried out by qualified persons who must ensure its supervision and assume professional responsibility, using appropriate premises and installations.

(2) The exposure to ionizing radiation resulting from such activity must be maintained at the lowest level attainable, while having due regard to predominant national factors.

SECTION 5: The procedure for limiting personal risk shall be laid down by regulations in compliance with international standards applicable in the area of protection against radioactivity.

SECTION 6: The State shall coordinate and supervise the activities governed by this law according to the procedure laid down by regulation.

SECTION 7: Whoever causes the exposure to ionizing radiation or a nuclear accident through imprudence or negligence, shall be punished with imprisonment for from five (5) to twenty (20) years and with a fine of from two hundred thousand (200,000) to twenty million (20,000,000) francs CFA.

SECTION 8: Any person carrying out one of the activities referred to in Section 3 without prior authorization, shall be punished with imprisonment for from five (5) to ten (10) years and with a fine of from two hundred thousand (200,000) to twenty million (20,000,000) francs CFA.

He shall also be punished as provided for in Section 7 above in case of imprudence or negligence.

SECTION 9: Whoever wilfully destroys all or part of a radioactive source or nuclear installation shall be liable to a death sentence.

SECTION 10: The provisions of Sections 54 and 90 of the Penal Code relating to the suspension of sentence or mitigating circumstances shall not be applicable to criminal sanctions provided for by this law.

SECTION 11: (1) Without prejudice to the criminal sanctions provided for in Sections 7,8 and 9, the operator of a radioactive source or nuclear installation shall be civilly liable for any nuclear exposure or damage, where it is proved that such damage was caused by a nuclear accident under conditions defined by the Vienna Convention of 21 May 1963 relating to civil liability in the area of nuclear damages and subsequent amendments thereto, and the common protocol relating to the application of the aforementioned convention and the Paris Convention of 29 July 1960 on civil liability in the area of nuclear energy and subsequent amendments thereto.

(2) The operator of a radioactive source or nuclear installation shall be civilly liable for pecuniary sentences against any person under his authority.

SECTION 12: (1) The operator of a radioactive source or nuclear installation shall be bound to cover the risks related to the operation of the said source or installation with an insurance policy including persons, property and the environment.

(2) The insurance policy must be presented whenever so requested by the competent authority.

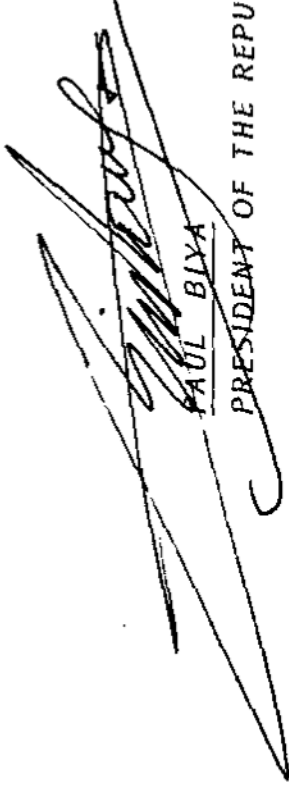
SECTION 13: The processing, dumping and disposal of radioactive waste shall be governed by regulation relating to toxic, radioactive and dangerous wastes.

SECTION 14: (1) In the event of the violation of any of the provisions of this law, the court seized of such violation may also order the closure and/or sealing of the establishment as well as the confiscation of the equipment.

(2) The competent services may, prior to the pronouncement of the sanctions provided under Section 14 (1) and as an interim measure of protection, order a temporary cessation of the activity in question according to the procedure laid down by regulations.

SECTION 15 : This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in english and french.

YAOUNDE, 30 JAN. 1995



PAUL BIYA
PRESIDENT OF THE REPUBLIC