



Radiation Protection Authority Of Zimbabwe

"... protecting people and the environment against radiation effects ..."

RPAZ POLICY

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LEGAL POLICY

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1.0 INTRODUCTION

The Radiation Protection Authority of Zimbabwe (RPAZ) is a statutory body with a mandate to protect people and the environment against the harmful effects of radiation. It was established in terms of the *Radiation Protection Act [Chapter 15:15]*. The RPAZ Legal Policy provides direction and guidance to the Authority on legal matters. The policy will facilitate the legal and corporate governance functions to further the Authority's mission and mandate.

1.0 PURPOSE

The policy aims to define the scope of legal advice and the responsibilities of parties in legal transactions.

2.0 SCOPE

This policy applies to all RPAZ employees.

3.0 POLICY STATEMENT

All employees of the Authority are responsible for promoting and protecting its interests, including complying with the law, and for ensuring that the Authority complies with the law. The Legal Services and Corporate Affairs department shall ensure that employees are aware of, and have access to, appropriate and timely legal advice when making legal or quasi legal decisions that may affect the rights or responsibilities of the Authority or a third party. However, the employees are responsible for bringing such matters to the attention of the department.

4.0 IMPLEMENTATION

4.1 When Legal Advice must be obtained

Unless otherwise provided by this Policy, legal advice must be requested on all legal matters including but not limited to:

- contracts and agreements; and
- legal claims or actions against the Authority (including letters of demand and threatened legal action); and
- proposed activities which include high value transactions, involve a high risk of civil or criminal liability or where substantial liability may result from the activity; and
- media inquiries regarding pending or potential litigation; and
- Transactions where the other party is represented by a lawyer.

4.2 When Legal advice does not need to be obtained.

It is not necessary to obtain legal advice in the following circumstances:

- generic funding or other agreements in standard form duly presented to and approved by the Board or shareholder.
- standard agreements approved by the Board.
- where existing rules, regulations, policies, or procedures of the Authority set out the requirements for the making of a decision.

4.3 Name of the Authority as a Party to an Agreement

- Only the Authority may be named as a party to an agreement between the Authority and a third party.

4.4 Client for the Purpose of Legal Advice

- The client for the purpose of the provision of legal advice is the Authority.

6.0 RESPONSIBILITIES

6.1 Internal Legal Counsel

Internal legal counsel is responsible for providing legal services including—

- a) providing independent legal advice in the best interests of the Authority and consistent with the Authority’s statutory obligations and policies.
- b) Drafting all contracts where the Authority is part to.
- c) Liaising with external legal counsel, noting that external legal counsel shall not be responsible for providing advice on policy, business or strategic matters.

6.2 Employees in Dealing with Legal Work

In dealing with legal work, employees shall:

- a) ensure that information supplied is complete and accurate and includes all relevant information necessary for the provision of impartial and independent legal work;and
- b) maintain the confidentiality of all legal work; and
- c) maintain appropriate and complete records; and
- d) only communicate in relation to legal work to other Authority employees directly involved in the matter; and
- e) only rely on the legal advice for the circumstances for which it was sought;
- f) only rely on legal advice obtained in accordance with this Policy and Procedure; and
- g) deal with court orders in a timely manner and in accordance with this Policy and Procedure.

7.0 POLICY REVIEW

This Authorization Policy shall be reviewed, examined, and revised every two years, or earlier where circumstances warranting such revision arises.

REFERENCES

- 1) The Radiation Protection Act [Chapter 15:15]
- 2) IAEA Safety Standards, Fundamental Safety Principles, Safety Fundamentals No. SF 1
- 3) IAEA Safety Standards, General Safety Requirements Part 1, Government, Legal and Regulatory Framework for Safety, No. GSR Part 1
- 4) IAEA Safety Standards: Categorization of Radioactive Sources, Safety Guide No. RS-G-1.9
- 5) IAEA Safety Standards, Application of the concepts of Exclusion, Exemption and Clearance, Safety Guide No. RS-G-1.7
- 6) IAEA Safety Standards, Safety Guide, Regulatory Control of Radiation Sources, No. GS-G-1.5
- 7) IAEA TECDOC 1525, Notification and Authorization for the Use of Radiation Sources (Supplement to IAEA Safety Standards Series No. GS-G-1.5)
- 8) IAEA-TECDOC-1679, Exemption from Regulatory Control of Goods containing Small Amounts of Radioactive Material
- 9) IAEA Safety Glossary, Terminology Used in Nuclear Safety and Radiation Protection 2018 Edition