



GUIDE  
FOR COMPLETING  
BROKER REGISTRATION  
FORM FOR RADIATION  
SOURCES

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## **I. Purpose**

The purpose of this guide is to assist Applicants (Person/ Corporation) with completing the *Broker Registration Form for Radiation Sources*, in accordance with the *Nuclear Safety and Radiation Protection Regulations, 2019* and as stipulated by the HSRA and published on its official website.

## **II. Scope**

This guide is applicable for the Registration of Brokers, which is defined by the *Nuclear Safety and Radiation Protection Regulations, 2019 (NSRP Regulations, 2019)* as “a person who acts on behalf of one or more other persons to negotiate or arrange contracts, purchases, sales, or other means of transfer, of radioactive material, nuclear material, nuclear technology, ionizing radiation apparatus or radiation sources.”

The *Broker Registration Form for Radiation Sources* cannot be used to apply for any other “Grant of Authorization” under the *Nuclear Safety and Radiation Protection Act, 2015 (NSRP Act, 2015)* and its associated Regulations.

## **III. Abbreviations**


HSRA – Hazardous Substances Regulatory Authority

NSRP Act, 2015 – Nuclear Safety and Radiation Protection Act, 2015

NSRP Regulations, 2019 - Nuclear Safety and Radiation Protection Regulations, 2019

RAN – Regulatory Authority Number

TRN - Tax Registration Number

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#### **IV. Definitions**

**Applicant** means the organization (Person/ Corporation) that is applying to be registered as a Broker under the *NSRP Regulations, 2019*.

**Broker** means a person who acts on behalf of one or more other persons to negotiate or arrange contracts, purchases, sales, or other means of transfer, of radioactive material, nuclear material, nuclear technology, ionizing radiation apparatus or radiation sources.

**Ionizing Radiation Apparatus** means apparatus capable of producing ionizing radiation and devices containing radionuclide.

**Legal Operator** means the person charged with ownership or legal responsibility to represent the Applicant

**Principal Place of Business** means the legal physical address of the organization.

**Nuclear Material** means –


- (a) Plutonium-239, Uranium-233, Uranium enriched in the isotopes Uranium-233 or Uranium-235 or any other material that the HSRA determines shall be classified as nuclear material; and
- (b) For purposes of the application of IAEA safeguards, any special fissionable material or source material as defined in the relevant Safeguards Agreement between Jamaica and the IAEA, other than ore or ore residues.

**Nuclear Technology** means technology that involves the nuclear reactions of atomic nuclei.

**Person** means a natural person (individual) or a body corporate (private or government) is charged with ownership or legal responsibility

**Radiation Source** means radiation generator, a radioactive source or other radioactive material.

- (a) a radiation generator, being a device capable of generating ionizing radiation (such as X-rays, neutrons, electrons or other charged particles) that may be used for scientific, industrial or medical purposes.
- (b) radioactive material, being material that may emit ionizing radiation by spontaneous nuclear transformation, but does not include materials that have been exempted by the HSRA.

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(c) radioactive source, being—

- (i) radioactive material that is permanently sealed in a capsule or closely bonded, in a solid form, and which is not exempt from regulatory control; or
- (ii) the use of radioactive material released from a leaking or broken radiation source, but excluding material encapsulated for disposal or nuclear material within the nuclear fuel cycles of research and power reactors.

**Radioactive Material** means material that may emit ionizing radiation by spontaneous nuclear transformation, but does not include material in respect of which there is an exemption

**Regulatory Authorization Number (RAN)** means the unique identification number that is on the License or Certificate of Registration that was issued to an organization (person/ corporation) who has received an Authorization from/ by the relevant competent Regulatory Authority that has responsibility for radiation protection and safety matters in the country where the organization is located. This is also referred to as the Broker Registration Number.


**Regulatory Body** means the competent Regulatory Authority that was established by a federal, state or provincial government and who has responsible for radiation protection and safety matters in that country.

## **V. Description: Making an Application**

### **1. Eligibility**

The *NSRP Regulations, 2019* allows for a “person” who acts on behalf of one or more other persons to negotiate or arrange contracts, purchases, sales or other means of transfer, of radioactive material, nuclear material, nuclear technology, ionizing radiation apparatus or radiation source to be registered as a “Broker” under these Regulations. It is an offense to operate as a “Broker” without being properly registered under the *NSRP Regulations, 2019* and is liable to incur the penalty as specified in Regulation 14(6) of the *NSRP Regulations, 2019*.

To be Registered as a Broker under the *NSRP Regulations, 2019*, an applicant **MUST** be “Fit and Proper,” as specified by Section 3 (a) to (i) of the *NSRP Act, 2015*.

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## 2. Instructions to Applicants

### *i. Applying for a Broker Registration for Radiation Sources*

A “person” is required to be registered as a Broker under the *NSRP Regulations, 2019* before operating in that capacity. The Application Form as specified by the HSRA and published on its official website must be completed and submitted with the applicable fee and all supporting documents.


Applicants must complete all applicable sections of the application form and ensure that the information provided in support of their application is clear, precise, accurate and complete. If a section or area of the application form is not applicable, state “N/A” in the area provided. All attachments should be carefully labeled, making reference to the items and paragraphs to which they apply

Additionally, applicants are required to complete the “*HSRA Fit and Proper Declaration Form*” in support of their application to be registered as a Broker within the meaning of the *NSRP Regulations, 2019*. Applicants who are licensed Customs Brokers, as defined by the *Customs Regulations, 1955*, are **exempted** from this requirement, but must submit a certified copy of the Customs Broker License in lieu of this requirement.

A list of documentation to be provided with the application form is provided in Appendix 1.

### *ii. Submission of an Application*

The completed application form, required documents and applicable fee must be submitted to the HSRA at 8 Rekadom Avenue, Building 9, Bureau of Standards Kingston 10 or electronically to [info@hsra.org.jm](mailto:info@hsra.org.jm) with the subject line “**Application for Broker Registration**” or by another such manner, as may be notified by the HSRA from time to time.

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### *iii. Processing of an Application*

The processing time for an application is fourteen (14) working days, at the end of which, a determination will be made. Please note that processing will **only** commence when all supporting documents and proof of payment have been received by the HSRA.

### *iv. Grant or Refusal of an Application*

The application is approved if the applicant is determined to be “Fit and Proper” as specified by Section 3 (a) to (i) of the *NSRP Act, 2015*. The application will be refused if the applicant does not meet the “Fit and Proper” requirements as specified under the Act.

Where the application is approved, the Certificate of Registration will be issued and be subject to relevant terms and conditions.


Where an application for registration has been refused, the HSRA will inform the applicant in writing, as well as, specify a reasonable period within which the applicant may—

- (a) address the reasons for refusal given by the HSRA, and
- (b) subject to regulation 4(5) of the *NSRP Regulations, 2019* pay the relevant reconsideration fee specified in the *Third Schedule* and request that the Authority reconsider the application.

If the applicant makes a request for reconsideration, the HSRA will reconsider the application and if satisfied that the:

- (a) reasons given for the proposed refusal still apply to the applicant, the HSRA shall proceed with the refusal in accordance with section 39(4) of the *NSRP Act, 2015*; or
- (b) previous concerns have been addressed and grounds for previous ruling no longer apply to the applicant, the HSRA will approve the application.



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v. *Renewal or Variation of an Authorization to Export/ Import Radiation Source(s)*

An applicant can apply for the renewal or variation of an authorization by submitting to the HSRA the completed application form along with the relevant fees, supporting documents and a copy of the Grant of Authorization that is to be renewed or varied.

**Please note:** that all renewal applications must be made thirty (30) days before the expiration of the existing Authorization. Applications that are received after this specified period will be treated as a new application.

### 3. Fees and Validity Period for a Broker Registration

The application fee for the different types of Authorization is provided in the *Third Schedule* of the *NSRP Regulations, 2019*. The fees that are applicable for Broker Registration are as follows:


Authorization in the Form of a Certificate of Registration	
(a) Broker Registration Fee	\$20,000.00
(b) Authorization reconsideration fee	\$15,000.00
(c) Application renewal fee	\$20,000.00
(d) Authorization variation fee	\$10,000.00

The validity period for a Broker Registration is two (2) years.

### 4. Instructions to Recipient of a Broker Registration

All authorization granted under the *NSRP Act, 2015* and its *associated Regulations* are non-transferable. All recipients must:

- i. comply with the provisions of the *NSRP Act, 2015* and all applicable regulations made under the Act.

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- ii. to the extent applicable, ensure that the transportation of the sources is in compliance with all applicable transport requirements of the *IAEA Regulations for the Safe Transport of Radioactive Material* and the *IAEA Safety Standards Series No. SSR-6* and any revisions thereto as determined by HSRA to be applicable.
- iii. ensure that the organization, on whose behalf you are acting, as well as, the other party involved in the transaction has a valid authorization from the Regulatory Body to possess and use and/ or store radioactive material, nuclear material and technology, ionizing radiation apparatus or radiation sources before conducting Broker activities.

## **VI. Description: Completing the Application Form**


### **1. Type of Application:**

Select the appropriate box to indicate if this application is new, a renewal or a variation.

- **New** should be selected if the applicant is applying to act in the capacity as a Broker for Radiation Sources for the first time.
- **Renewal** should be selected where the applicant has previously been issued a registration and is reapplying to act in the capacity as a Broker for Radiation Sources. Once selected, state the Broker Registration Number and expiration date. **Please note** that all renewal applications must be made thirty (30) days before the expiration of the existing Authorization. Applications that are received after this specified period will be treated as a new application.
- **Variation** should be selected if the applicant is applying to have their existing Grant of Authorization varied. Once selected, state the Broker Registration Number and expiration date.

### **2. Applicant Details:**

In the space provided state the requested details of the Applicant.

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### 3. Details of Business


- a. State the type of Business the applicant is operating e.g. Custom Broker House, Medical Supplier or Service Provider etc.
- b. Provide the Proof of Legal Status by stating the Business Registration or Corporation Number in the area provided and appending to the application form a certified copy of the relevant certificate that was issued by the Companies Office of Jamaica. If the applicant is a Government entity, state the name of the enabling Legislation (Act).
- c. Licensed Customs Broker Information: State the required details of the Customs Broker Licence that was issued by the Commissioner of Jamaica Customs Agency. If the applicant does not have a valid Custom Broker Licence, place “N/A” or “Not Applicable” in the space provided and complete the HSRA “*Fit and Proper Declaration Form.*”

### 4. Knowledge of the *Nuclear Safety and Radiation Protection Act, 2015* and *Nuclear Safety and Radiation Protection Regulations, 2019*

Applicants are required to familiarize themselves with the *NSRP Act, 2015* and the *NSRP Regulations, 2019* in order to operate within the limits of the law. Applicants should also be familiar with at least the basic technical terms that are used within the industry, as well as, the various risks and safety and security measures that need to be implemented for radioactive material, nuclear material and technology and radiation sources.

### 5. Storage Facility Details

If your organization does not have a designated storage location for radiation sources or will not be storing any radiation sources, please state “N/A” in the area provided. However, if your organization stores radiation sources, provide details of the arrangements made for the safe and secure storage of radiation sources. This should include the address and a description of the storage location including the layout of the storage facility and building specifications such as shielding design, emergency procedures, posting of warning signs and any physical protection measures implemented to secure radiation sources. The details provided must be commensurate with the risk associated with storing the radiation sources.

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Additional, details may be required when Category 1 and 2 radiation sources are being stored by your organization.

**Please note** The HSRA permits Brokers to temporarily store Category 3-5 radioactive material for a maximum of seventy-two (72) hours and radiation generators for a maximum of for five (5) working days to facilitate the transfer of said commodity to the authorized end-user. For Brokers who usually store these types of radiation sources beyond this specified period, you will be required to apply for an authorization to possess radiation source(s) from the HSRA.


The temporary storage of Category 1 and 2 Sources are strictly prohibited without a HSRA authorization to possess radiation source(s), however if extenuating circumstances requires the temporary storage of these commodities, prior approval **MUST** be received from the HSRA.

#### **6. Additional Information (if applicable):-**

Provide any additional information that you believe is relevant to your application.

#### **7. Declaration**

In the space provided, state the name and title of the Applicant's legal operator. The legal operator is required to sign and write the date when the application was signed.

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## **APPENDIX 1**

**List of documents that are to be submitted to the HSRA when applying for a Broker Registration for Radiation Sources.**

1. Completed application form
2. A copy of Certificate of Registration to be renewed or varied, applicable for only renewal and variation applications
3. Proof of Payment
4. Copy of the following documents:
  - a. Certificate of Incorporation or Certificate of Registration of Business or Charter
  - b. Valid Photo Identification of Authorized Signatories
  - c. Customs Broker Licence, if applicable
5. Completed HSRA's *Fit and Proper Declaration Form* and required supporting documents, unless exempted.
6. Storage Facility Details (Building layout and specifications of the storage facility), **if applicable.**

**For further information or guidance please contact**



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