

Republic of the Philippines
Department of Science and Technology
PHILIPPINE NUCLEAR RESEARCH INSTITUTE
Commonwealth Avenue, Diliman, Quezon City

**Administrative Order No. 03
Series of 2006**

**AMENDMENT TO CPR PART 22, “FEES AND CHARGES FOR RADIOACTIVE
MATERIAL LICENSES AND OTHER RELATED REGULATORY SERVICES”**

Whereas, Executive order No. 197 of the Office of the President and as implemented by DOF-DBM Joint Circular No. 2002-2 and DOST Administrative Order No. 010, Series of 2002, have authorized all government agencies to increase their collection of fees and charges for services rendered in order to help the government meet its present budgetary deficit;

Now, THEREFORE, in accordance with the provisions of Section 4(k) of Republic Act No. 5207 as amended, PNRI Administrative Order No. 01, Series of 2003 entitled CPR Part 22, “Fees and Charges for Radioactive Material Licenses and Other Related Regulatory Services”, is hereby amended and promulgated:

PART I. DEFINITIONS

Section 1. Title.

These rules and regulations shall be known as “**CPR Part 22, Fees and Charges for Radioactive Material Licenses and Other Related Regulatory Services, Revision 1**”.

Section 2. Definitions of Terms and Acronyms.

As used in this Part:

- (a) “**Act**” means the Republic Act No. 5207, otherwise known as the “Atomic Energy Regulatory and Liability Act of 1968”, as amended.
- (b) “**Category**” means classification of radioactive sources commensurate on the degree of potential risk for radioactive sources to cause deterministic health effects.

- (c) “**Certificate of Exemption**” is statement issued by PNRI to confirm and assure that a specific item, equipment or device is not radioactive or does not contain radioactive material that is subject to regulatory control. This does not, however, intend to exempt a person from existing rules and regulations set in the Code of PNRI Regulations.
- (d) “**CPR**” means the Code of PNRI Regulations.
- (e) “**Fixed Gauge Category A**” means category that falls under Category* 4 and 5 (e.g. thickness/fill-level gauges, static eliminators, etc.).
- (f) “**Fixed Gauge Category B**” means category other than Fixed Gauge Category A.
- (g) “**Follow-up Inspection**” means a regulatory inspection as a follow-up action to unresolved inspection findings of non-compliances or deficiencies.
- (h) “**License**” means the authorization granted by PNRI to a person or entity to acquire, own, possess, store, use, import or export, and/or transfer radioactive materials.
- (i) “**Modification of License**” means a specific licensed activity is deleted from and/or added to the list of activities authorized by PNRI in the license arising from a regulatory enforcement action or a formal request submitted by the licensee.
- (j) “**PNRI**” means the Philippine Nuclear Research Institute.
- (k) “**Portable Gauge Category A**” means category that falls under Category* 5 (e.g., XRF analyzers, etc.).
- (l) “**Portable Gauge Category B**” means category other than Portable Gauge Category A.
- (m) “**Regulatory Inspection**” means an inspection conducted at the licensee’s facility to determine licensee’s compliance with the specific conditions and other commitments in the license with the Code of PNRI Regulations (CPR). This also covers investigative inspection.
- (n) “**Related Regulatory Services**” means those services performed or undertaken by the regulatory staff in support of PNRI regulatory and licensing activities.
- (o) “**Research and Education Category A**” means the use of one or more units of sealed and/or unsealed radioactive sources where any radioactive sources do not fall under Category* 1 to 3 and total amount of radioactivity to be possessed at any one time does not exceed 370 MBq.
- (p) “**Research and Education Category B**” means category other than Category A of the Research and Education.

* AO No. 1 Series of 2004, Adoption of Categorization of Radioactive Sources (IAEA TECDOC-1344)

Section 3. Types of Fees.

- (a) **Application Fee.** Each application for a new license shall be charged an amount of **Php 500.00** as an application fee upon the acceptance of the application. Any application shall not be processed if the application fee is not remitted or paid in full to PNRI. The application fee is not refundable regardless of PNRI decision denying the license or the withdrawal of the application.
- (b) **New License Fee.** The license fee for each new license must be paid to PNRI within ten (10) calendar days upon receipt of notification by the applicant about the approval of the application for a license.
- (c) **Renewal of License Fee.** A renewal of license fee must be paid upon the submission by the licensee of the request for the renewal of the license. The request for renewal of license shall be filed and received by PNRI at least thirty (30) calendar days before the expiration of the license. If the request for renewal of license is filed less than thirty (30) calendar days before the expiration of the license, it will be considered as late filing of request and the corresponding surcharge fee is charged. If no request for the renewal of license is received within thirty (30) calendar days after the expiration of the license, the license is deemed to have expired, and the corresponding sanction shall be imposed. The payment of the license renewal fee is not an assurance for the immediate grant of the license.
- (d) **License Modification Fee** (applies only for renewal of license and *not* for New License)
 - (d)1. **From Authority to Use to Authority to Store** – if the licensee decides to modify the granted authorization from use to storage, the licensee is charged to pay a storage license fee equivalent to fifty percent (50%) of the renewal license. The request, however, for renewal of license for in-house storage of **all** radioactive materials listed in the license shall be filed before the Institute for evaluation before the license modification is issued.
 - (d)2. **From Authority to Store to Authority to Use** – if the licensee decides to modify the granted authorization from storage to use, the licensee is charged to pay the equivalent licensee fee in full regardless of the remaining validity period of the license. The request, however, for the renewal of license for use of all or either any of the radioactive materials licensed to the person shall be filed before the Institute for evaluation before the license modification is issued.
- (e) **Surcharge Fee.** A surcharge fee amounting to twenty-five percent (25%) of the license fee shall be charged in addition to the license fee for late filing of the renewal of license. A request for renewal of license is considered late if it is filed less than thirty (30) calendar days before the expiration of the license. Likewise, the surcharge fee shall be increased to fifty percent (50%) if the request for renewal of the license is filed after the expiration of the license.
- (f) **License Amendment Fee.** An amendment fee shall be charged for each application for amendment of a license, corresponding to Section 6 of this Part.
- (g) **Inspection Fee.** An inspection fee shall be charged for each regular inspection, corresponding to Section 6 of this Part.

- (h) **Follow-up Inspection Fee.** A follow-up inspection fee equivalent to fifty percent (50%) of the regular inspection fee shall be charged for such follow-up inspections conducted.
- (i) **Investigative Inspection Fee.** An investigative inspection fee equivalent to fifty percent (50%) of the regular inspection fee shall be charged for such follow-up inspections conducted.
- (i) **Authority to Transport Fee.** A fee of **PhP 300.00** shall be collected for the issuance of an Authority to Transport.
- (k) **Certificate of Release Fee.** A fee of **PhP 300.00** shall be collected for the issuance of a Certificate of Release for customs clearance and release of the radioactive shipment to an authorized consignor or consignee.
- (l) **Certificate of Exemption Fee.** A fee of **PhP 300.00** shall be collected and must be paid by the licensee for the issuance of a Certificate of Exemption.
- (m) **Termination of License Fee.** A termination of license fee of **PhP 300.00** shall be charged when PNRI determines that the licensee upon its request for termination of license, is no longer in possession of licensed radioactive material and the facility is free from radioactive contamination and can be released for unrestricted use.

PART II. GENERAL PROVISIONS

Section 4. Related Regulatory Services.

PNRI shall collect a corresponding amount for other related regulatory services according to Section 7 of this Part.

Section 5. Methods of Payment.

As per PNRI Policy Instruction 003 dated May 14, 2003 signed by the Director, the PNRI is strictly implementing Cash Payment Policy for all PNRI Nuclear Services and Regulatory activities.

Payment of fees shall be in the form of cash or check, bank draft, or money order in Philippine currency payable to the Philippine Nuclear Research Institute, Commonwealth Avenue, Diliman, Quezon City.

PART III. SCHEDULE OF FEES

Section 6. Schedule of Materials License and Inspection Fees.

Type of License	New License (Pesos)	License Renewal (Pesos)	License Amendment (Pesos)	Inspection Fee (Pesos)
Sale / Distribution / Service				
<i>Indent Sale</i>	3,500.00	2,400.00	1,500.00	3,000.00
<i>Sale</i>	3,500.00	3,500.00	1,600.00	3,000.00
<i>Sales/Service</i>	4,600.00	3,500.00	2,100.00	3,000.00
<i>Service</i>	4,600.00	3,500.00	2,100.00	3,000.00
<i>Dispensing / Compounding</i>	6,700.00	3,500.00	2,100.00	3,000.00
Research and Education				
<i>Category A</i>	3,500.00	2,400.00	1,500.00	2,000.00
<i>Category B</i>	6,700.00	3,500.00	2,100.00	3,000.00
Industry				
<i>Portable Gauge Category A</i>	3,500.00	2,400.00	1,500.00	3,500.00
<i>Portable Gauge Category B</i>	4,600.00	2,400.00	1,500.00	3,500.00
<i>Fixed Gauge Category A</i>	3,500.00	2,400.00	1,500.00	3,500.00
<i>Fixed Gauge Category B</i>	4,600.00	2,400.00	1,500.00	3,500.00
<i>Well Logging, Dredging & Spinning Pipe</i>	4,600.00	3,500.00	1,600.00	3,500.00
<i>Tracer Studies</i>	4,600.00	3,500.00	1,600.00	3,500.00
Blood Irradiator	3,500.00	2,400.00	1,500.00	3,000.00
Industrial Radiography	6,700.00	3,500.00	2,100.00	4,000.00
Brachytherapy	6,700.00	3,500.00	2,100.00	3,500.00
Teletherapy	6,700.00	3,500.00	2,100.00	4,500.00
I-131 Therapy	4,600.00	3,500.00	1,600.00	3,000.00
In-Vivo Diagnosis and Therapy	6,700.00	3,500.00	2,100.00	4,000.00
Radioimmunoassay	3,500.00	2,400.00	1,500.00	3,000.00
**Medical Cyclotron Facility	120,000.00	-	-	-

Section 7. Other Related Regulatory Services.

		Unit Costs (Pesos)
A. Publication		
1.	CPR Compilation (All Parts)	300.00
2.	Specific Part of the CPR	50.00
3.	INFOPAC per Part	200.00
B. Certified True Copy of Legal Documents		
1.	Radioactive Material License	300.00
2.	Official Inspection Report	100.00

** The computation is based on AO No. 2 Series of 2002.

PART IV. ENFORCEMENT AND EFFECTIVITY

Section 8. Failure of the Applicant to Pay Prescribed Fees.

Failure of the applicant to pay the prescribed license fees will be a cause to delay any action on the license application. Accordingly, the licensee is notified about any regulatory action by PNRI.

Section 9. Effective Date.

The regulations in this Part shall take effect fifteen (15) calendar days following its publication in the **Official Gazette** or in a newspaper of general circulation.

Approved:

ORIGINAL SIGNED
ALUMANDA M. DELA ROSA, Ph.D.
Director, PNRI

February 14, 2006