



International Conference on Occupational Radiation Protection:
Strengthening Radiation Protection of Workers,
5-9 September 2022, Geneva, Switzerland

Legal and Institutional Frameworks for Addressing Occupational Radiation and Protection of Workers in Nuclear Power Plants and other Related Work Places in Nigeria

Ogwezzy Michael. C (PhD)

Ogwezzy@yaho.com, michael.ogwezzy@ust.edu.ng

Professor of Law, Head, Dept of Public Law, Faculty of Law, Rivers State University, Nkpolu-Oroworukwu, Port Harcourt, Nigeria

IAEA-CN-300-ID: 82

1 Background

- This paper foregrounds that in labour law and labour relations, the main focus of the law and policy drivers is to ensure occupational protection, health and safety of workers. This includes the promotion and maintenance of safe working environment ensuring capacity building and sound employee's health; improvement of working environment and development of work cultures and organizations to support health and safety in work places.
- This paper discusses the several laws and regulations enacted to address Occupational Radiation and Protection of workers in nuclear power plants and other related workplaces in Nigeria.

2 Legal Frameworks for Addressing Occupational Safety in Nigeria

2.1 Constitution of the Federal Republic of Nigeria, 1999, Section 17(3)(c) *The State shall direct its policy towards ensuring that the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused.*

2.2 The Factories Act 2004, Sections 45-50 deals with Health, safety and welfare (special provisions and regulations)

2.3 Employees Compensation Act 2010, Section 1(a)-(f) *Enforcement of occupational safety and health standards.*

2.4 Nigerian Minerals and Mining Act, 2007, Part VIII of the Act only gives guidance in the area of inquiry into accidents as a result of workplace exposure.

2.5 Nigeria Atomic Energy Commission Act enacted 27 August, 1976, Section 11, *President may make regulations for: securing the safe operation of any nuclear installation, safe carriage of nuclear fuel and radioactive products or waste*

2.6 Nigerian Nuclear Safety and Radiation Act 1995, Section 26, *deals with recording of emergency exposures to workers in nuclear power plants, accidental exposure to radiation doses and accidental intake of radioactive materials shall be recorded distinguished from normal exposure.*

2.7 National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, of 31 July, 2007, Section 20 *deals with air quality and atmospheric pollution by setting specifications and standards to protect and promote public health.*

2.8 Petroleum Industry Act, of 16 August, 2021. Section 225, *provides: the storage, application, transportation and other petroleum operation of radioactive materials and other operation equipment generating ionising radiation in all aspects of oil and gas operation shall be in compliance with the Nuclear Safety and Radiation Protection Act.*

2.9 Nigeria Basic Ionising Radiation Regulations, 2003, Regs. 4(1)(2) and 21 *addresses prevention of excessive dose of exposure to sources of ionising radiation by workers who work in facilities utilising such substances.*

2.10 Nigerian Radiation Safety in Nuclear Medicine Regulations, 2006, Regs. 25-34 *provides for the regulation of exposure in the use of radiation in Nuclear medicine in Nigeria.*

2.11 Nigerian Radiation Safety in Nuclear Well Logging Regulation, 2008. Reg. 4(a) *applies to all existing ionizing radiation and nuclear*

Regulations, such as radioactive waste management and radioactive material transport Regulations.

2.12 Nigerian Radiation Safety in Naturally Occurring Radioactive Materials (NORM) Management Regulations, 2008, *This Reg, establishes radiation protection, standards for the generation, possession, use, transfer, and disposal of NORM to ensure protection of human health and environment from the hazards associated with NORM in Nigeria.*

2.13 National Policy on Occupational Safety and Health, 2006. *It provides the framework for occupational safety and health protection of workers including the most vulnerable groups in all sectors of economic activities.*

3 Institutional Frameworks Dealing with Occupational Radiation and Protection of Workers in Nigeria

3.1 **Factories Appeal Board.** *It hears and determine appeals submitted to it from an aggrieved person over the decision of the Director of Factories (D.F). It may confirm, vary or reverse the decision of the D.F and its decision is final and is not subject to appeal to any court or tribunal in Nigeria.*

3.2 **The Nigeria Social Insurance Trust Fund Management Board,** *Under section 56 the Board shall, formulate policies and strategies for assessment of compensation, rehabilitation and welfare of employees who sustain injuries or contact occupational diseases at the workplace.*

3.3 **Nigeria Atomic Energy Commission,** *it is saddled with responsibility to prevent nuclear damage, waste discharge, in the course of carriage/transportation on any premises occupied by the Commission.*

3.4 **Mines Inspectorate Department (MID):** *Duties of MID includes inspecting the storage of explosives to be used in connection with exploration or mining operations; protect the host community and the public against the hazards, address issues of exploration, mining and milling of radioactive ores and other ores associated with the presence of radioactive substances*

3.5 Governing Board of the Nigeria Nuclear Regulatory Authority

The Authority advises the Federal Government on nuclear security, safety and radiation protection involving exposure of workers and the general public to ionizing radiation.

The Board manages and superintend the affairs of the Authority, the overall policy and general administration and acts in the name of the Authority. It also formulates policies and guidelines for regulating nuclear safety and radiological protection and ensuring their implementation in Nigeria

4 Conclusion

Nigeria through legislative enactments has made several laws and Regulations that addresses issues of occupational radiation and protection of workers against exposure to ionizing radiation in Nuclear Power Plants and related work places.

The legal and institutional frameworks established over the decades has demonstrated Nigeria's commitment to tackling the issues of occupational radiation and protection of workers against all form exposure to ionizing radiation in Nuclear Power Plants and related work places.

Nigeria in broad ways has done significantly in occupational radiation protection in the workplaces that involves exposure to naturally occurring radioactive material, radon and cosmic rays and imbibed a lot of safety culture in occupational radiation protection.