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ACT
of 9 September 2004

on peaceful use of nuclear energy (the Atomic Act) and on changes and amendments to certain laws

Amendment: 238/2006
Amendment: 21/2007
Amendment: 335/2007
Amendment: 94/2007
Amendment: 408/2008
Amendment: 120/2010, 145/2010
Amendment: 137/2010 (indirect amendment)
Amendment: 350/2011
Amendment: 143/2013
Amendment: 314/2014
Amendment: 54/2015
Amendment: 91/2016
Amendment: 125/2016
Amendment: 96/2017

The National Council of the Slovak Republic has resolved on this Act:

Article I

PART ONE

BASIC PROVISIONS

Section 1
Subject of the Act

(1) This Act regulates

a) Conditions of the peaceful use of nuclear energy,

b) Conditions of execution of state administration, state regulation and the competencies of the Nuclear Regulatory Authority of the Slovak Republic (hereinafter only as the "Authority")
   1. in the field of nuclear safety of nuclear installations,
   2. in peaceful use of nuclear energy,
   3. in shipment of radioactive material,
4. in physical protection of nuclear installations, nuclear material, spent nuclear fuel,
5. in physical protection during shipment of radioactive material, and
6. in emergency planning,
c) classification of nuclear material, conditions for nuclear material management,
d) the conditions for the responsible and safe management of radioactive waste and spent nuclear fuel, in order to avoid an undue burden on future generations and to ensure the safety of workers\textsuperscript{(1)} and the public, whilst also fulfilling conditions pursuant to special regulations\textsuperscript{(1)}
e) The conditions for guaranteeing a high level of nuclear safety and its continuous improvement also for the purpose of fulfilling conditions according to special regulation\textsuperscript{(1)} at the same time it supplements the basic standards of protection of the public health and health of workers against the dangers of ionizing radiation stipulated in the international treaty which is binding for the Slovak Republic\textsuperscript{(1)}, when it comes to nuclear safety of nuclear installations, while not affecting the specific regulations for the protection of health of workers and the public against the undesirable effects of ionizing radiation\textsuperscript{(1)} and for verification of special professional competency of employees of authorisation holders pursuant to Section 5 par. 3 and on professional competency of employees of authorisation holders pursuant to Section 5 par. 3,
f) conditions for verification of special professional competency of employees of authorisation holders pursuant to Section 5 par. 3 and on professional competency of employees of authorisation holders pursuant to Section 5 par. 3,
g) system of emergency preparedness,
h) rights and obligations of natural persons and legal persons in peaceful use of nuclear energy,
i) offences and other administrative misdemeanours in the area of nuclear regulation.

(2) This Act regulates also the system of supervision in the Slovak Republic in cross-border shipment of radioactive waste and spent nuclear fuel including spent nuclear fuel exported for reprocessing and their control in the Slovak Republic, which applies to cross-border shipment of radioactive waste and spent nuclear fuel, provided that:
a) the Slovak Republic is the country of origin, country of destination or transit country for the shipped radioactive waste or spent nuclear fuel; and
b) the amount and the concentration of the shipment exceed the levels, for which notification according to special 1) is not required.

(3) The system of supervision and control in cross-border shipment of radioactive waste and spent nuclear fuel is not applicable to cross-border shipment of:
a) disused sources 1a) to the supplier or producer of radioactive sources or recognized facility,
b) radioactive materials acquired for further use through reprocessing,
c) waste containing only naturally occurring radionuclides.

Section 2
Definitions of certain terms

For the purposes of this Act the following terms shall have the following meaning:
a) A person of integrity shall mean a person, who has not been legally convicted of an intentional crime or a crime, where the facts of the case relate to the subject of permission or of the authorisation pursuant to Section 5, or who is regarded as not having been convicted for such criminal acts,
b) Physical protection shall mean a set of technical, mode or organizational measures needed to prevent and identify unauthorized handling of nuclear installations, nuclear material, special material and equipment, management of radioactive waste and spent nuclear fuel, shipment of radioactive material, as well as unauthorized entering of nuclear installation and sabotage,

c) Emergency preparedness means the ability of the authorisation holder and the public authorities to activate and realize activities and measures that lead to the detection and effective coping with incidents or accidents at nuclear facilities or to the shipment of radioactive materials and to effectively suppress their potential to endanger life, health of workers or the public, their property or environment, which is documented in the emergency plan,

d) Institutional radioactive waste shall mean radioactive waste produced during work with sources of ionizing radiation with the exception of spent nuclear fuel and radioactive waste from nuclear installations,

e) Nuclear safety shall mean the technical status and the capability of the nuclear installation or transport equipment, as well as their operating personnel to prevent unauthorized release of radioactive substances or ionizing radiation to the working environment or the environment and ability to prevent events and to mitigate consequences of events at nuclear installations or in shipment of radioactive materials,

f) Nuclear installation shall mean a set of civil structures and the necessary technological equipment in a configuration specified by the design, intended for

1. generation of electric energy or for research in the field of nuclear energy, part of which is a nuclear reactor or nuclear reactors, which will use, are using or had been using controlled fission chain reaction,
2. management of nuclear material - quantities greater than one effective kg 1ab) except areas for storage of containers and shields, in which the nuclear material is used as shielding material for radioactive sources, 1ac) facilities for treatment of uranium ore and storage of uranium concentrate,
3. spent nuclear fuel management,
4. radioactive waste management; or
5. uranium enrichment or production of nuclear fuel,

g) Limits & conditions for safe operation or safe decommissioning shall mean a document containing admissible values of parameters of equipment of nuclear installation, defining its operating mode or modes of its decommissioning,

h) Management

1. of nuclear materials shall mean their production, treatment, reprocessing, transmutation, handling, use, storage,
2. of radioactive waste shall mean their collection, sorting, storage, treatment, conditioning, handling and disposal of radioactive waste from nuclear installation, institutional radioactive waste, 1ad) orphan sources, radioactive waste of unknown origin, disused sources, if these activities take place at a single installation in parallel with activities with radioactive waste from nuclear installations; the shipment of radioactive waste is not deemed to be its management,
3. of spent nuclear fuel, its storage, reprocessing, transmutation, handling and disposal; the
shipment of spent fuel is not deemed to be its management,

4. of special materials and equipment, their imports, exports and use.

i) **Shipment of radioactive material** shall mean operations connected with loading of nuclear material, radioactive waste from nuclear installation, spent nuclear fuel, institutional radioactive waste, orphan sources, radioactive waste of unknown origin and disused sources at the point of loading, their shipment and unloading at the point of destination, which are realized within nuclear installation or between individual nuclear installations,

j) **Operation of nuclear installation** shall mean operations performed at a nuclear installation to achieve the intended purpose, for which the nuclear installation was built,

k) **Radioactive waste** shall mean any unusable material in gaseous, liquid or solid form, which due to the content of radionuclides in them or due to the level of their contamination with radionuclides cannot be released to the environment,

l) **Storage of radioactive waste or spent nuclear fuel** shall mean placement of radioactive waste or spent nuclear fuel into areas, premises or facilities allowing their isolation, control and environmental protection with the intent of their subsequent retrieval,

m) **Quality management system** shall mean development and documenting of an organizational structure, procedures and resources for quality assurance of nuclear installations aimed at achieving the necessary level of nuclear safety and to ensure that other requirements are not taken into account separately from requirements for nuclear safety, in order to exclude their potential negative impact on nuclear safety,

n) **Specialized facility** shall mean a facility operated by a natural person or a legal person based on authorisation granted for professional training of authorisation holders’ employees,

o) **Disposal of radioactive waste or of spent nuclear fuel** shall mean permanent disposal of radioactive waste or of spent nuclear fuel into a radioactive waste repository or spent nuclear fuel repository without the intent of its retrieval,

p) **Completion of operation of a nuclear installation** shall mean a condition of a nuclear installation, when its use for the original purpose has ended and this process is irreversible; with respect to radioactive waste or spent nuclear fuel repository it shall mean that the termination of operation of a nuclear installation is a condition when disposal of radioactive waste or of spent nuclear fuel into repository has been completed,

q) **Repository** shall mean a nuclear facility, pursuant to point three or point four of letter f), which serves for the disposal of radioactive waste or spent nuclear fuel, the main purpose of which is to store radioactive waste or spent nuclear fuel, allowing for its isolation, monitoring and protection of the environment,

r) **Classified equipment** shall mean systems, structures and components or parts thereof, including their software, important for nuclear safety of the nuclear installation, classified into safety classes according to their importance for nuclear safety, as well as according to the safety function of the system they are part of, and according to the significance of their potential failure,

s) **Spent fuel** shall mean nuclear fuel which has been irradiated in an active zone of a nuclear reactor and has been permanently removed from it; spent fuel may be considered as a usable resource which may be reprocessed or destined for disposal regarded as radioactive waste,

t) **Decommissioning** shall mean activities following after completion of operation, designed to exempt the nuclear installation – except the repository – from the scope of this Act,
u) **Use of nuclear energy** shall mean:

1. Siting of nuclear installations, construction of nuclear installations, commissioning of nuclear installations, operation of nuclear installations or decommissioning of nuclear installations (hereinafter only as the "Decommissioning") and closure of radioactive waste and spent nuclear fuel repositories,
2. Modifications to nuclear installations and verification of systems of nuclear installations or parts thereof,
3. Management of nuclear material, special material and equipment, spent nuclear fuel and radioactive waste including their production,
4. Professional training of staff of authorisation holders according to Section 5 provided at specialized facilities,
5. Shipment of radioactive material,

v) **Modifications** to nuclear installation affecting nuclear safety during its construction, commissioning, operation, decommissioning, closure of repository or after repository closure, which can be implemented only upon prior consent or approval from the Authority and in special cases also after obtaining the position from the European Commission, shall mean modifications

1. to classified equipment, which carry their safety function or which change their properties in relation to the safety function,
2. to documentation reviewed or approved by the Authority,
3. which result in changes to limits & conditions according to subparagraph g).

w) **Modifications** to nuclear installation during its construction, commissioning, operation, decommissioning, closure of repository and after the repository closure, which are subject to prior notification and review by the Authority, shall mean modifications that are not listed under subparagraph v), if implemented, however, may impact the nuclear safety,

x) **Safety culture** shall mean attitudes and principles of behaviour of authorisation holder and its employees approved by the statutory body and understood and supported by all employees, which shall ensure priority to nuclear safety above all the rest,

y) **Reprocessing of spent fuel** shall mean a process or operation, the purpose of which is to extract fissile materials and fertile materials from spent fuel for further use.

### Section 3
**Principles of peaceful use of nuclear energy**

(1) Nuclear energy may only be used for peaceful purposes and in compliance with the national strategies, international treaties, by which the Slovak Republic is bound, 1b) and in compliance with the legal acts of the European Union and legal acts of the European Atomic Energy Community; for the purposes of this Act, the European Atomic Energy Community is also deemed to be the European Union.

(2) Use of nuclear energy for other than peaceful purposes is prohibited.

(3) Use of nuclear energy must be justified by benefits outweighing the potential risks of such activities, in particular when compared with other ways of accomplishing the same purpose.

(4) In using nuclear energy safety aspects must get preference over any other aspects of
such activities. Approach to safety aspects shall be graded according to the type of nuclear installation, nuclear material inventory, radioactive waste and spent nuclear fuel and activities performed thereon.

(5) The level of nuclear safety, reliability, safety and protection of health at work and security of technical facilities, protection of health from ionizing radiation, 2) physical protection, emergency preparedness and fire protection, to be achieved when using nuclear energy so as to keep the life, health, the working environment or environment-related hazards as low as reasonably achievable according to the available knowledge, while the exposure limits must not be exceeded. 2) Upon new significant information being obtained about the risk and consequences of use of nuclear energy, the above mentioned level must be reassessed and measures shall be taken as necessary to meet the conditions of this Act.

(6) Use of nuclear energy without permission or authorisation is prohibited.

(7) For the purposes of construction, commissioning, operation, decommissioning, closure of repository and institutional control, the relevant license shall be issued for the nuclear installation pursuant to this Act. Relevant licenses must continually follow each other. The authorisation holder is responsible for adhering to this principle.

(8) (The legal, regulatory and organizational framework for nuclear safety (hereinafter only as the “regulatory framework”) shall be maintained and improved on the basis of operational experience, knowledge gained from safety analyses of nuclear facilities in operation, technological developments and results of safety research, if available and usable.

(9) Performing test explosions of nuclear weapon or other nuclear explosions, to support or participate in performance of any test explosion of nuclear weapon or other nuclear explosion is prohibited.

(10) Shipment of radioactive waste or of spent nuclear fuel is prohibited to:

a. a destination that is south from 60 degrees of south latitude,

b. a state that is a contracting party to Partnership Agreement between the members of the African, Caribbean and Pacific group of states on one hand, and the European Community and its member states on the other hand, 3) and which is not a member state of the European Union (hereinafter only as the "Member State"), with the exception of re-entry of radioactive waste or spent nuclear fuel exported from this state for the purposes of their treatment or reprocessing in the Slovak Republic, or

c. a third country, which in the opinion of the relevant authorities of the Member States – the country of origin, does not have the technical, legal and administrative resources or the supervisory structure for safe management of radioactive waste or spent nuclear fuel according to the international treaty. 3a)

(11) The disposal of radioactive waste or spent fuel may only be carried out, on the basis of a licence issued by the Authority, by a legal entity which has been founded, established or authorised by the Ministry of the Economy of the Slovak Republic (hereinafter referred to as the "Ministry of the Economy"). The legal entity referred to in the first sentence must be a holder of a licence for the operation of a repository and the Slovak Republic must hold a 100% stake in the entity. At the same time, this entity may not be the holder of a licence for the operation of a nuclear facility under point one of Article 2 letter f).
(12) Disposal of radioactive waste or spent nuclear fuel in the Slovak Republic is prohibited to any persons other than the legal person specified in paragraph 11.

(13) Anyone who manages special materials and special equipment is obliged to notify the commencement and the scope of such activities to the Authority. Anyone, who imports special materials and equipment, is obliged to submit a statement to the Authority containing data according to Annex 2 part B letter g) points 1 to 3.

(14) Anyone producing cladding assemblies for irradiated or spent nuclear fuel or building hot cells, or carrying out research and development activities related to conversion of nuclear materials, enrichment, fabrication of fuel elements, reactors, critical sets, reprocessing and management of high and intermediate level waste containing special fission materials, is obliged to notify the commencement and the scope of such activities to the Authority and to the European Commission.

(15) Details concerning the scope, content and the method of notification pursuant to paragraphs 13 and 14 shall be laid down by a generally binding legal regulation to be issued by the Authority.

(16) Documentation containing also sensitive information is considered to be a documentation, the disclosure of which could be used to plan or perform activities aimed at causing disruption or destruction of a nuclear installation, and thereby adversely affect the public safety 3b) and cause environmental or economic damage. This documentation can be made available after removal of sensitive information.

(17) Documentation containing also sensitive information means the documentation stated in Annex 1 part A subpar. c), part B subpar. a), b), i), m), part C subpar. a), d), i), j), s), w) and in Annex 2 part A subpar. b), part B subpar. b).

PART TWO

STATE ADMINISTRATION, STATE SUPERVISION AND COMPETENCIES OF THE AUTHORITY

Section 4
Competencies of the Authority

(1) The Authority shall

a. carry out state supervision over nuclear safety of nuclear installations so that the public and the international community are assured that nuclear safety is given the appropriate priority in all aspects of use of nuclear energy,

b. carry out state supervision in the area of use of nuclear energy, in physical protection and in emergency planning,

c. control fulfilment of obligations according to this Act,
d. issue permissions or authorisations to natural persons or legal persons according to Section 5 par. 2 and 3, controls fulfilment of conditions of the permission or authorisation and cancels such permission and authorisation,

e. approve the size of emergency planning zones or the size of common emergency planning zones by nuclear installation for the purposes of emergency planning,

f. ensure international cooperation in the areas falling within the scope of this Act, including fulfilment of obligations of the Slovak Republic arising from international treaties, by which the Slovak Republic is bound, as well as fulfilment of the function of a contact point 4) and shall fulfil other notification obligations within its scope of competencies according to a special regulation, 5)

g. inform the neighbouring states, the International Atomic Energy Agency and the European Commission, possibly other European Union authorities, on illicit trafficking in nuclear materials, radioactive sources, incidents and accidents at nuclear installations in the Slovak Republic and on events during shipment of radioactive materials in the Slovak Republic,

h. present to the Government of the Slovak Republic and subsequently to the National Council of the Slovak Republic once a year, always as at 30 April, a report on the status of nuclear safety of nuclear installations in the Slovak Republic and on its activities for the past year,

i. Shall inform the public

   1. without any delay on any incidents or accidents at nuclear installations in the Slovak Republic,
   2. without any delay on accidents at nuclear installations outside the Slovak Republic with possible influence on the territory of Slovakia,
   3. on events related to shipment of radioactive materials in the Slovak Republic or outside the Slovak Republic with the possible impact on Slovakia,
   4. on serious deficiencies in nuclear installations and measures taken to eliminate them,
   5. on other facts related to nuclear safety of nuclear installations in the Slovak Republic,

j. Exercise the powers of a building authority in cases stated in a special regulation, 7)

k. Maintain the state system of records on nuclear materials, special materials and equipment,

l. Evaluates, in cooperation with, in particular, the Ministry of Health of the Slovak Republic (the “Ministry of Health”), Ministry of Environment of the Slovak Republic (the “Ministry of Environment”), Ministry of Interior of the Slovak Republic (the “Ministry of Interior”), the Ministry of Economy, Ministry of Transport and Construction of the Slovak Republic (the “Ministry of Transport and Construction”), Ministry of Labour, Social Affairs and Family of the Slovak Republic (the “Ministry of Labour, Social Affairs and Family”) and authorisation holders, the regulatory framework and its activities at least once every ten years with a view of continuously increasing the level of nuclear safety,

m. Once every ten years invites an international peer review mission of the regulatory framework and the relevant authorities (the “Peer Review”) and its results are communicated to the Member States and the European Commission; the Authority will ensure the Peer Review in collaboration with, in particular, the Ministry of Health, Ministry of Environment, Ministry of Interior, Ministry of Economy, Ministry of Transport and Construction, Ministry of Labour, Social Affairs and Family and the authorisation holders,
n. Participates in Peer Review in another Member State, in cooperation with, in particular: the Ministry of Health, Ministry of Environment, Ministry of Interior, Ministry of Economy, Ministry of Transport and Construction and the Ministry of Labour, Social Affairs and Family,

o. Ensures in a coordinated manner:
   1. carrying out national assessment with a specific thematic focus on the nuclear safety of nuclear installations,
   2. the invitation of other Member States and the European Commission as an observer for a peer review of the national assessment under point 1; the first thematic peer review under this point will take place in 2017 and then at least every six years,
   3. adoption of appropriate follow-up measures based on peer review findings,
   4. the publication of the relevant progress reports under points 1 to 3 and its main results after obtaining the results,

p. That in the event of accidents leading to situations that would require emergency measures in the vicinity of a nuclear installation or measures to protect the public in order to invite a peer review mission without undue delay

q. Submit, together with the Ministry of Health, the Ministry of Environment, the Ministry of Interior, the Ministry of Economy, Ministry of Transport and Construction, Ministry of Labor, Social Affairs and Family and the authorisation holders, a report to the European Commission on implementation of the legally binding act of the European Union stated in Annex 4 point 4, not later than by 22 July 2020; ministries concerned, the other central government bodies and the authorisation holders are obliged, at the request of the authority, to provide the necessary assistance for the preparation of this report,

r. Maintain and improve discharge of state supervision over nuclear safety, including the management of radioactive waste and spent fuel, on the basis of operational experience, knowledge gained from safety analyses of operating nuclear installations, development of technology and results of research in the area of nuclear safety,

s. shall collaborate with the National Nuclear Fund when providing an explanation or information for the European Commission regarding reviews of the National Programme,

t. Shall present a report in collaboration with the Ministry of the Economy, the National Nuclear Fund and authorisation holders to the European Commission on the implementation of the legally binding act of the European Union shown at Annex No. 4, point five, for the first time no later than on 23 August 2015, and then every three years, and shall use the assessment procedure set out in the international contract by which the Slovak Republic is bound;3a) the relevant ministries and other central bodies of state administration are required to provide the necessary cooperation upon the Authority's request for the drafting of said report.

u. Controls compliance with the obligations arising from special regulation, 7b)

v. Issues certificate on the operator under a special regulation. 7c)

w. Determines, records, controls and enforces contributions for discharging state regulation under Section 34a and default interest.
(2) The Authority shall also

a) Approve
   1. types of transport equipment for shipment of radioactive materials,
   2. documentation of the quality management system of applicants for authorisation and authorisation holders,
   3. requirements for the quality of nuclear installations, categorization of classified equipment into safety classes and quality requirements for classified equipment,
   4. system of professional training of employees of authorisation holders,
   5. training program for licensed employees,
   6. preliminary physical protection plan and the physical protection plan,
   7. preliminary on-site emergency plans and on-site emergency plans,
   8. preliminary limits and conditions for safe operation, and limits and conditions for safe operation,
   9. limits and conditions of safe decommissioning,
   10. commissioning program of nuclear installation broken down to phases,
   11. boundaries of nuclear installation and changes thereto,
   12. size of the emergency planning zone or of the common emergency planning zone of a nuclear installation and changes thereto,
   13. implementation of modifications pursuant to Section 2 letter v).

b) Impose to:
   1. Reduce the output or suspend the operation or decommissioning of a nuclear installation, or its construction,
   2. Suspend management of nuclear materials, radioactive waste or spent nuclear fuel,
   3. Sanctions under this Act,

c) Designate
   1. new authorisation holder for management of nuclear materials and of radioactive waste, the originator of which is not known or the originator is unable to manage nuclear materials or radioactive waste in a safe manner,
   2. obligation of the holder of relevant authorisation to assume the rights and obligations concerning safe management of nuclear materials or radioactive waste by an authorisation holder, whose authorisation terminated due to reasons stated under Section 9 par. 4, including the possibility of partial or complete removal of nuclear materials or radioactive waste from such authorisation holder,
   3. the topic and scope of evaluation to the authorisation holder with a specific thematic focus in the area of nuclear safety of nuclear installations under Section 10 par. 7.

d) Verify
   1. Special professional competency of authorisation holder employees and to issue, remove or withdraw their authorisations of special professional competency,
   2. Professional competency of authorisation holders’ employees providing theoretical training and full-scope simulator training for licensed employees, and to issue, remove or withdraw certification of professional competency,

e) Review
   1. Off-site emergency plans for the emergency planning zones,
   2. emergency transport order,
   3. documentation specified in the annexes to this Act, which is required for individual types of permissions or authorisations, and which the Authority does not approve pursuant to this Act,
4. training programs for professionally competent employees,
5. technical equipment of specialized facility,
6. a draft National Policy on management of spent fuel and radioactive waste and a draft National Programme for implementing the National Policy on management of spent fuel and radioactive waste, together with a draft Financial Plan for their provision, and shall issue an expert opinion regarding these drafts,

f) Issue authorisation for
   1. siting of a construction of nuclear installation,
   2. implementation of modifications according to Section 2 subpar. v),
   3. removal of the nuclear installation from the scope of this Act,
   4. dilution and consumption of nuclear materials,
   5. individual phases of commissioning of a nuclear installation,
   6. trial operation of a nuclear installation,
   7. use of a new type of nuclear fuel,

g) Decide on whether
   1. a nuclear installation is a nuclear installation,
   2. modifications to a nuclear installation represent those mentioned under Section 2 subpar. v) or w),
   3. whether it is a nuclear material, special material or equipment,

h) Issue other decisions according to special regulations 8)

   (3) In discharging state supervision, the Authority shall:

   a. Perform inspections of workplaces, operations and premises of nuclear installations, operations and premises of permission or authorisation holders, while checking the performance of duties under this Act, the generally binding legal regulations issued on the basis of this Act, operating procedures issued by the authorisation holder, compliance with the limits and conditions for safe operation and safe decommissioning, quality management system, as well as obligations arising from decisions, measures or regulations issued in accordance with this Act,

   b. Check fulfilment of commitments arising from the international treaties, by which the Slovak Republic is bound in the area covered by the scope of this Act,

   c. Check the system of professional training of employees, training programs for professionally competent employees, training programs for licensed employees of authorisation holders and checks the professional competency of employees, as well as special professional competency of employees of authorisation holders,

   d. Takes measures relating to the education and training of its staff in order to obtain, maintain and further develop their expertise and skills in the field of nuclear safety and emergency preparedness,

   e. In-situ investigation of the status, causes and consequences of selected failures, incidents or accidents at a nuclear installation or events during transportation of radioactive materials; during investigation of an incident, accident or event during transportation of radioactive materials by another authority, it takes part in this investigation as an indispensable authority,

   f. Check conducting of the mandatory inspections, revisions, in-service inspections and tests of classified equipment relevant to nuclear safety,
g. Impose removal of deficiencies influencing nuclear safety, physical protection, emergency preparedness,
h. assess nuclear safety, physical protection and emergency preparedness independently from the authorisation holder,
i. check the contents, updating and exercising the emergency plans, which it approves or reviews, and the associated trainings,
j. conduct in-situ inspections at workplaces, operations and premises of applicants for permission or authorisation and holders of permission or authorisation, including controls of compliance with the quality management systems.

(4) In exercising its powers under paragraphs 1 to 3 the Authority uses human resources and financial resources necessary to fulfil the obligations under this Act in accordance with the resource possibilities of the state budget. In order to support its regulatory functions, it can use external scientific and technical resources and expertise.

(5) The Authority shall lay down the details on cooperation in supervisory activities in the field of nuclear energy use by a written agreement with the Ministry of Labour, Social Affairs and family of the Slovak Republic.

(6) The Authority informs the Police Corps of any shipment of radioactive material.

(7) The Authority informs the Police Corps on every case when it did not grant authorisation for shipment of radioactive material together with the reasoning for such refusal.

Section 5
Use of nuclear energy

(1) Nuclear energy may only be used based on a permission or an authorisation issued by the Authority to a natural person or a legal person.

(2) Permission is required for siting a nuclear installation.

(3) Authorisation is required for:

a) Construction of a nuclear installation (hereinafter only as the "building permit"),
b) Commissioning of a nuclear installation,
c) operation of a nuclear installation,
d) Decommissioning phase,
e) Closure of a repository and institutional control,
f) Radioactive waste or spent nuclear fuel management,
g) Nuclear materials management at the nuclear installation,
h) Imports or exports of nuclear materials,
i) Exports of special materials and equipment in compliance with a special regulation.
j) Transportation of radioactive materials including international transfers; such authorisation does not apply for a party performing transportation, unless it is a carrier at the same time,

k) Training of authorisation holder employees pursuant to subparagraphs b) to g),

l) Re-shipment of radioactive waste pursuant to Section 21 par. 11 subpar. a),
m) Imports of radioactive waste pursuant to Section 21 par. 11 subpar b),

n) Management of nuclear materials outside the nuclear installation.

(4) Permission granted by the Authority according to paragraph 2 and an authorisation granted by the Authority according to paragraph 3 shall not replace a license, permit, authorisation or certification issued by other administrative bodies according to special regulations. 10)

(5) The Authority may adopt all its decisions subject to fulfilment of conditions related to nuclear safety, physical protection, quality assurance or emergency preparedness. The Authority may modify these conditions whenever the conditions relevant for nuclear safety, physical protection or emergency preparedness are changed, under which such decision was issued, or based on the latest knowledge of science and technology and when implementing feedback from international experience from incidents at nuclear facilities abroad, or, upon justified written request from the permission or authorisation holder.

(6) The change of the authorisation in paragraph 3, to the extent that it is not the change that is the object of the examination procedure or the impact assessment pursuant to a special regulation, 10a) does not require a decision according to a special regulation.10a).

Section 6
Application for permission or authorisation

(1) The application for permission or authorisation shall include:
a. In case of a natural person, the first name and family name, permanent residence, the registration number, if already assigned by the Authority,

b. In case of a legal persons, the name, registered office and identification number of the organization, first name, family name, permanent residence of person or persons, who are statutory body or of its member, the registration number, if already assigned by the Authority,

c. The subject, type, scope and place of activity, for which the permission or authorisation is applied for, method of its securing, the time period, during which the applicant intends to perform this activity, and the method of completion of this activity.

(2) Part of the application is
a) Document on integrity of natural person, legal person and the person, which is the statutory body or member of statutory body of a legal person, which is an Abstract from the Criminal Record Register not older than three months,

b) In case of legal persons, an abstract from a Commercial Register or other similar register maintained by the Member State, not older than three months, if the legal person is a business; in case of natural persons, an abstract from the Small Trade Register or other similar register maintained by the Member State, not older than three months, if the natural person is an entrepreneur,
c) Memorandum of Association or Articles of Incorporation for the newly established entities,

d) If it is an application for authorisation for siting a repository or if it is an application for a building permit for a repository, a document on ownership title of the state to the land plot, on which the repository is to be located or constructed on,

e) Document on functional technical equipment of the applicant for the activity being applied for and a document proving that the applicant has permanent employees with the required qualification,

f) Document on securing handling of radioactive waste, including its financial coverage, if radioactive waste is to be produced as part of permitted activities,

g) Document on ownership and on organizational structure of the applicant for permission or authorisation, if the applicant is a legal person,

h) Documentation required for applications for individual types of permissions or authorisations specified in the annexes to this Act,

i) Documentation on the number of permanent employees together with specification of their qualifications,

j) If these are applications according to special regulation, the documentation required by the special regulation.

**Section 7**

**Conditions for issuing permission or authorisation**

(1) The general conditions for issuing a permission or an authorisation to a natural person include

a. Legal capacity,

b. Integrity,

c. Demonstrating functional technical equipment for the required activity,

d. Demonstrating sufficient number of permanent employees with the required qualification,

e. Demonstrating fulfilment of requirements for nuclear safety pursuant to this Act and its implementing regulations in the documentation attached to the application according to Annex 1 or Annex 2; the scope and level of detail of the documentation according to Annex 1 shall adequately correspond to the extent and nature of the risk associated with the nuclear installation and its location.

(2) The general conditions for issuing a permission or an authorisation to a legal person include

a. Legal capacity, integrity of legal person and integrity of person being the statutory body or member of the statutory body,

b. Demonstrating functional technical equipment for the required activity,

c. Demonstrating sufficient number of permanent employees with the required qualification,
d. demonstrating compliance with the requirements for nuclear safety pursuant to this Act and its implementing regulations in the documentation attached to the application according to Annex 1 or Annex 2; the scope and level of detail of the documentation according to Annex 1 shall adequately correspond to the extent and nature of the risk associated with the nuclear installation and its location.

(3) Special conditions for issuing authorisation according to Section 5 par. 2 include:
   a) Environmental impact assessment of a nuclear installation, if required by a special regulation, 8) as well as assessment of potential impact of the surroundings on the nuclear installation,
   b) Approval of requirements for the quality of a nuclear installation,
   c) Approval of proposed boundaries of a nuclear installation,
   d) Approval of the proposal for the size of emergency planning zone related to nuclear installation.

(4) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to g), j), k) is approval of quality management system documentation for the authorised activity.

(5) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to d), f), g), j) is approval of the preliminary plan of physical protection or plan of physical protection.

(6) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to d), f), g), j) is approval of categorization of classified equipment into safety classes.

(7) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. a) is approval of the preliminary on-site emergency plan for the nuclear installation (hereinafter only as the "preliminary on-site emergency plan").

(8) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. b) to d), f), g), j) include approval of the on-site emergency plan of the nuclear installation (hereinafter only as the " on-site emergency plan "), off-site emergency plans and emergency transport order.

(9) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to c), f), g) is approval of the preliminary limits and conditions for safe operation or limits and conditions for safe operation.

(10) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. d) is approval of limits and conditions for safe decommissioning.

(11) Special condition for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to e) is approval of the preliminary determination of boundaries of nuclear installation, their determination or changes thereof.

(12) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. a) to e) include approval of the preliminary determination of the size of the emergency planning zone for the nuclear installation, its determination or changes thereof.

(13) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. b) include approval of commissioning program for the nuclear installation broken down to phases.
(14) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. b) to g) include fulfilment of qualification requirements for licensed employees and the professionally competent employees.

(15) Special conditions for issuing authorisation pursuant to Section 5 par. 3 subpar. h) include an existence of a business contract endorsed by the European Commission and at the same time the applicant or natural person or legal person, for whom the nuclear material is imported or exported, is also a holder of authorisation for handling of nuclear materials.

Section 8
Essentials and issuance of permission or authorisation

(1) Unless this Act stipulates otherwise, in the decision on issuing permission or authorisation the Authority shall:
   a. State the identification data of the applicant and the assigned registration number,
   b. Identify the subject and the scope of permission or authorisation,
   c. May determine conditions of such permission or authorisation,
   d. May indicate time limit or technical restrictions, for which the permission or authorisation is issued.

(2) Activities listed in the permission or in the authorisation may only be carried out by a person specified in such permission or authorisation (hereinafter only as the "authorisation holder").

(3) The Authority shall decide about issuing a permission or an authorisation after having verified that the applicant fulfilled all the conditions stipulated by this Act, and the relevant generally binding legal regulations issued on the basis hereof. The permission or authorisation issuance proceedings followed by the Authority are independent from the proceedings of any other administrative authority. A natural person or a legal person to whom this status derives from a special regulation is also a party to the proceeding for issuance of authorisation.11b) The Authority shall refuse to disclose to these parties sensitive information pursuant to Article 3 paragraph 16 and 17.

(4) The applicant for issuing permission or authorisation is required to allow the inspectors of the Authority and persons invited by the Authority access to the premises and areas of the applicant and to render the necessary concurrence in verifying fulfilment of conditions for issuing permission or authorisation.

(5) The Authority shall take a decision on issuing permission or authorisation, if the application contains the prescribed essentials, if the required documentation was attached and the applicant meets the conditions, within the following time periods:
   a. within 60 days, unless this Act stipulates otherwise below,
   b. within four months, if it is for the siting of a nuclear installation, except for the repository,
   c. within six months, if it is for commissioning of nuclear installation or for a decommissioning phase,
d. within one year, in the case of building permits, siting and closure of a repository or in the case of a licence related to the expiry of a licence issued with restrictions pursuant to paragraph 1, letter d).

(6) The time periods according to paragraph 5 shall commence from the date of delivery of a complete application together with complete prescribed documentation; these time periods shall be extended adequately with time periods, during which the European Commission acts, if its statement, position or consent is required according to special regulation.  

(7) If the Authority establishes that the application does not cover all the essentials according to Section 6 par. 1, or if the documentation according to Section 6 par. 2 is not attached to the application, the Authority shall request the applicant to remove the shortcomings in the application or to furnish the missing documents within 30 days from the date of delivery of the application. The Authority shall determine a reasonable time period for removal of the deficiencies in the application or complementing the missing documents, however not less than 30 days. At the same time the Authority notifies the applicant about the consequences of failing to remove the deficiencies in the application or failing to complement the missing documents according to paragraph 8.

(8) If the applicant fails to remove the deficiencies in the application or if he fails to complement the missing documents within the time period set by the Authority, despite of the fact that he was informed about the possible suspension of the proceedings by the Authority, the Authority shall suspend the proceedings.

(9) Provisions of par. 7 and 8 shall apply mutatis mutandis also if the applicant failed to provide a proof of insurance or a proof of financial security under a special regulation or if according to the opinion of the National Bank of Slovakia or other authority under special regulation, the entity referred to as the provider of insurance or provider of financial security is not authorized to provide such insurance or to provide financial security under special regulation.

(10) According to special regulation 11b) the Authority shall deliver the decision on issuing the permission or the authorisation to the parties to the proceedings in a form of public notice.

Section 9
Modification, cancellation or termination of permission or authorisation

(1) If there is application for modification of the permission or authorisation, the procedure to be followed shall be according to Sections 6 to 8 accordingly.

(2) If the authorisation holder breaches his obligations laid down by this Act, by generally binding legal regulations issued on the basis thereof or conditions specified in the permission or authorisation, the Authority may modify or cancel the issuance of permission or an authorisation.

(3) The Authority may cancel or modify the permission or the authorisation, if its holder:
   a. Fails to remove the deficiencies established by the Authority within the time periods set by the Authority.
   b. Requests in writing the cancellation or modification.
(4) The permission or authorisation is terminated by a
a. Death of natural persons or being declared dead,
b. The date of dissolution of a legal person,
c. Expiration of a period, for which it was issued,
d. Decision of the Authority on its cancellation.

Section 10
Obligations of the authorisation holder

(1) Within the scope of the permission or of the authorisation, the authorisation holder is obliged to:
a. ensure nuclear safety, physical protection, emergency preparedness, including their verification,
b. follow the documentation reviewed or approved by the Authority; deviation from this
documentation is possible only upon its prior reassessment or approval by the Authority,
c. evaluate fulfilment of principles contained in Section 3 par. 3 to 5 in a continuous and
comprehensive manner and to ensure application of results of assessment in practice,
d. comply with the conditions of the permission or authorisation, to investigate any breach of
such conditions without undue delay and to adopt measures for remedy and prevention of
recurrence of such breach,
e. comply with the limits and conditions for safe operation or limits and conditions for safe
decommissioning; their breach, non-compliance or exceeding thereof must be notified to the
Authority immediately,
f. comply with the technical, organizational, personnel, financial and administrative requirements set
by this Act, as well as notification obligations towards the Authority,
g. establish and implement management systems, in which nuclear safety is given the appropriate
priority,
h. provide the necessary concurrence to the Authority’s inspectors when performing inspections
according to special regulation, 12) provide personal protective equipment to inspectors for
performance of inspection, provide the necessary concurrence to persons invited by the Authority for
the purpose of assessing issues relating to performance of inspection, upon request from the
Authority to provide the requested documentation or other information falling within the scope of the
Authority, and that is even outside of performance of inspection activity,
i. allow management of nuclear materials, radioactive waste and spent nuclear fuel only to holders
of authorisation for management thereof according to this Act,
j. entrust with performance of work activities only persons fulfilling the conditions stated under
Section 24, and for persons performing activities according to special regulation 6) to ensure
verification of their competency according to such special regulation,
k. notify the Authority without any delay on any change pursuant to Section 2 subpar. w),
l. submit to the Authority for approval any change pursuant to Section 2 subpar. v) at least one month prior to considering its implementation,

m. inform the public, through its web site, press or by other publicly available means always by 30 April, on the status of nuclear safety of nuclear installations and on the management of radioactive waste and spent fuel for the past calendar year,

n. inform the workers within the nuclear installation and the public about the normal operating conditions of nuclear installations,

o. inform the Authority on declaration of bankruptcy or rejection thereof due to lack of assets without any delay,

p. submit the Authority classification of a nuclear installation and nuclear materials to the relevant category with respect to its physical protection,

q. develop the preliminary on-site emergency plan, on-site emergency plan and emergency transport order, as well as supporting documentation for the off-site emergency plan and for the emergency transport order,

r. notify the Authority demonstrably and immediately on interventions aimed at averting incident, accident or at elimination of their consequences,

s. notify the Authority immediately, in compliance with the approved physical protection plans, on any aviation operation 13) to be performed at the premises of a nuclear installation and its immediate vicinity,

t. ensure systemic analysis of operational events and experience, development of international safety standards and the latest knowledge gained through research and development, and use these to improve the safety of its nuclear installation and its activities,

u. ensure that prior to adopting any measure relating to nuclear safety an analysis is carried out together with consultation with experts in the relevant field who were not involved in creation of such measure or analysis thereof, so that the measures are qualified and that they take into account any safety aspects of the proposed measure,

v. inform the Authority immediately on such on-site measures that have impact on permitted activities and their implementation can influence nuclear safety, as well as on interruption of activities described in the permitting documentation and on reasons for such interruption,

w. ensure, at the presence of the Authority or persons appointed by the Authority, the consistency check of the assembled control systems, constructions and components or their parts with the design documentation, with the quality assurance system requirements, quality requirements and compatibility check of their accompanied technical documentation with the general binding acts, during the construction, reconstruction or during the maintenance of the nuclear installation; also to prepare and keep records on the performed controls;

x. inform the Authority about the performance of controls pursuant the letter w) at least 10 days before their performance, and, in unforeseeable cases at least 24 hours prior to their performance;
y. ensure that the controls under letter w) and the controls of works provided by the suppliers are performed by the persons with the professional competency pursuant to the Article 24 or with the minimum of five years professional experience in the relevant area of peaceful use of nuclear energy pursuant to the first or second point of the Article 2 letter u), received by performing of working activities on the similar nuclear installation.

z. provide in the system of training of staff, for which professional competence is required or special professional competence according to Section 24 par. 1 and 2, the acquisition, maintaining and development of expert knowledge, practical skills and personal attitudes in the field of nuclear safety and emergency preparedness on the territory of a nuclear installation.

(2) If the Authority has restricted consent or a licence pursuant to Article 8, paragraph 1, letter d), the authorisation holder, pursuant to Article 5, paragraph 3, letters b) to e), is required, in advance and before the licence expires, taking into account the deadlines set out in Article 8, paragraphs 5 and 6, to submit an application and relevant documentation to the Authority for the issuance of a licence to continue with its activities.

(3) For the purpose of assurance of nuclear safety and to avoid unreasonable accumulation of radioactive waste and spent fuel, the authorisation holder, during the commissioning and the operation of nuclear installation, is obliged to submit its radioactive waste at the latest 12 months after their production and as regards the spent fuel without any delay after fulfilment of the requirements for its safe shipment and storage, to the legal entity as settled in Article 3 paragraph 11 for their further management.

(4) Authorisation holder is required to allow the Authority’s inspectors, persons invited by the Authority, as well as authorized persons from international organizations carrying out control in compliance with the international commitments of the Slovak Republic, access to premises and areas of nuclear installations or to areas where nuclear materials are placed, and to provide the necessary concurrence in performance of their activities.

(5) Authorisation holder for shipment of radioactive materials and authorities of state administration responsible for the off-site emergency plans on the level of region, shall allow the Authority’s inspectors, persons invited by the Authority, as well as authorized persons from international organizations carrying out control in compliance with the international commitments of the Slovak Republic, access to documentation, to premises and facilities, to which the relevant emergency plans apply to.

(6) Authorisation holder is required to submit to the Authority data as required by this Act and to submit to the European Commission or other relevant authority of the European Union the data required by special regulations according to Section 13, as well as other data required by the international treaties, by which the Slovak Republic is bound in relation to the European Union with respect to non-proliferation of nuclear weapons. At the same time it is required to send the data required by special regulations 14) as a copy to the Authority.

(7) The authorisation holder is required to submit to the Authority a report on the results of the assessment with a specific thematic focus on nuclear safety of nuclear installations determined by the decision pursuant to Section 4 par. 2 c) third point.
(8) The authorisation holder is required to provide to the Authority the necessary cooperation for:
   a) undertaking the assessment according to Section 4 par. 1 l),
   b) conducting a peer review according to Section 4 par. 1 m).

(9) Authorisation holder shall notify the Authority in writing on any change in facts underlying the issuance of permission or authorisation, or any fact that could lead to a change or cancellation of the authorisation, and that is within 15 days from the date of its occurrence.

(10) Authorisation holder is required to perform also other duties specified in this Act.

PART THREE

NUCLEAR MATERIALS, SPECIAL MATERIALS AND EQUIPMENT AND SHIPMENT OF RADIOACTIVE MATERIALS

Section 11
Nuclear materials, special materials and equipment

(1) Nuclear materials are materials as defined by special regulations. 15)

(2) Special materials and equipment are materials and equipment defined by the special regulation. 9)

(3) In case of doubt whether a substance is a nuclear material or not or whether a material or equipment is a special material or equipment, the Authority shall decide.

(4) Special materials and equipment falling under the supervision by the Authority shall be defined by a generally binding legal regulation to be issued by the Authority.

Section 12
Handling nuclear materials

(1) For nuclear materials, where the owner is not known or the authorisation of such owner has terminated pursuant to 9 par. 4 or the nuclear materials have been acquired contrary to this Act, the Authority, through its decision, designates another authorisation holder pursuant to Section 5 par. 3 subpar. g) or n) to perform the necessary measures. For reimbursement of the authorisation holder’s costs, Section 21 par. 9 applies mutatis mutandis.

(2) Anyone, who finds nuclear material or other similar radioactive material or suspects that it is a nuclear material or other similar radioactive material, is required to notify such finding immediately to the Authority, to the Police Corps or the chief hygienist of the Slovak Republic.

(3) Anyone, who finds loss or theft of nuclear material or other similar radioactive material or suspects or has a knowledge of damage to nuclear material or other similar radioactive material, monitoring facilities or seals monitoring the status and the flow of nuclear materials, is required to notify such finding immediately to the Authority, to the Police Corps or the chief hygienist of the Slovak Republic and to the European Commission.

(4) In the application for granting an authorisation pursuant to Section 5 par. 3 letter g) or
n) a natural person or a legal person, in addition to the data pursuant to Section 6, shall indicate:
a) the types of nuclear materials,
b) activities, for which the nuclear materials would be used.

(5) If the nuclear materials are to be handled within a nuclear installation, the application for granting a authorisation shall be accompanied by information required by a special regulation.

(6) Application for granting a authorisation shall be submitted by a natural person or a legal person:
a) not later than six months prior to the first receipt of nuclear materials to the nuclear installation,
b) not later than two months prior to the first receipt of nuclear materials outside the nuclear installation.

(7) Use of nuclear materials in a way when these materials are consumed or diluted in a way that they cannot be recovered, or when they substantially change their form or state, except for the use of nuclear fuel in a nuclear reactor, can only be used with the prior approval of the Authority and the European Commission.

(8) Details of the requirements for management of nuclear materials shall be stipulated by a generally binding legal regulation to be issued by the Authority.

Section 13
Registration and control of nuclear materials

(1) The authorisation holder, pursuant to Section 5 par. 3 subpar. g) and n), is required to:
a) maintain registration records on these materials within the scope required by a special regulations and operating records, to submit to the Authority reports on inventory change,
b) provide to the Authority with copies of documentation, which is required according to a special regulations,
c) designate a responsible employee to maintain registration and operating records on control of nuclear materials, his first name, family name and other contact data and to report it to the Authority and to the European Commission,
d) inform the Authority and the European Commission on non-compliance with the obligations arising from special regulations.

(2) Details on maintaining the operating records, details on performing inspection activity by the Authority, details on development and submission of reports on inventory change and on the method of reporting and informing on events relating to activities of surveillance equipment and nuclear materials, shall be constituted by a generally binding legal regulation, to be issued by the Authority.
Section 14
Imports or exports of nuclear materials, exports of special materials and equipment

The Authority shall issue a permit for imports or export of nuclear materials, exports of special materials and equipment according to a special regulations 18) to a natural person or a legal person based on a written application supported with the documentation pursuant to Annex 2 part B. The authorisation of exports of special materials and equipment shall be done in compliance with the special regulations, 9) while the competent authority for the purposes of implementing this regulation is the Ministry of Economy.

Section 15
Transport of radioactive materials

(1) The carrier of radioactive materials is a natural person or a legal person, who prepares the shipment of radioactive materials, and in the transport documents it is identified as a carrier and holds a permit for transport of radioactive materials.

(2) Radioactive materials can be transported only based on a permit for transport, which shall be issued by the Authority to the carrier, unless this Act specifies otherwise.

(3) Permit for transport of radioactive materials shall be issued by the Authority based on a written application supported with the documentation pursuant to Annex 2 part A.

(4) Radioactive materials can only be transported in transportation equipment, the types of which were approved by the Authority. The Authority shall decide about the application for approval of type of transportation equipment within 12 months from initiating the proceedings. Holder of a decision on the approved type of transport equipment is required to notify the Authority of the serial numbers of such transport equipment. Details on the essentials of an application and on the documentation needed to be attached to the application shall be stipulated by a generally binding legal regulation to be issued by the Authority.

(5) A decision on approval of the type of transport equipment is issued for a period of five years at most.

(6) The carrier is required to verify the conformity of properties and parameters of the transport equipment to an approved type and to demonstrate such compliance. 19)

(7) Transport equipment for the shipment of radioactive materials that was approved in a similar manner in the Member States or in one of the countries of the European Free Trade Association, which at the same time is a party to the European Economic Area, is deemed to be approved as for the type, according to this Act.

(8) Transport equipment for shipping radioactive materials that was approved in a similar manner in countries not falling under the scope of paragraph 7, the Office may deem this type to be approved according to this Act.

(9) For transport equipment intended for shipment of radioactive materials part of the documentation for the decision by the Authority on the type approval is the documentation on the tests to be carried out at the expense of the applicant, at the parties authorized for carrying out such tests.
(10) Permit for transport of radioactive materials is granted for each shipment; this does not apply, if it is a shipment of the same type of radioactive materials, with the same type of transport and with the same carrier, when the permit for transport can be granted up to one year, if it is a shipment of nuclear materials or spent nuclear fuel, and for three years, if it is shipment of radioactive waste.

(11) Permit for transport of radioactive materials is not needed for shipment of:
   a. Products from non-irradiated natural and depleted uranium and non-irradiated thorium,
   b. nuclear materials, the shipment of which during 12 consecutive calendar months shall not exceed:
      1. 500 kg for natural non-irradiated uranium,
      2. 1 000 kg for non-irradiated depleted uranium and non-irradiated thorium.

(12) Carrier of radioactive materials is required to ensure reporting of an entry or exit thereof from the Slovak Republic to or from the countries outside of the European Union to the border customs office and to submit a certified copy of the relevant permit to such customs office, and in case of transit, when entering the country a certified copy of a valid permit of the country, to which such radioactive materials shall be released from the Slovak Republic. Without meeting this condition the customs office shall not release the goods. The customs office shall notify the Authority on the data contained in these documents.

(13) For transport of radioactive materials provisions of Section 21 par. 3 shall apply mutatis mutandis. For transport of radioactive materials requirements arising from international treaties, by which the Slovak Republic is bound, must be fulfilled.

(14) Details of requirements for transport of radioactive materials shall be stipulated by generally binding legal regulation, to be issued by the Authority.

**Supervision and control in cross-border transport of radioactive waste a spent nuclear fuel**

**Section 16**

**Definition of certain terms for cross-border transport of radioactive waste and spent nuclear fuel**

(1) The country of origin is a Member State or a third country, from which the cross-border transport is planned to start or it starts.

(2) The country of destination is a Member State or a third country, to which the cross-border transport is planned to or is realized.

(3) The country of transit is a Member State or a third country other than the country of origin or the country of destination, through the territory of which the cross-border transport is planned or realized.

(4) Cross-border transport is a series of operations associated with relocation of radioactive waste or spent nuclear fuel from the country of origin to the country of destination through the territory of the Slovak Republic.

(5) Cross-border transport within the Member States is a cross-border transport, where the country of origin and the country of destination are Member States.

(6) Cross-border transport outside the Member States is a cross-border transport, where the
country of origin and the country of destination are third countries.

(7) A holder is a natural person or a legal person, which is liable according to the valid national legislation of the country of origin for the radioactive waste or the spent nuclear fuel before the cross-border transport and plans to realize their cross-border transport to the consignee.

(8) A consignee is a natural person or a legal person, to which a radioactive waste or spent nuclear fuel is shipped to.

(9) Competent supervisory authorities are authorities, which under the national law of the country of origin, the country of transit or the country of destination are authorized to supervise the transport of radioactive waste or spent nuclear fuel and its control.

(10) A recognized facility is a facility located on the territory of the country and approved by its competent supervisory authorities for long-term storage or disposal of sealed sources, 20a) in special cases also cladding assemblies enveloping the radioactive material as part of the source, or facility intended for temporary storage of sealed sources.

(11) Standard document shall mean forms used as sample applications for permitting a cross-border transport, approval of cross-border transport by the competent authorities, decisions on permitting cross-border transport or rejecting cross-border transport, as well as other acts of the holder, applicant, consignee and competent authorities, which relate to permitting cross-border transport. Standard document and the manner of its proper completion are stipulated by a special regulation. 20b)

Section 16a
Competent supervisory authorities

(1) Competent authorities of supervision pursuant to Section 16 par. 9 in the Slovak Republic (hereinafter only as the "Supervisory authority") for transport of
   a) radioactive waste from the nuclear installations, transport of spent nuclear fuel and for transport of institutional radioactive waste from the place of conditioning to the repository is the Authority,
   b) institutional radioactive waste, except transport of institutional radioactive waste pursuant to letter a) is the Public Health Authority of the Slovak Republic. 20c)

(2) The supervisory authority, using reasonably the procedure pursuant to Section 16h, shall ensure a safe return to the country of origin, if:
   a. The shipments of radioactive waste or spent nuclear fuel falling under the scope of this Act have not been duly permitted according to this Act, or
   b. radioactive contaminated waste or material containing radioactive sources was not declared by the country of origin as radioactive waste.

(3) The supervisory authority notifies the European Commission on unreasonable delays or lack of cooperation from the relevant supervisory authorities of another Member State associated with the granting of consent with the cross-border transport.

(4) Every three years the supervisory authority sends the European Commission a report
on authorisation procedure, a report on supervision and control in cross-border transport, and report on realized cross-border transports through the Slovak Republic. The first report on authorisation procedure, report on the supervision and control in cross-border transport and report on realized cross-border transports through the Slovak Republic shall be sent by the regulatory authority to the European Commission by 25 December 2011.

**Cross-border transport within the Member States**

**Section 16b**

**Application for permitting the cross-border transport**

(1) A holder, who plans to realize cross-border transport within the territory of the Member States, or to secure realization of such cross-border transport and the country of origin is the Slovak Republic, shall file an application with the supervisory authority for permitting the cross-border transport.

(2) Application according to paragraph 1 may be filed for several cross-border transports, if:

a. radioactive waste or spent nuclear fuel have identical physical, chemical and radioactive properties,

b. cross-border transport is to be realized between the same holder and the same consignee and relates to the same supervisory authority, and

c. cross-border transport is associated with transit through third countries, such transit is via the same customs offices of exit from the territory of the Member States and the same customs offices of entry to the territory of the Member States and through the same customs authorities of the third country or third countries concerned, unless the concerned competent supervisory authorities agree otherwise.

**Section 16c**

**Sending application to the relevant authorities**

(1) If the Slovak Republic is the country of origin, the supervisory authority shall send an application pursuant to Section 16b for approval to the relevant supervisory authorities of the Member State of destination and to the relevant supervisory authorities of the transit Member States.

(2) If the supervisory authority is the competent supervisory authority for data protection set out in a standard document and other documents relating to cross-border transport, it shall proceed in accordance with the special regulation. 20d)

**Section 16d**

**Acknowledgement of receipt and request for information**

(1) If the Slovak Republic is the country of destination or the country of transit, within 20 days from the date of receiving the application from the relevant supervisory authority of a Member State of origin the supervisory authority shall verify, whether the application is properly completed pursuant to Section 16l.

(2) If the Slovak Republic is the country of destination and the application is properly completed, the supervisory authority shall send, not later than within 10 days after expiration of the
period according to paragraph 1, an acknowledgement of receipt to the relevant supervisory authority of the Member State of origin and its copy to the other affected relevant supervisory authorities.

(3) If the Slovak Republic is the country of destination or the country of transit and the application has not been properly completed, the supervisory authority prior to expiration of the period according to paragraph 1 shall request the missing information from the relevant supervisory authority of the Member State of origin and informs about such request also the other affected relevant supervisory authorities of the Member States of transit and Member States of destination.

(4) If the Slovak Republic is a country of origin, the supervisory authority sends the required missing information to the affected relevant supervisory authorities of the Member States of transit and the Member States of destination.

(5) If the Slovak Republic is the country of destination, the supervisory authority sends acknowledgement of receipt and its copy to the other relevant supervisory authorities not later than within 10 days from the date of receiving the missing information and at the earliest after the expiry of the period according to paragraph 1 to the relevant supervisory authority of the Member State of origin.

### Section 16e

#### Consent to cross-border transport and refusal to grant consent to cross-border transport

(1) If the Slovak Republic is the country of destination or the country of transit, the supervisory authority shall notify, in a form of a standpoint not later than within two months from the date of acknowledging the receipt of application by the Member State of destination, its consent to a cross-border transport or conditions that are required for granting consent to cross-border transport or its refusal to grant consent to cross-border transport to relevant authorities of the Member State of origin.

(2) If the Slovak Republic is the country of destination or the country of transit, the supervisory authority may ask for extra time to notify its position according to paragraph 1 by maximum one month.

(3) If the Slovak Republic is the country of destination or the country of transit and the supervisory authority does not notify its position within the time period according to paragraph 1 or within the extended period according to paragraph 2, such failure to notify shall be deemed as granted consent to the cross-border transport.

(4) If the Slovak Republic is the country of origin and the relevant authorities of the affected Member States of transit and the Member State of destination fail to notify their position within the time period pursuant to paragraph 1 or within the extended period according to paragraph 2, the supervisory authority shall deem such failure to notify as their consent to the required cross-border transport.

(5) The supervisory authority shall indicate in the position according to paragraph 1 reasons for any refusal to grant consent to the cross-border transport or conditions for granting consent to the cross-border transport, which:
   a. If the Slovak Republic is the country of transit, arise from this Act, from special regulations or international treaties, by which the Slovak Republic is bound, 20e) and which relate to transport of
radioactive material,

b. If the Slovak Republic is the country of destination, result from this Act, from special regulations or international treaties, by which the Slovak Republic is bound, 20e) and which relate to transport of radioactive material, and for radioactive waste management or spent nuclear fuel management.

(6) If the Slovak Republic is the country of transit or the country of destination, the supervisory authority cannot condition the granting of consent to cross-border transport by stricter conditions than those stipulated in Section 15 for the national transport.

(7) If the Slovak Republic is the country of transit, the supervisory authority that granted consent to a transit cross-border transport, cannot refuse granting consent to a cross-border re-entry, if:

a. The original consent to cross-border transport related to material transported for the purposes of conditioning or reprocessing, it is a cross-border re-entry of radioactive waste or other products corresponding to the original material after conditioning or reprocessing and all relating legal regulations are complied with, which are subject to proceedings under paragraph 5 letter a), or

b) Circumstances occur as stated in Section 16h and the cross-border re-entry is to take place under the same conditions and with the same specifications as the original cross-border transport.

Section 16f
Permitting cross-border transport

(1) If the Slovak Republic is the country of origin, the supervisory authority shall not issue its decision on the application pursuant to Section 16b before the expiry of the period, which is determined for the competent authorities of a Member State of destination or a Member State of transit concerned for sending their position pursuant to Section 16e par. 1 or 2.

(2) If the Slovak Republic is the country of origin, the supervisory authority shall extend the period for notification of the position pursuant to Section 16e par. 1 based on a request for extending the period sent to the competent authorities of a Member State of destination or a Member State of transit by maximum one month.

(3) If the Slovak Republic is the country of origin and all consents necessary for the cross-border transport have been granted, the supervisory authority shall permit the cross-border transport to the holder and informs thereof the competent authorities of a Member State of destination and each transit country. In the permit for cross-border transport the supervisory authority shall state all the conditions, by which the affected competent authorities conditioned their consent with the cross-border transport.

(4) Permission pursuant to paragraph 3 does not replace the authorisation pursuant to Section 5 par. 3 subpar. j) or a permit under a special regulation. 20f)

(5) Permission pursuant to paragraph 3 may apply also to several cross-border transports, provided the conditions pursuant to Section 16b par. 2 are complied with.

(6) Permission pursuant to paragraph 3 is valid for a period of maximum three years. When determining the validity period the supervisory authority shall take into account all the
conditions set by the Member States of destination or Member States of transit for granting their consent to a cross-border transport.

Section 16g
Acknowledgment of received shipment

(1) If the Slovak Republic is the country of destination, the consignee is required to send to the supervisory authority an acknowledgement on receiving every shipment within 15 days from receiving the shipment.

(2) If the Slovak Republic is the country of destination, the supervisory authority shall send a copy of acknowledgement on receiving a shipment pursuant to paragraph 1 to the Member State of origin and to each transit country.

(3) If the Slovak Republic is the country of origin, the supervisory authority shall send a copy of acknowledgement on receiving a shipment pursuant to paragraph 1 to the original holder.

Section 16h
Not completing the transport

(1) If the Slovak Republic is the country of origin, the transit country or country of destination and the realization of transport is not in compliance with this Act, with the conditions stated in the authorisation or consents granted according to this Act, the supervisory authority shall take a decision that the cross-border transport shall not be completed. The supervisory authority shall inform about its decision the competent authorities of the other affected Member States immediately.

(2) If the Slovak Republic is the country of origin and the cross-border transport cannot be completed or shall not be completed due to reasons according to paragraph 1 and other safe procedure cannot be adopted, the holder of authorisation for shipment of radioactive materials pursuant to Section 15 par. 1 and 2, or the authorisation holder pursuant to special regulation 20f) is required to take corrective safety measures and to return the radioactive waste or the spent nuclear fuel to the place where it was held prior to the cross-border transport.

(3) If the authorisation holder pursuant to paragraph 2 is unable to take corrective safety measures or to return the radioactive waste or spent nuclear fuel concerned to the place where it was held prior to the cross-border transport, the supervisory authority shall designate another holder of authorisation for transport pursuant to Section 15 par. 1 and 2 or another holder of authorisation pursuant to special regulation, 20f) who shall fulfil the obligation in place of the original holder of authorisation according to paragraph 2 within the scope of its authorisation.

(4) If the cross-border transport shall not be completed or cannot be completed pursuant to par. 2 and 3, the costs are borne by the authorisation holder pursuant to Section 16f par. 3.

Cross-border transport outside the Member States
Section 16i
Imports to the Member States

(1) If the radioactive waste or spent nuclear fuel is to be imported to the Member States from a third country and the country of destination is the Slovak Republic, their consignee shall file an application with the supervisory authority for permitting the cross-border transport.

(2) The application pursuant to paragraph 1 can be filed for several cross-border transfers under the conditions stated in Section 16b par. 2.

(3) Attachment to the application pursuant to paragraph 1 is a written agreement between the consignee and the holder, who is domiciled or resident in a third country and is accepted by the competent authorities of such third country, by which the holder undertakes to take back the radioactive waste or spent nuclear fuel, if it is not possible to complete the cross-border transport pursuant to paragraph 7.

(4) The supervisory authority shall send an application pursuant to paragraph 1 for approval to the competent authorities of the transit Member States concerned. If the Slovak Republic is the country of origin or a transit country, provisions of Sections 16d and 16e shall apply mutatis mutandis.

(5) If the Slovak Republic is the country of destination and all the required approvals for cross-border transport have been granted, the supervisory authority shall permit to the consignee such cross-border transport and informs thereof also the competent authorities of the transit countries and the country of origin. Provisions of Section 16f par. 4 to 6 shall apply mutatis mutandis.

(6) If the Slovak Republic is the country of destination, the consignee shall send an acknowledgement of receipt of each shipment to the supervisory authority within 15 days from receiving the shipment. The supervisory authority shall send a copy of the acknowledgement of receipt of each shipment to the country of origin and the transit country.

(7) If the Slovak Republic is the country of destination or a transit country, the supervisory authority may decide that the cross-border transport shall not be completed, if the cross-border transport is not in compliance with this Act, with the conditions stated in the approvals or consents issued under this Act. The supervisory authority shall inform about its decision the competent authorities of the country of origin without any delay.

(8) If the cross-border transport cannot be completed or shall not be completed, the costs are borne by the consignee pursuant to paragraph 1.

Section 16j
Transit through the Member States

(1) If the radioactive waste or spent nuclear fuel is to be imported to the Member States from a third country and the country of destination is not a Member State, person responsible for cross-border transport in the Slovak Republic, through the customs office of which the radioactive waste or spent nuclear fuel would be imported for the first time to the Member States, shall file an application with the supervisory authority for permitting cross-border transport.
(2) The application pursuant to paragraph 1 can be filed also for several cross-border transfers under the conditions stipulated in Section 16b par. 2.

(3) Attachment to the application pursuant to paragraph 1 is a written agreement between the consignee, who has permanent residence or seat in a third country and a holder, who has permanent residence or seat in a third country and is accepted by the competent authorities of such third country, by which the holder undertakes to take back the radioactive waste or spent nuclear fuel, if the cross-border transport cannot be completed according to paragraph 7. For the purposes of this Act such an agreement is deemed to be also an arrangement between a consignee, who is domiciled or resident in a third country and a holder, who has permanent residence or seat in a third country and is accepted by its competent authorities pursuant to a special regulation. 20g)

(4) The supervisory authority shall send the application stated in paragraph 1 for approval to the competent authorities of the other transit Member States. If the Slovak Republic is to be the first transit country on the territory of the Member States pursuant to paragraph 1 or only one of several Member States of transit, provisions of Section 16d and 16e shall apply mutatis mutandis.

(5) If the Slovak Republic is to be the first transit country on the territory of the Member States pursuant to paragraph 1 and all the required approvals for transport from other transit Member States have been granted, the supervisory authority shall permit the cross-border transport to the responsible person pursuant to paragraph 1 and informs the competent authorities thereof in each transit country. Provisions of Section 16f par. 4 to 6 shall apply mutatis mutandis.

(6) If the Slovak Republic is to be the first transit country on the territory of the Member States, the responsible person stated in paragraph 1 shall notify the regulatory authority that the radioactive waste or spent nuclear fuel have been transported to its destination in a third country, and that is within 15 days from the date of their arrival, and shall state the last customs office on the territory of the Member States, through which the shipment passed. This notification shall be supported by a written declaration or certification from the consignee, in which it shall indicate that the radioactive waste or spent nuclear fuel has been transported to its destination and shall indicate the customs office when entering the third country.

(7) If the Slovak Republic is the transit country and realization of the cross-border transport is not in compliance with this Act, with the conditions stated in the authorisation or approvals issued under this Act, the supervisory authority shall take a decision that the cross-border transport shall not be completed. The supervisory authority shall inform about its decision the competent authorities of the country of origin.

(8) If the cross-border transport cannot be completed or shall not be completed, the costs are borne by the responsible person according to paragraph 1.

Section 16k
Exports from the territory of the Member States

(1) If the radioactive waste or spent nuclear fuel is to be exported from the territory of the Member States to a third country and the Slovak Republic is the country of origin, the holder shall file an application with the supervisory authority for permitting the cross-border transport.

(2) Application pursuant to paragraph 1 can be filed for more cross-border transports under the conditions stated in Section 16b par. 2.
(3) If the Slovak Republic is the country of origin, the supervisory authority using the appropriate procedure pursuant to Section 16d
  a. Informs the competent authorities of the country of destination on the planned cross-border transport and shall request their granting of approval for the cross-border transport, and
  b. Sends the application according to paragraph 1 for approval to the competent authorities of the transit Member State.

(4) If the Slovak Republic is the country of origin and all the required approvals for the cross-border transport have been granted, the supervisory authority shall permit a cross-border transport to a the holder and informs the competent authorities of the country of destination thereof and each transit country. Provisions of Section 16f par. 4 to 6 shall apply mutatis mutandis.

(5) If the Slovak Republic is the country of origin, the holder shall notify the supervisory authority that the radioactive waste or spent nuclear fuel was transported to its destination in a third country, and that is within 15 days from the date of their arrival and shall indicate the last customs office on the territory of Member States, through which the shipment passed. This notification shall be supported by written declaration or certificate of the consignee, in which it shall state that the radioactive waste or spent nuclear fuel have been transported to their destination and shall indicate the customs office of the entry to the third country.

(6) If the Slovak Republic is the country of origin or the transit country, and if realization of the cross-border transport is not in compliance with this Act, with the conditions specified in the approvals or consents issued under this Act, the supervisory authority shall decide that the cross-border transport shall not be completed. If the Slovak Republic is the country of transit, the supervisory authority shall immediately inform the competent supervisory authorities of the Member State of origin on its decision. Provisions of Section 16h par. 2 to 4 shall apply mutatis mutandis.

Section 16l
Use of standard documents

(1) Application for approval of the cross-border transport is completed and any other documents and information stated in Sections 16f, 16i to 16k for the supervisory authority shall be filed in the state language 20h) together with certified translation of the standard documents and any other documents and information stated in Sections 16f, 16i to 16k to languages that are acceptable for the other competent supervisory authorities of the transit countries and the countries of destination.

(2) The standard documents shall have attached to them any additional requirements of the applicant and concerned competent authorities for approval of the cross-border transport.

(3) Completed standard document certifying that the authorisation process has been duly complied with, shall accompany each shipment falling within the scope of this Act, and that is also in cases, if one permit/ authorisation for cross-border transport relates to more than one cross-border transport.

(4) Standard document and other documents are made available to the competent authorities of supervision of the country of origin, the country of destination, as well as each transit country.
PART FOUR
NUCLEAR INSTALLATIONS

Section 17
Siting of nuclear installations

(1) The Authority shall decide about issuing consent for siting of nuclear installation based on written application supported by documentation referred to in Annex 1 point A and based on statement of the European Commission in accordance with the international treaty, which the Slovak Republic is bound by. 21)

(2) For assessment of impact of a nuclear installation on the environment pursuant to special regulation 8), as well as the potential impact of the surrounding environment on the nuclear installation, the Authority shall issue a statement based on application supported by the documentation specified in Annex 1, point A.

(3) Details of the scope, content and the method of preparation of the documentation referred to in Annex 1 point A shall be stipulated by a generally binding legal regulation to be issued by the Authority.

Section 18
Building permits for constructions of nuclear installations

(1) The building proceedings for construction of nuclear installations are subject to special regulation 22) and this Act.

(2) A nuclear installation can be constructed only by holder of a valid building permit issued in compliance with the special regulation. 23)

(3) The Authority shall decide on issuance of building permit for construction of a nuclear installation based on written application of the developer for building permit supported by the documentation required by a special regulation 11) and the documentation referred to in Annex 1 point B.

(4) For construction of nuclear installations with special intervention in the earth’s crust, such as geological repositories, special regulations apply, 24) unless this Act stipulates otherwise.

(5) Details of the scope, content and the method of preparation of the documentation referred to in Annex 1 point B shall be stipulated by a generally binding legal regulation to be issued by the Authority.

Section 19
Commissioning of nuclear installations and operation of nuclear installations

(1) Nuclear installation can be commissioned and operated only by a holder of authorisation for commissioning and operation.

(2) Start of commissioning of a nuclear installation means the loading of the first fuel
element of a nuclear fuel into a nuclear reactor, as well as start of management of nuclear materials or radioactive waste, or spent nuclear fuel in nuclear installations, where the nuclear reactor is not part thereof.

(3) Authorisation for commissioning of a nuclear installation shall be issued by the Authority upon submitting written application supported by the documentation referred to in Annex 1 point C. This authorisation is part of the authorisation for early use of a structure according to special regulation. 25)

(4) Approval for the next phase of commissioning shall be issued by the Authority after submission of written application of the authorisation holder pursuant to paragraph 3 after assessment of the report on evaluation of previous phase of commissioning of a nuclear installation.

(5) Operation of a nuclear installation consists of trial operation and operation.

(6) Approval of the trial operation shall be issued by the Authority upon submission of written application supported by a report on evaluation of commissioning of a nuclear installation. This approval is part of the approval for temporary use of construction for trial operation pursuant to special regulation. 26)

(7) After a positive evaluation of the trial operation upon the proposal of the authorisation holder the Authority shall begin the final inspection proceedings pursuant to special regulation. 27)

(8) Authorisation holder must record and store the data on operation of a nuclear installation important for decommissioning, which are contained in the conceptual plan for decommissioning. At the same time it is required to provide for earmarked funding to cover the costs relating to decommissioning. 28)

(9) Details of the scope, content and the method of preparation of the documentation referred to in Annex 1 point C and of the report pursuant to paragraphs 4 and 6 shall be stipulated by a generally binding legal regulation to be issued by the Authority.

Section 20
Decommissioning

(1) Holder of authorisation for operation is required to provide for decommissioning after completion of operation of a nuclear installation. Holder of authorisation for decommissioning is responsible for the decommissioning.

(2) Holder of an operating authorisation is required, prior to the scheduled shutdown of a nuclear installation for the purpose of completing the operation to submit to the Authority a conceptual plan for decommissioning according to the current knowledge as at the moment of shutdown of a nuclear installation.

(3) The Authority shall issue authorisation for the decommissioning phase based on written application supported by the documentation referred to in Annex 1 point D.

(4) If the decommissioning requires construction and utilization of new technological units within the defined boundaries of a nuclear installation under decommissioning, for submission, review and approval of the documentation requirements pursuant to Sections 18 and 19 shall apply
mutatis mutandis.

(5) Nuclear installation, its territory or parts thereof can be excluded from the scope of this Act on the basis of a written application of the authorisation holder for the decommissioning phase supported by the documentation referred to in Annex 1 point F, for:

a. Unlimited usage, if the criteria under special regulations 1aa) are fulfilled, or

b. Limited usage, if the institutional measures are provided for.

(6) Holder of authorisation for operation is required to create a record of information necessary for safe decommissioning and to use such information for transition of the nuclear installation from operation to the decommissioning phase and during the entire decommissioning phase; such information must be retained also after completion of the decommissioning.

(7) Holder of authorisation for operation is required to perform the obligations specified in paragraph 6, if he acquires a authorisation for the decommissioning phase for the nuclear installation that he had been operating. If the authorisation for the decommissioning phase is acquired by another party than the authorisation holder for operation, such party is required to perform the duties specified in paragraph 6 of a holder of authorisation for the decommissioning phase, based on a contract concluded with the holder of authorisation for operation, and he is obliged to enter into such contract.

(8) Holder of authorisation for operation is required, prior to transition of such nuclear installation to the decommissioning phase, to export the spent nuclear fuel to a nuclear installation designed for spent nuclear fuel management.

(9) Holder of authorisation for operation is required to manage radioactive waste during commissioning of a nuclear installation and during its operation in a way to prevent unreasonable accumulation of radioactive waste and until completion of operation of a nuclear installation he is obliged to provide for conditioning of radioactive waste into solid form.

(10) Details of the scope, content and the method of preparation of the documentation referred to in Annex 1 points D and F shall be stipulated by a generally binding legal regulation to be issued by the Authority.

PART FIVE

RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL MANAGEMENT

Section 21
Radioactive waste management and spent nuclear fuel management

(1) The originator of the radioactive waste is responsible for assurance of safe management of radioactive waste in compliance with the National Programme prior to their acceptance to the repository and the authorisation holder for management of radioactive waste is responsible for the safety of the radioactive waste management facilities. The authorisation holder pursuant to the Art. 5 para. 3 letters b) to d) is responsible for the safety aspects of nuclear installation including the radioactive waste managed therein. If the authorisation holder pursuant to the second sentence is managing the radioactive waste in the nuclear installation and if such radioactive waste is originating in the nuclear installation where another person is the authorisation
holder thereof, then, for each step of management of radioactive waste, there must be clearly set liability for the respective radioactive waste between those authorisation holders as managed in the relevant nuclear installation.

(2) Conditioning of radioactive waste shall mean activities leading to creating a form that is suitable for their transport and disposal or storage.

(3) Radioactive waste must be managed in a way to:
   a. Maintain subcriticality,
   b. Provide for residual heat removal,
   c. Minimize effects of ionizing radiation on the operators, the public and the environment, \(^2\)
   d. Account is taken of properties affecting nuclear safety, such as toxicity, flammability, explosiveness and other dangerous properties.

(4) Production of radioactive waste and radioactive waste management must be governed by technical and organizational measures so that their quantity and the level of activity are maintained as low as reasonably achievable.

(5) Disposal of radioactive waste from nuclear installation and institutional radioactive waste including closure of the repository and its institutional control is the responsibility of the government, under the conditions set by this Act and other generally binding legal regulations. In the Slovak Republic it is only possible to dispose of radioactive waste which has been produced on its own territory, unless otherwise stipulated by the international treaty\(^29\) by which the Slovak Republic is bound. Such international contract must take into account the safety standards of the International Atomic Energy Agency.

(6) Repository for radioactive waste can be located only on a land plot that is owned by the state, in accordance with the approved Spatial Development Concept of Slovakia and other approved land use documentation.

(7) The costs relating to radioactive waste management, including the costs of securing institutional control after the closure of repository shall be covered by the producer of radioactive waste, unless a special law stipulates otherwise. \(^28\)

(8) For radioactive waste management, where the producer is not known or the producer is unable to manage the radioactive waste in a safe way, the Authority shall designate another holder of authorisation for radioactive waste management. In its decision the Authority shall define the scope of management of this radioactive waste.

(9) Any costs relating to radioactive waste management, where the producer is not known, or the costs being incurred by the authorisation holder designated by the Authority according to paragraph 8, shall be covered by the National Nuclear Fund for decommissioning of nuclear facilities and management of spent nuclear fuel and radioactive waste. If the producer of radioactive waste is identified additionally, he is obliged to reimburse such costs incurred during radioactive waste management to this Fund.

(10) All activities in the management of radioactive waste must lead to their safe disposal.

(11) Any import of radioactive waste to the Slovak Republic is prohibited, except those cases
when the procedure pursuant to Section 16 is complied with, and except import of radioactive waste permitted by the Authority,

a. Produced by reprocessing and conditioning of radioactive materials exported for this purpose and their re-import was permitted by the Authority in advance,

b. For the purpose of treatment or conditioning in the Slovak Republic, if the export of material with aliquot activity is contractually covered and permitted by the Authority.

(12) If radioactive waste or spent fuel produced in the Slovak Republic is shipped for conditioning or reprocessing to a member state or third country, the ultimate responsibility for the safe and responsible disposal of such materials, including waste which arises as a by-product, is still borne by the Slovak Republic, unless otherwise stipulated by the international treaty, by which the Slovak Republic is bound.

(13) The disposal of radioactive waste in another member state or third country, which has been produced in the Slovak Republic, is only possible on the basis of an international treaty between the Slovak Republic and that other member state or third country, which shall enter into force no later than at the time of shipment of the radioactive waste concerned, and, which takes into account with the recommendations of the European Atomic Energy Community, and, only with accordance with the provisions of Articles 16 to 161. If radioactive waste is disposed of in a third country, the Authority shall inform the European Commission regarding the conclusion of an international contract on such radioactive waste disposal prior to the performance of the shipment, and

a) the third country, where the radioactive waste is due to be disposed of, must be a contracting party of an international contract by which the Slovak Republic is bound by, or, it shall have concluded an agreement with the European Atomic Energy Community covering the management of spent fuel or radioactive waste,

b) the objectives of the programmes of a third country where radioactive waste is due to be disposed of, concerning the management of radioactive waste, must be equivalent to the requirements under this Act in terms of high safety levels,

c) a repository in a third country where radioactive waste is due to be disposed of shall be in operation before shipment is carried out and the repository operator shall have a licence for the acceptance of the shipped radioactive waste.

(14) Provisions of paragraphs 1 to 11 and 13 apply mutatis mutandis also for the spent nuclear fuel management, while the authorisation holder, who produced the spent nuclear fuel, is responsible for the management of such spent nuclear fuel until it is handed over and accepted to the repository.

(15) Details on the requirements for spent nuclear fuel management with an emphasis on the storage and disposal, and on radioactive waste management, including its production, sorting of radioactive waste into classes and the details on the requirements for its imports, on the requirements as for the scope and the content of the documentation for radioactive waste management, on the requirements for facilities for radioactive waste management, on the requirements for record keeping on the radioactive waste management, shall be stipulated by a generally binding legal regulation to be issued by the Authority.
Section 22
Closure of repository and institutional measures

(1) Closure of a repository shall mean administrative and technical activities after completion of placement of radioactive waste or spent nuclear fuel to the repository including the final construction or other works necessary for setting the repository into a long-term safe state.

(2) Institutional control shall mean a series of activities, by which the legal person pursuant to Section 3 par. 11 ensures control of access to the territory of the repository and control and maintenance of functionality of its barriers after closure of the repository at the time provided in the safety documentation.

(3) Authorisation for repository closure and for the institutional controls shall be issued by the Authority upon submitting a written application of the authorisation holder for operation of a repository, supported by the documentation referred to in Annex 1 point E.

(4) Authorisation holder shall implement measures to ensure that after the repository closure
   a. Records are maintained,
   b. Institutional control of the repository is provided for,
   c. Remedial action is carried out if necessary, in case of unplanned release of radioactive substances.

(5) The scope of records pursuant to paragraph 4 subpar. a) and the scope of the institutional control pursuant to paragraph 4 subpar. b) shall be specified by the Authority in the conditions of such authorisation.

(6) Details regarding the scope, the content and the method of preparation of the documentation stated in Annex 1 point E, shall be provided by a generally binding legal regulation, to be issued by the Authority.

PART SIX
NUCLEAR SAFETY, COMPETENCE, QUALITY MANAGEMENT SYSTEM, PHYSICAL PROTECTION, OPERATIONAL EVENTS AND EMERGENCY PREPAREDNESS

Section 23
Nuclear Safety

(1) Authorisation holder is responsible for fulfilment of requirements concerning nuclear safety. This responsibility cannot be eliminated. Liability under the first sentence also includes responsibility for the activities of contractors and subcontractors, whose activities may affect the nuclear safety of nuclear installation.

(2) Authorisation holder is required to:
   a. Ensure and maintain financial resources and human resources with appropriate qualifications and competencies necessary to meet the obligations under this Act, including appropriate working conditions and necessary engineering and technical support activities in all areas related to nuclear safety,
b. Ensure that the contractors and subcontractors, whose activities could have an impact on nuclear safety of nuclear installation, have the necessary human resources with appropriate qualifications and competence to perform such activities,

c. Fulfil the reporting obligations vis-à-vis the Authority, as well as to continuously meet the requirements for nuclear safety and regularly evaluate their fulfilment in order to increase nuclear safety to the highest reasonably achievable level while applying safety culture,

d. Use the pre-operational safety report and the relevant documentation pursuant to Annex 1 and Annex 2 when evaluating safety of operation of a nuclear installation, as well as any modifications to a nuclear installation and to update such documentation without any delay in compliance with the implemented modifications,

e. Give priority to safety aspects from all other aspects of the licensed activity,

f. During the operation and during decommissioning of nuclear installation, to periodically evaluate, verify and where practicable, continuously, systematically and in a verifiable manner to increase the level of nuclear safety of nuclear installations and conduct periodical, comprehensive and systematic nuclear safety assessment of nuclear installations at least every ten years taking into account the state of the art in the field of nuclear safety assessment and to take measures to eliminate the deficiencies found and their recurrence in the future; this includes also verifying that accident prevention and mitigation measures have been put in place, including verification of the application of defence in-depth principles,

g. Perform nuclear safety assessment referred to in par. f) at intervals and to the extent stipulated by a generally binding legal regulation issued by the Authority; this safety assessment aims at ensuring the maintenance of the current design basis and identifying the possibilities of increasing nuclear safety taking into account the aging of the nuclear installation, the operational experience, the latest results of research and development of international standards, while the reference objective is the objective according to Section 23a par. 8,

h. Issue and to follow operating procedures for activities at nuclear installation, that is for operation, maintenance, control and testing of classified equipment, which must be in compliance with the authorisation conditions; the authorisation holder is required to update the operating procedures according to the status of the nuclear installation,

i. Implement modifications to a nuclear installation specified under Section 2 subpar. v) after the Authority issued its approval and in cases specified in the special regulations 21) also after a statement by the European Commission,

j. Implement modifications to a nuclear installation specified under Section 2 letter w) only upon their prior notification to the Authority and after being reviewed by the Authority pursuant to Section 4 par. 2 subpar. g) second bullet point,

k. Maintain separate record keeping on any modifications implemented to a nuclear installation pursuant to Section 2 subpar. v) or w),

l. Create a system of management of temporary and permanent modifications so that:

1. any modifications are properly designed, reviewed, checked and implemented after taking into
account the obligations pursuant to Section 10 par. 1 subpar. u), and
2. when implementing these modifications requirements for nuclear safety are fulfilled,

m. Implement modifications in a way that the number of temporary modifications implemented simultaneously is maintained on the lowest possible level,

n. Perform
   1. a preliminary assessment for any modification regarding its impact on nuclear safety,
   2. Subsequent complete assessment of the impact of modification on nuclear safety; subsequent assessment is not required if the preliminary assessment shows that the modification has no impact on nuclear safety,
   3. Assessment of the modification in the relevant documentation,

o. Identify appropriate emergency procedures and measures on the territory of the nuclear installation including the guides for severe accident management or similar guides for effective response to incidents and accidents in order to prevent or mitigate their consequences; These procedures and measures:
   1. must be consistent with the other operational procedures and regularly practiced to verify their feasibility,
   2. aim to address accidents and severe accidents that may occur in all modes of operation, as well as those occurring at the same time on multiple nuclear installations or affecting several nuclear installations,
   3. ensure receiving external assistance, and
   4. must be periodically assessed and updated in the light of experience from emergency drills and with regard to lessons learned from accidents,

p. Create a system allowing the employees to report events having potential impact on the nuclear safety, and which requires from the employees to report any events on the relevant management level having potential impact on the nuclear safety,

q. Record, evaluate and document safety significant own operational experience and operational experience from other comparable nuclear installations to identify a hidden disruption of achieved level of nuclear safety or potential precursors and possible trends leading to reduction of nuclear safety or safety margins,

r. Ensure establishing the causes of operational events and evaluation of operational experiences, including the relevant qualification of employees,

s. Create a system for evaluation and storing information relating to feedback from operational experiences so that the employees responsible for the feedback can easily search and evaluate such information at any time,

t. Regularly evaluate and document effectiveness of the introduced system of feedback to fulfill the goals pursuant to subpar. s) based on indicators and criteria specified by the authorisation holder or by an independent natural person or a legal person,

u. Inform its contractors and subcontractors, whose activity may affect nuclear safety, with safety culture requirements and check their performance,
v. Provide, through its own staff, a technical specification for the ToR, assessment, acceptance and initial check of supplied goods, services and works from the suppliers that are important in terms of nuclear safety,

w. Maintain adequate contact with legal entities and individuals who participated in the design and construction of a nuclear installation in order to provide feedback on operational experiences and obtaining technical assistance in case of operational events.

(3) Obligations pursuant to paragraphs 1 and 2 shall apply to holders of authorisation issued pursuant to Section 5 par. 3 subparagraphs b) to d) for all types of nuclear installations, as well as for the holder of authorisation pursuant to Section 5 par. 3 subpar. e) mutatis mutandis, as allowed by the scope and the content of the authorisation.

(4) For the purpose of increasing the level of nuclear safety the authorisation holder is required to use probabilistic assessment of nuclear safety, which focuses on identification, quantification, qualification and assessment of core indicators and aspects of nuclear safety and their interaction, while it is necessary to take into account the parameters, scope of appropriateness and the objective limitations of the probabilistic assessment depending on the type of the nuclear installation.

(5) The Authority shall issue a generally binding legal regulation specifying
a. Details on the technical, organizational, administrative, financial and personnel requirements for nuclear safety of nuclear installations during their siting, design, construction, commissioning, operation, decommissioning and repository closure,

b. Criteria for categorization of classified equipment into safety classes, c) details on the assessment of the scope, content and impacts of modifications,

c. Details on assessment, documenting, scope of feedback,

d. Scope and the content of the probabilistic assessment of nuclear safety, indicators and parameters of nuclear safety followed by this assessment.

Section 23a

(1) Abnormal operation is an operating condition deviating from the normal operation, the occurrence of which is expected at least once in a life cycle of a nuclear installation, and with regard to corresponding design measures does not cause significant damage to components essential for nuclear safety and does not lead to emergency conditions.

(2) Design basis is a range of conditions and events that according to the criteria are explicitly taken into account in the design of a nuclear installation, including its improvements so as to allow the nuclear installation to be able to resist this range of conditions and events without exceeding the permitted limits and the planned operation of safety systems.

(3) Design accident means emergency conditions, which are included under the design of the nuclear installation according to established design criteria and for which the damage to the nuclear facility and the release of radioactive substances to the environment does not exceed the established limits 29a)

(4) Severe accident is a state of nuclear installation involving a nuclear fusion event or the release
of radioactive substances, which requires the introduction of protective measures to protect the public.

(5) Severe conditions are conditions that are more severe than conditions under design basis accidents; such conditions may be caused by multiple failures, such as complete failure of all trains in the safety system or extremely unlikely event.

(6) Defence in depth is a hierarchical system of multiple levels of different technical means and organizational measures aimed at preventing the deterioration of operational events and to maintain the effectiveness of physical barriers placed between nuclear materials, spent nuclear fuel or radioactive waste and workers, the public and the environment during operating conditions and some barriers even during emergency conditions.

(7) Safety limits are the limit values of the parameters of technological processes, in the extent of which the authorisation holder must demonstrate the nuclear safety of nuclear installation and parts thereof, which must not be exceeded. Once the safety limit has been exceeded, further operation or decommissioning must be approved by the Authority.

(8) Nuclear installation must be designed, sited, constructed, commissioned, operated and decommissioned so as to prevent accidents and mitigate their consequences, if they occur, as well as prevent

a) the early release of radioactive substances that would require external emergency measures, with insufficient time for their implementation, and

b) large releases of radioactive substances that would require spatial and time-wise unlimited protective measures.

(9) For existing nuclear installations, for which the building permit has been issued [Section 5 par. 3 a)] before 14 August 2014, requirements according to par. 8 shall be used as a target for the timely implementation of reasonably practicable measures to increase the level of nuclear safety during periodical assessments of nuclear safety including periodical, comprehensive and systematic assessment of nuclear safety of nuclear installations.

(10) Defence in-depth is applied in designing and in all phases of existence of a nuclear installation.

(11) Defence in-depth is used to:

a) minimize the impact of extraordinary external natural hazards and unintentional threats as a result of human activities,

b) prevent abnormal operation and failures,

c) manage abnormal operation and detect failures,

d) Design accidents management,

e) manage accidents under severe conditions including the prevention of accident development and mitigation of consequences of severe accidents,

f) introduce organizational structures for the emergency preparedness and emergency
response according to Section 28 par. 7.

Section 24
Professional Competence

(1) Professional competence shall mean a set of expert knowledge, practical experience, knowledge of the generally binding legal regulations and operational procedures issued by the authorisation holder, necessary for performance of work activities by the authorisation holder’s employee. Professional competence is obtained by successful completion of professional training at a specialized facility.

(2) Professional competence shall mean a set of expert knowledge, practical experience, principal attitudes and knowledge of the generally binding legal regulations and operational procedures issued by the authorisation holder to secure nuclear safety, which is necessary for performance of work activities having direct impact on the nuclear safety.

(3) Work activities having impact on nuclear safety of nuclear installations can be performed only by professionally competent employees, whose professional competence was examined by an examining board established by the operator of a specialized facility and issued a certificate of professional competency to them.

(4) Licensed employees of the authorisation holder for commissioning of nuclear installation, operation of a nuclear installation or decommissioning are employees performing work activities having direct impact on the nuclear safety, shall have master’s degree obtained in the Slovak Republic or in the Member States, 30) completed the professional training, are medically fit and mentally competent, whose special professional competence was verified by an examining board established by the Authority and the Authority issued them a license of special professional competence.

(5) License of special professional competence is issued by the Authority based on application from the authorisation holder pursuant to Section 5 par. 3 subpar. b) to d) after fulfillment of qualification requirements pursuant to paragraphs 2 and 4, proving medical fitness, 31) mental capacity, completion of professional training and successful passing of exam before an examining board established by the Authority.

(6) Authorisation holder pursuant to Section 5 par. 3 subpar. b) to g) and j) is required to ensure periodic checks of employees 32) focusing on medical fitness and mental capacity, if needed to perform work activities of employees.

(7) Operator of a specialized facility may conduct training of employees of authorisation holders only based on an authorisation. The training is conducted in accordance with the approved training system following training programs.

(8) Authorisation for the operator of a specialized facility is issued by the Authority based on written application after assessment of the technical equipment used in this training and the professional competence of employees of the applicant.

(9) Employees of the operator of a specialized facility conducting specialized theoretical training of licensed employees and their full-scope simulator training (hereinafter only as the "lecturers"), may perform this activity only based on a certificate of professional competency in the field of given training. Details regarding verification and conditions for verification of professional competence of the lecturers
shall be specified by a generally binding regulation, to be issued by the Authority.

(10) Employees of the operator of a specialized facility conducting training of licensed employees or professionally competent employees during their walkthrough training and during the on-the-job training (hereinafter only as the "instructors"), may perform this activity after fulfilment of qualification requirements specified by a generally binding regulation, to be issued by the Authority.

(11) The authorisation for the professional training under paragraph 8 is issued by the Authority for a period of five years.

(12) If a Member State citizen with a qualified profession pursuant to Annex 4 is interested in a vacancy at the nuclear installations in the Slovak Republic, he cannot be discriminated on the grounds of nationality or citizenship.

(13) For the purposes of this Act the qualified profession pursuant to Annex 4 shall mean the profession regulated under a special regulation 33), unless this Act stipulates otherwise.

(14) For the purposes of this Act, a specific training, based on which a Member State citizen gains specific knowledge in the field of nuclear energy pursuant to Annex 4, shall mean regulated education according to special regulation, 34) unless this Act stipulates otherwise.

(15) For the purposes of this Act the regulated education is recognized pursuant to special regulation, 35) unless this Act stipulates otherwise.

(16) Professional qualification in the field of nuclear energy having impact on nuclear safety based on recognized regulated education pursuant to paragraph 14 is equivalent to professional competence pursuant to paragraph 1, unless this Act or a special regulation 36) stipulates otherwise.

(17) Professional qualification in the field of nuclear energy having direct impact on nuclear safety based on recognized regulated education pursuant to paragraph 14 is equivalent to special professional competence pursuant to paragraph 2, unless this Act or a special regulation 36) stipulates otherwise.

(18) The details regarding training, activities of professionally competent employees and licensed employees of authorisation holders pursuant to Section 5 par. 3 subpar. b) to g) and j) and authorizing them for work activities, conditions of verification of their professional competence and special professional competence, including issuing authorisations on special professional competence, regarding setting up of expert committee and examining board, documentation needed for the application for issuing authorisations pursuant to paragraph 8, requirements for lecturers of professional training and instructors of professional training and regarding conditions for verification of their professional competence including issuance of certificates of professional competence shall be stipulated by a generally binding legal regulation to be issued by the Authority.

Section 25
Quality Management System

(1) An applicant for permission or an applicant for authorisation and an authorisation holder or a holder of an authorisation for activities pursuant to Section 5 par. 2 and par. 3 subpar. a) to g), j) and k) is required to develop, document, introduce, maintain and review a quality management system, comply with the quality management system documentation, as well as to improve its effectiveness, and that is
also when such activities are being performed by a third party for the applicant for authorisation or for the authorisation holder.

(2) Applicant for a authorisation and a authorisation holder is required to specify and to comply with the requirements for the quality of nuclear installations and classified equipment in the field of utilization of nuclear energy including deliveries of equipment and services, categorization of classified equipment into safety classes.

(3) Requirements for quality pursuant to paragraph 2 are specified by mandatory technical parameters influencing nuclear safety, the interval and the method of their inspection, robustness against service media, working environment, and internal and external influences.

(4) Requirements for quality pursuant to paragraph 2 must correspond with the significance of the equipment and significance of activities with regard to nuclear safety.

(5) Applicant for a authorisation and authorisation holder is required to ensure financial, technical and human resources to develop and maintain the quality management system, while these resources must be in accordance with the resources for securing nuclear safety.

(6) The Authority shall issue a generally binding legal regulation stipulating the details of requirements regarding:

a. The scope, content, hierarchy, structure and review of the quality management system of the applicant for authorisation and the authorisation holder,

b. The scope, content, hierarchy and the structure of its documentation,

c. Quality of nuclear installations,

d. Quality of classified equipment and the details regarding the scope of their approval.

**Section 26**

**Physical protection**

(1) Unauthorized handling of nuclear installations, nuclear materials, special materials and equipment, radioactive waste or spent nuclear fuel shall mean any activity performed without the relevant permit or carried out in order to damage, destroy, illegally acquire or carelessly handle the nuclear materials, special materials and equipment, radioactive waste or spent nuclear fuel.

(2) Sabotage shall mean any deliberate action directed against a nuclear installation or nuclear materials, special materials and equipment, radioactive waste or spent nuclear fuel during their management or during their transport, which may directly or indirectly threaten the life, health or property of the population or environment by release of radioactive substances.

(3) The authorisation holder is responsible for the physical protection within the scope of licensed activity.

(4) The authorisation holder is required to ensure that the persons, who are staying at a nuclear installation with his consent or participate in activities pursuant to Section 12 and 21, or participate in transport of radioactive materials, comply with the requirements for physical protection.

(5) The authorisation holder is required to ensure verification of:
a. Integrity of persons entering a nuclear installation or participating in transport of radioactive materials, except
   1. persons, whose integrity is required and proven for the purpose of performance of activities
      according to special regulations, 37) and persons accompanied by them, or
   2. persons accompanied by designated employees of the authorisation holder pursuant to Section 5
      par. 3 subpar. b) to g) and j),

b. integrity and reliability of persons getting into contact with nuclear materials of categories I
   and II, persons providing physical protection, persons entering the internal area of nuclear
   installations without being accompanied by designated employees of the authorisation holder,

c. medical fitness and mental capacity of all persons, who may influence nuclear safety with
   their work activities.

   (6) At the nuclear installations holding nuclear materials classified as category I or II
   according to special regulation, 37a) the authorisation holder is required to ensure that for permitting
   and control of entries of persons into the guarded area and the internal area, identification of persons
   based on biometric data is used. 37b) Persons entering a nuclear installation or persons exiting from
   the nuclear installation are obliged to endure identification by means of biometric data. If these persons
   refuse to tolerate such identification, the authorisation holder is obliged to prevent their entry to or exit
   from the nuclear installation. The authorisation holder shall maintain, process, keep and liquidate the
   biometric data according to special regulation. 37c)

   (7) The authorisation holder shall process, register and keep the data provided for permitting
   entries and exits of persons and entries and exits of vehicles, including data on entries and exits to and
   from a nuclear installation pursuant to paragraph 6. The authorisation holder shall maintain a database of
   entries and exits of persons and entrance and exits of vehicles and such data is stored during a period of
   seven years from the date of their recording; data from the database of the authorisation holder shall be
   made available to a state authority performing tasks in the field of protection of constitutional order,
   internal order and security of the state upon its request.

   (8) In case of any unauthorized entry to nuclear installation, unauthorized activity at nuclear
   installation, unauthorised activity during transport of radioactive materials or threat of such activity the
   Police Corps shall provide assistance within its scope of powers upon request from the authorisation
   holder.

   (9) Immediately upon establishing the facts pursuant to paragraph 8 the authorisation holder is
   required to take the necessary measures and to inform the Police Corps and the Authority.

   (10) If the authorisation holder is unable to secure physical protection of nuclear installation,
   nuclear materials, radioactive waste or spent nuclear fuel in accordance with generally binding legal
   regulations, with the approved documentation and with the conditions of license, the authorisation holder
   shall, based on provable request ensure it in cooperation with the Police Corps. The Police Corps is
   required, based on a contract, to comply with such request; if the contract on provision of collaboration
   contains classified information, the Police Corps is required to conclude such contract, only if the
   authorisation holder meets the conditions under special regulation. 37d)

   (11) Details of the requirements for providing physical protection including classification of
   nuclear installation or nuclear materials to categories for providing physical protection shall be stipulated
   by a generally binding legal regulation to be issued by the Authority.
Section 27
Operational events at the nuclear installation and events during transport of radioactive materials

(1) An operational event at a nuclear installation shall mean an event, during which there was a threat to or breach of nuclear safety during commissioning of a nuclear installation, during its operation, during the decommissioning phase or during closure of the repository.

(2) An event during transport shall mean an event during transport of radioactive materials, which caused non-compliance with the requirements for nuclear safety during transport of radioactive materials.

(3) Operational events and events during transport are divided into:
   a. Failure, which caused:
      1. threat to nuclear safety without direct threat to fulfillment of safety functions,
      2. disruption of safety barriers or other safety measures without direct consequences,
      3. entering into limits and conditions (Tech Specs) for safe operation and safe decommissioning,
      4. breach of limits and conditions without direct consequences on fulfillment of safety functions,
      5. actuation of safety systems or their actuation due to real causes, but without direct consequences,
      6. breach of technical conditions or transport regulations during transport without direct consequences,
      7. other disruption of equipment reliability requiring corrective actions to remove their consequences,
      8. release of radioactive substances or ionizing radiation not exceeding the radiation limits, 2)
   b. Incident, which is any event, the consequences or potential consequences of which are not negligible in terms of radiological protection1aa) or nuclear safety, and which has caused
      1. Threat or disturbance of compliance with the safety features,
      2. Failure of the safety systems or actuation of safety systems due to real causes, which requires actions to remove the consequences,
      3. Serious disruption or failure of safety barriers,
      4. Release of radioactive substances or ionizing radiation exceeding the radiation limits, 2)
   c. Accident, which is any event the consequences or potential consequences of which are significant from the view of radiation protection1aa) or nuclear safety, and which has caused release of radioactive materials, which requires the application of measures to protect the public.37e)

(4) Authorisation holder is required to:
   a. Develop mandatory procedures for solving events pursuant to paragraph 3,
   b. Implement preventive and security measures on time and to immediately eliminate conditions, which could endanger the nuclear safety, life or health of people,
   c. Report to the Authority any deficiencies found during operation, maintenance or control, which could lead to events pursuant to paragraph 3,
   d. Report the events according to par. 3 to the Authority, and in case of operational events pursuant to par. 3 subpar. b) and c), also to the Ministry of Interior and Ministry of Health, to identify their causes, to take all appropriate measures to mitigate their consequences and to take corrective action; any
incident or accident during shipment the authorisation holder is obliged to report also to the Ministry of Transport and Construction,

e. Formulate conclusions based on results of analyses of causes of operational events and events during transport of radioactive materials, consider good practice in the given area and to immediately adopt corrective actions to prevent recurrence of events and development of conditions reducing nuclear safety; the authorisation holder is required to provably instruct its employees on results of analyses and any corrective actions,

f. Inform immediately the persons present within the territory of a nuclear installation about the event according to par. 3 subpar. b) or c), on health protection measures and on activities to be performed when they occur.

(5) The Authority shall identify the causes and circumstances of incidents and accidents, as well as selected failures.

(6) Details on the method of reporting operational events and events during transport, details on identification of their causes shall be established by generally binding legal regulation, to be issued by the Authority.

Section 28
Emergency planning and emergency preparedness

(1) Emergency planning shall mean a set of measures and procedures for detecting and coping with incidents or accidents at nuclear installations and for identification and mitigation and elimination of consequences of releases of radioactive substances into the environment during handling nuclear materials, radioactive waste management or spent nuclear fuel management and during transportation of radioactive materials.

(2) Emergency response is a planned activity of the authorisation holder and the public authorities carried out in the course of an incident or accident at the nuclear facility and incidents or accidents during shipment, as described in the emergency plan.

(3) Emergency plans are divided into:
   a. Preliminary on-site emergency plan containing planned measures on the territory of a nuclear installation or several nuclear installations during construction,
   b. on-site emergency plan containing planned measures on the territory of a nuclear installation or several nuclear installations operated by a single authorisation holder, and link to the off-site emergency planning, 38)
   c. off-site emergency plans containing measures to protect the population within the emergency planning zone during release of radioactive substances into the environment, as well as link to the on-site emergency plan,
   d. emergency transport order containing measures during incident or accident during transport of radioactive materials.

(4) Emergency plans must take into account incidents or accidents including low probability accidents having very serious effects on the health or property of the population and the environment.
within the emergency planning zone, requiring introduction of measures to overcome or to mitigate consequences of incidents or accidents on-site or off-site of the nuclear installation or during transport of radioactive materials including principles of coordination of activities authorities or legal persons involved in overcoming or mitigating the consequences of incidents or accidents.

(5) The authorisation holder is required to adopt preventive measures, as well as measures to cope or mitigate the consequences of incidents and accidents at a nuclear installation or during transport of radioactive materials. The authorisation holder is required to inform the public about the measures and procedures.

(6) To ensure the duties pursuant to paragraph 5, the authorisation holder is required to establish a specific workplace and to create the necessary organizational structure.

(7) The authorisation holder is required to create such organizational structure at the nuclear installation for the emergency preparedness and emergency response, to define responsibility and coordination between the authorisation holder and the competent authorities and organizations, taking into account the time course of the incident or accident.

(8) The Authority shall approve the size of the emergency planning zone of a nuclear installation for each nuclear installation upon request as part of the relevant licensing proceeding. The District Offices at the seats of regions affected by the emergency planning shall decide about inclusion of municipalities into the emergency planning zone based on the approved size of the emergency planning zone around the nuclear installation. If there is single person as an applicant for authorisation concerning several nuclear installations located within the territory, for which there was also a common on-site emergency plan developed, such nuclear installations are considered to be as a single nuclear installation and the emergency planning zone is only one common zone.

(9) The holder of authorisation for commissioning and operation of a nuclear installation or for decommissioning is required to provide for monitoring systems at a nuclear installation, as well as emergency planning zone.

(10) The state administration authorities, the municipalities, natural persons and legal persons affected by the emergency planning are obliged to cooperate in development of emergency plans within their scope and to provide to each other the necessary documentation.

(11) An applicant for authorisation is required to submit to the Authority an on-site emergency plan for approval after being reviewed by the Ministry of Health of the Slovak Republic not later than eight months prior to the planned start of commissioning of a nuclear installation and subsequently every five years for re-approval.

(12) Population protection plans of regions within the emergency planning zone shall be submitted by the district offices at the seat of regions to the Authority for assessment not later than eight months prior to the planned start of commissioning of a nuclear installation and subsequently every five years for re-assessment.

(13) Applicant for authorisation for transport of radioactive materials is required to submit an emergency transport order for assessment by the Authority not later than six months prior to the first planned transport of radioactive materials and subsequently every five years for re-assessment.

(14) The authorisation holders or district offices at the seat of regions are required to submit the emergency plans for reassessment or approval within a period that is less than five years, if there were any
modifications made to the nuclear installation pursuant to Section 2 subpar. v), in the organizational structure pursuant to paragraph 6 or the means designed for coping with incident or accident at a nuclear installation or during transport of radioactive materials, changes in the emergency planning zones, changes to the size of the common emergency planning zone or changes in providing transport of radioactive materials, or modifications on the basis of results of exercises and control.

(15) The emergency plan pursuant to paragraph 3
a. subparatagraphs a) and b) shall be approved by the Authority,

b. subpar. c) shall be approved by the Ministry of Interior of the Slovak Republic,

c. Subpar. d) shall be approved by the Ministry of Transport, Construction and Regional Development of the Slovak Republic.

(16) An applicant for authorisation for transport of radioactive materials, prior to submission of the emergency plans developed pursuant to paragraph 3 subpar. d) for assessment by the Authority, shall request the Ministry of Interior of the Slovak Republic for its statement.

(17) Authorisation holder for transport of radioactive materials is required to notify the Ministry of Interior of the Slovak Republic about the schedule of spent fuel shipments not later than 10 days prior to the transport.

(18) Approved emergency plans and approved size of the emergency planning zones for the nuclear installations are binding for the state administration authorities, the municipalities, as well as for natural persons and legal persons affected by the emergency plan.

(19) Authorisation holder for transport of radioactive materials is required to make the persons involved in transport of radioactive materials familiar with the emergency transport order and to train the designated persons for discharge of functions according to the emergency transport order. Other persons involved in the transport of radioactive materials must be instructed by the authorisation holder about their duties, in case of incident or accident occurring during transport of radioactive materials.

(20) The authorisation holder and the district authorities at the seats of the regions affected by emergency preparedness shall periodically inform the public likely to be affected by the consequence of incident or accident, on health protection measures that concern it, as minimum in the following extent

a) basic information on radioactivity and its effects on health, population and its impact on the environment,

b) information about different types of incidents and accidents and on their possible impact on the population and the environment,

c) planned measures focusing on warning, protecting and assisting the public in case of an incident or an accident to the extent of information on activities to be carried out by the public in case of incident or an accident.

(21) The authorisation holder and the district authorities at the seats of the regions affected by emergency preparedness shall permanently make available information to the public according to par. 20 and to regularly update it as a consequence of changes in the emergency plans.

(22) The authorisation holder and the district authorities at the seats of the regions affected by
emergency response, in case of an incident according to Section 27 par. 3 b) and c) or in case of a threat of occurrence of such event, are required to immediately inform the public about the facts regarding the incident or accident, about the actions that need to be taken, and if necessary, of the health protection measures regarding the public concerned. The information provided shall include the information according to par. 20 supplemented by at least the information on

a) an incident or accident, its characteristics, in particular its origin, extent and possible evolution,

b) measures in times of threat,

c) urgent and follow-up measures to protect the public

(23) The affected state administration authorities and municipalities, as well as natural persons and legal persons, are required to participate, within the scope and in a manner specified by the population protection plan or emergency transport order, on the exercises and protective measures, and within the specified scope also on liquidation of consequences of incidents or accidents nuclear installations or incidents or accidents during transport of radioactive materials.

(24) The Authority shall provide for the exercises and evaluation of the course and the consequences of incidents or accidents at nuclear installation and during transport of radioactive materials and preparation of proposals for measures or recommendations for further procedure at its workplace equipped with the necessary technical means; the Authority submits proposals of measures or recommendation for further progress to the Ministry of Interior of the Slovak Republic and to district offices at the seats of regions within the off-site emergency zone.

(25) The authorisation holder is required to provide the data at its own costs and the state administration authorities and their subordinated agencies are required to provide to the Authority data necessary for ensuring emergency preparedness, for preparation and implementation of exercises, for evaluation of incidents or accidents at nuclear installations and during transport of radioactive materials and for projection of their development, such as the technological data of nuclear installations, data from radiation monitoring, meteorological data and other data free of charge, in a form, extent and manner, as required by the Authority.

(26) Details on the content of emergency plans, details of the procedure for their submission and approval, measures, procedures and activities including identification of the degrees of severity of events according to the international criteria, the details concerning information for the Authority and the public, details on the essentials for supporting documentation required for the application for approval of the size of the emergency planning zone, size of the common emergency planning zone, including the deadline for submission of the application, details on the monitoring systems, details on training, on exercises and on updates of the emergency plans, details on provision of data and time development of an incident or accident at the nuclear installations and during transport of radioactive materials, shall be established by a generally binding legal regulation to be issued by the Authority.

PART SEVEN

LIABILITY FOR NUCLEAR DAMAGE AND ITS FINANCIAL COVERAGE
Section 29
Contact point

(1) The Authority pursuant to Section 4 par. 1 f) and g) provides information on a nuclear accident 38a) and radiological threat 38b) on the territory of the Slovak Republic according to special regulations. 4)

(2) The Authority shall receive, according to special regulations 4) information about nuclear accident 38a) or radiological threat, 38b) occurring outside the territory of the Slovak Republic and shall inform the public and the Ministry of Interior about this fact.

(3) The Ministry of Health, the Ministry of Transport and Construction, the Ministry of Finance, the Ministry of Interior, the Ministry of Environment, the Ministry of Foreign and European Affairs, the Ministry of Defence and the Slovak Information Service shall ensure within their scope of competence 38c) immediate notification of the Authority of events affecting the population or the territory of the Slovak Republic or of events that could be of public interest and which consist of:

a) loss or theft of a radioactive source or equipment containing radioactive source,

b) finding abandoned radioactive source or equipment containing radioactive source,

c) radioactive contamination of biosphere caused by anthropogenic radionuclides released into the environment,

d) contamination of foodstuffs or drinking water,

e) contamination of goods,

f) severe exposure of persons,

g) events during shipment of radioactive source or equipment containing radioactive source,

h) detection of potential threat of abusive use of ionizing radiation sources for illegal activity,

i) illegal activity involving use of ionizing radiation source,

j) other occurrences that pose a risk of exposure of persons or contamination of the environment.

(4) The Authority ensures continuous availability of the Contact Point.

(5) The Authority shall inform the European Commission of the contact details of the Contact Point and shall notify the European Commission without any delay of any changes in order to enable mutual rapid communication.

(6) Based on the request of the Government of the Slovak Republic 4) the Authority will ask through the Contact Point for mediation of assistance from the International Atomic Energy Agency.4)

(7) The details on the activities of the Contact Point and the extent, form and method of providing information according to par. 3 shall be established by a generally binding legal regulation to be issued by the Authority.
Section 30
Financial coverage for liability for nuclear damage

Deleted by the Act No. 54/2015 Coll.

PART EIGHT
STATE SUPERVISION, INSPECTIONS, NUCLEAR SAFETY INSPECTORS, INTERNATIONAL INSPECTIONS, ADMINISTRATIVE MISDEMEANORS AND OFFENCES

Section 31
State supervision, inspections and nuclear safety inspectors

(1) The Authority controls compliance with this Act and other generally binding legal regulations issued under this Act, as well as compliance with the scope and the conditions of the decisions pursuant to Section 4 and performance of measures to remedy the deficiencies identified in the protocols (hereinafter only as the "inspections"). The Authority conducts inspections of authorisation holders and parties, where there is a reasonable assumption that they use the nuclear energy for other than peaceful purposes or there is unauthorized use of nuclear energy, or parties where there is reasonable suspicion that they violate the obligations arising from the international treaties relating to peaceful use of nuclear energy and by which the Slovak Republic is bound. The Authority controls also the parties where there is a reasonable suspicion that they perform activities in the field of utilization of nuclear energy pursuant to this Act without any permission or authorisation.

(2) The Authority carries out inspections by authorised civil servants (hereinafter only as the "Inspectors").

(3) An Inspector performs inspections under a civil service employment contract with the relevant department of civil service pursuant to a special regulation 37) at a civil service office, which is the Authority. An Inspector must meet the prerequisite of education, to acquire and demonstrate the relevant competencies and pass the inspector’s exam, by which he meets a special qualification precondition. An Inspector covering areas involving classified information can only be an Inspector, who in addition to meeting the preconditions for an Inspector is also authorized to acquaintance with classified information under a special regulation. 6)

(4) An employee of the Authority, who is trained to become an Inspector, during the time prior until passing an inspector’s exam, has a position of an Inspector - candidate. He may perform inspections only when accompanied and supervised by an Inspector.

(5) Inspector’s exam consists of a written and an oral part. Inspector’s exam is taken in front of an examining board, the members of which are appointed by the chairman of the Authority. The aim of the inspector’s exam is to verify, whether the Inspector - candidate knows and is able to apply the regulations necessary to carry out inspections in the field, in which he will perform the inspection activities.

(6) The result of the inspector’s exam is notified by the examining board to the Inspector - candidate within 15 days. After passing inspector’s exam the Authority shall issue to the inspector -
candidate a certificate.

(7) After successful passing of the inspector’s exam, upon proposal from the chairman of the examining board, the Chairman of the Authority shall appoint an inspector - candidate to the position of an inspector in writing and shall issue an inspector’s license.

(8) The chairman of the authority and the vice-chairman of the Authority shall receive inspector license as at the date of their appointment to their positions.

(9) The inspector, in carrying out inspection activities, identifies himself with the license of an inspector.

(10) Inspections can only be performed in a manner not detrimental to human health and safety and the environment.

(11) The Inspector is authorized to:

a. Enter at any time and without restrictions the premises of the authorisation holders and the premises of nuclear installations and the premises, where nuclear materials, special materials and equipment are held or where radioactive waste or spent nuclear fuel are managed, to carry out inspection activity, to ascertain how the professionally competent employees, the licensed employees, unless performing an activity having direct impact on the nuclear safety at that moment, know the regulations, to establish the status, the causes and the consequences of operational event and an event during transport of radioactive materials, as well as to check the state of emergency preparedness, to check compliance with the nuclear safety, physical protection, compliance with the operational regulations, to verify professional competence of the employees of the authorisation holder and to participate in investigations of operational events and events during transport of radioactive materials,

b. Control, to participate in exams and perform tasks in order to establish, whether the requirements arising from this Act, the generally binding legal regulations issued on the basis thereof and the conditions specified in the decisions of the Authority and in the protocols from inspections are complied with,

c. Require submission of documentation, records or other documents necessary for performance of inspection activity and to request copies thereof and to provide information and explanations,

d. Take necessary number of samples of materials or media, which are used or are being handled, or to take samples from the environment for analysis after notification to the statutory body of the authorisation holder or to the commissioned employee

e. Use the technical means for making photo-documentation, video documentation and audio documentation necessary for performance of inspection activity, unless their use is prohibited by special regulations, 6)

f. Order preserving the equipment, workplaces, structures and objects or parts thereof in the original state until the end of the investigation, or to order documenting the state of the equipment, workplaces, structures and objects or parts thereof at the time of carrying out the inspection,

g. Order measurements, control, tests and other actions necessary for carrying out inspection activity,
h. Impose measures to eliminate the deficiencies including mandatory deadlines for their fulfilment after discussing the deficiencies with the statutory body of the legal person or with a person authorized by the statutory body or with a natural person – the authorisation holder in a form of a protocol,

i. Withdraw the license of special professional competence, if there were such shortcomings identified with a licensed employee in special professional competence or in his activity, leading to threat or which could have lead to a direct threat to nuclear safety, or withdraw the certificate of professional competence, if such shortcomings were identified with the lecturer in his professional competence or in his activity, leading to or which could lead to lack of training of licensed employees of authorisation holders,

j. Require information demonstrating fulfilment of obligations according to Section 23 par. 2 subpar. a).

(12) Such withdrawn license of special professional competence or certificate of professional competence shall be referred to the Authority by the Inspector for further steps. The Authority shall decide within one month from the date of withdrawal on either withdrawing it or returning.

(13) A license of special professional competence or certificate of professional competence can be withdrawn for a specific period of time, however, at the most for a period of three years, or permanently. It is removed for a specific period if there is a presumption that the reasons for which it was withdrawn shall terminate. Its returning is conditional upon verification of special professional competence or professional competence of an employee and by passing the exam before an examining board or a panel. In case of permanent loss of physical ability or mental capacity of the holder of license of special professional competence the license is removed permanently.

(14) Powers of an Inspector under paragraph 11 shall apply to the extent that is appropriate also to local investigation in the proceedings for granting a permission or authorisation, as well as for conducting checks of persons, if there is reasonable suspicion of carrying out activities under this Act without the permission or authorisation or persons where there is reasonable assumption that they carry out activities in the field of use of nuclear energy for other than peaceful purposes.

(15) Unless this Act stipulates otherwise, the basic rules of control activity apply also for inspection activity as specified in a special regulation. 41)

(16) Inspection activity carried out in a manner and under the conditions stated in paragraphs 1 to 15, and exercise of powers by the Authority as stated under Section 4 par. 1 subpar. a) to e), j), k) and par. 2 and 3 is a performance of state supervision.

Section 32
Shutdown of operation of nuclear installation

(1) If there is risk of default or if serious facts occur important in terms of nuclear safety, physical protection or emergency preparedness, the Authority shall decide about restrictions in the scope or validity of the authorisation or on imposing on the authorisation holder to carry out the necessary measures, or shall decide about the shutdown of the nuclear installation.

(2) If another authority decides about shutdown of operation of a nuclear installation for other reasons, than a threat to safety, such authority is required to reimburse the authorisation holder the costs needed for securing nuclear safety and the relevant portion of costs to the National Nuclear Fund for...
decommissioning of nuclear facilities and management of spent nuclear fuel and radioactive waste, for decommissioning of a nuclear installation, which was incurred as a consequence of such a decision.

Section 33
International inspections

(1) An international inspection shall mean an activity, which is performed by international inspectors on the basis of international treaties, by which the Slovak Republic is bound.

(2) An inspection mandate is a document authorizing the international inspectors to carry out inspections according to paragraph 1.

(3) Any natural person or legal person is required to provide the necessary concurrence to the international inspectors during their inspection activity within the scope corresponding to their rights under the Inspection Mandate.

(4) Any natural person or a legal person affected by an international inspection has the right to get acquainted with the Inspection Mandate.

(5) An international inspection can only be performed in a manner that is not detrimental to human health and safety or to the environment.

(6) Provisions of paragraphs 1 to 5 shall also apply mutatis mutandis to other authorized persons commissioned by the European Commission carrying out this activity according to special regulation. 42)

(7) The Authority’s inspector may take part in an international inspection, and if the control is carried out by persons pursuant to paragraph 6, also representatives of the ministries and other central bodies of state administration within their scope as specified by a special regulation. 43)

(8) If necessary to achieve the objectives or performance of an international inspection, the Authority may request the Police Corps and the customs authorities for cooperation. In the request the Authority shall indicate the extent of collaboration required. The Police Corps and the customs authorities are required to grant the request of the Authority within their scope of powers. If there is a risk of default, the Authority is authorized to request the competent court to order urgent measures for entry of the international inspectors to the premises of the subject of the international inspection.

Offences and other administrative misdemeanour

Section 34
Administrative misdemeanour and offences

(1) The Authority shall impose a fine of up to 2,000,000 to a authorisation holder, who violated the provisions of Section 3 par. 2, 9, 10 or 12.

(2) The Authority shall impose a fine of up to Euro 1,000,000 to a legal person, who violated the provisions of Section 3 par. 6.

(3) The Authority shall impose a fine of up to Euro 332,000 to an authorisation holder for breach of obligations arising from Section 10, or for non-compliance with the conditions of the permission or
authorisation or for failure to implement the measures within the given deadlines as imposed by the Authority or failure to implement a measure of an inspector for removal of deficiencies pursuant to Section 31 par. 11 subpar. h).

(4) The Authority shall impose a fine of up to Euro 33,200 to a legal person for failure to fulfil obligations arising from Section 3 par. 13 and 14, Section 12 par. 2 and 3 and in Section 33 par. 3.

(5) The Authority shall impose a fine of up to Euro 16,597 to a authorisation holder for failure to notify information important for performance of state supervision or for failure to notify facts important in terms of nuclear safety, physical protection, emergency planning or for inclusion of an employee for performance of activities, for which he does not satisfy the condition of professional competence or special professional competence.

(6) An offense is committed by a natural person, who violates the provision of Section 3 par. 6 or fails to comply with the obligations specified under Section 3 par. 13 and 14, under Section 12 par. 2 and 3 and under Section 33 par. 3. For such offences the Authority shall impose a fine of up to Euro 3,320. In the proceedings for an offense the Authority proceeds according to a special regulation. 44)

(7) Anyone, who failed to remedy the deficiencies for which a fine had been imposed within the specified time period, can get another fine up to the double of the amount of fine that may be imposed pursuant to paragraphs 1 to 5.

(8) Proceeding for the imposition of fine pursuant to paragraphs 1 to 5 can be initiated within one year from the date, when the Authority found the violation of obligations, however, not later than within three years from the date, when the breach of obligations occurred.

(9) In imposing fines and determining their amounts pursuant to par. 1 to 5 the seriousness, the manner, duration and possible consequences of breach of obligations are taken into account in particular, as well as the cooperation and attitude of the supervised entities or affected natural persons or legal persons when eliminating consequences of deficiencies and to the adopted measures. In justified cases the Authority may waive the imposition of a fine.

(10) By imposition of a fine to a authorisation holder or to other natural persons or legal persons their criminal liability remains intact, as well as the criminal liability of their employees.

(11) Fines are an income for the National Nuclear Fund for decommissioning of nuclear facilities and management of spent nuclear fuel and radioactive waste.

Section 34a

Contributions from the authorisation holders for state supervision

(1) The authorisation holder, pursuant to Section 5 par. 3, is required to pay an annual contribution for the relevant year for performance of state supervision (hereinafter only as the "Annual Contribution").

(2) The Annual Contribution is payable in the relevant year according to the data for the previous year, while changes in the basis for calculating the Annual Contribution that occur in the course of the previous year are not taken into account, unless this Act stipulates otherwise.

(3) If the legal person or the natural person is a holder of several types of authorisations pursuant
Section 5 par. 3, such authorisation holder is required to pay an Annual Contribution for each activity, for which a authorisation had been issued.

(4) The Annual Contribution for commissioning of a nuclear installation and operation of nuclear installation [Section 5 par. 3 subpar. b and c)] according to the type of nuclear installation is:

a. Euro 766.76 for each MWt nominal installed thermal capacity established as at 1 January of the previous year, for nuclear installation pursuant to Section 2 subpar. f) first bullet point; if there was a permanent reduction in the nominal installed thermal capacity to a zero level and if this condition persisted as at 1 January of the previous year, the nominal installed thermal capacity shall mean the highest designed output prior to its permanent reduction to zero level,

b. Euro 36.51 for each fuel assembly stored at the end of the previous year for a nuclear installation pursuant to Section 2 f) the third bullet point,

c. Euro 41.99 for each GBq activity of radioactive waste conditioned for disposal in the course of the previous year at a nuclear installation pursuant to Section 2 f) the fourth bullet point,

d. Euro 91.28 for each fiber-concrete container disposed in the course of the previous year at a nuclear installation pursuant to Section 2 f) the fourth bullet point,

e. Euro 6.22 for each TBq of maximal designed activity of stored radioactive waste established as at 1 January of the previous year, for a nuclear installation pursuant to Section 2 f) the fourth bullet point.

(5) The annual contribution for the construction of a nuclear installation [Article 5, paragraph 3, letter a)] according to the type of nuclear installation is:

a) for a nuclear installation pursuant to Article 2; letter f), point one, 1.5 times the amount of the contribution pursuant to paragraph 4, letter a); nominal installed heat output is understood to be the projected nominal installed heat output,

b) for a nuclear installation pursuant to Article 2, letter f), point three and point four, apart from a nuclear installation pursuant to paragraph 4, letter e), at the amount pursuant to paragraph 4, letters b) to d); the state at the end of the previous year is understood to be the projected state as of 31 December of the year in which twelve months have passed since the nuclear installation began to operate.

(6) The Annual Contribution for the decommissioning phase of a nuclear installation [Section 5 par. 3 d)] pursuant to the type of a nuclear installation is:

a) 107,346.40 Euros for the decommissioning stage of a nuclear installation of nuclear power plant A1 in Jaslovske Bohunice,

b) 527,147.50 Euros for the decommissioning stage of a nuclear installation of nuclear power plant V1 in Jaslovske Bohunice,

c) 5 % of the Annual Contribution pursuant to par. 4 b), while a condition as at the end of the year shall mean the condition as at 31 December of the year preceding the year, in which the authorisation for the decommissioning phase came into force,

d) 5 % of the Annual Contribution pursuant to par. 4 c), while taking into account the contribution in the year, in which the maximal activity was reached,

e) 5 % of the Annual Contribution pursuant to par. 4 e).

(7) The Annual Contribution for institutional control of nuclear installation pursuant to Section 2 subpar. f) the fourth bullet point [Section 5 par. 3 subpar. e)] is Euro 5,000.
(8) The Annual Contribution for activities pursuant to Section 5 par. 3 subpar. f) to n) is Euro 182.56.

(9) The obligation of the authorisation holder to pay the Annual Contribution arises on the first day of the calendar month following after the month, in which this authorisation came into force. The obligation of an authorisation holder, who was also an authorisation holder in the previous year and continues to be authorisation holder in the relevant year, the obligation to pay the Annual Contribution arises on 1 January of the relevant calendar year.

(10) The authorisation holder is required to pay the Annual Contribution in four equal installments, and that is by the 15th day of the first month of the calendar quarter; this obligation does not apply for par. 11.

(11) If the Annual Contribution does not exceed the amount of Euro 331.93, it is payable in a single installment by 15 January of the relevant calendar year.

(12) The authorisation holder, whose authorisation came into force in the course of the calendar year, shall pay for this calendar year a proportional part of the Annual Contribution, and that is by the 15th day of the calendar month, in which this obligation arose. If the proportional part of the Annual Contribution does not exceed Euro 331.93, it is payable in a single installment, otherwise the procedure to be followed is pursuant to par. 10.

(13) The authorisation holder, whose authorisation was revoked in the course of the calendar year, his authorisation was terminated or replaced with another type of authorisation, shall pay a proportionate part of the Annual Contribution for that calendar year. The paid amount, which exceeds the proportion of the Annual Contribution, is refunded by the Authority within 15 business days from the date of termination of authorisation or after the effective date of its termination.

(14) Proportional part of the Annual Contribution pursuant to par. 12 and 13 shall be calculated as 1/12 of the Annual Contribution multiplied by the number of calendar months, in which the authorisation was or will be valid.

(15) The obligation to pay the Annual Contribution terminates on the first day of the month following after the month, in which the decision on termination of authorisation came into force or in which the authorisation terminated.

PART NINE
COMMON, TRANSITIONAL AND FINAL PROVISIONS

§ 35
Relationship to the Administrative Order

(1) The action by the Authority shall be subject to the general regulation on administrative proceeding 45) except for the time limits provided for the issuance of a decision in proceedings pursuant to Section 8 par. 5 and Section 15 par. 4, except for the requirements of the decision in proceedings pursuant to Section 15 par. 4, Section 16 to 16l and 24, and except for the form of filing application according to par. 2.
(2) An application pursuant to this Act shall be submitted to the Authority in paper form or in electronic form. The application in electronic form must be authorized in accordance with the provisions of special regulation 45a) and delivered to the electronic mailbox of the Authority; 45b) The documentation attached to the application in the electronic form shall be submitted electronically on a storage medium and in paper form. In proceedings based on the documentation containing classified information or sensitive information, 45c) the application including the documentation pursuant to this Act shall be submitted to the Authority in paper form and electronically on a storage medium according to special regulations. 45d)

§ 35a

Common provisions on the annual contribution

(1) The Annual Contribution or its installment or a proportionate part of the Annual Contribution or an installment thereof, are considered to be paid on the date, when credited to the revenue account specified by the Authority with the State Treasury.

(2) If the Annual Contribution or its installment or a proportionate part of the Annual Contribution or an installment thereof have not been paid duly and on time, pursuant to Section 34a par. 1 the authorisation holder is required to pay a default interest on the due amount for each day of delay in the amount of the base interest rate of the European Central Bank valid as at the first day of delay. The Authority is not required to enforce the default interest if it does not exceed the amount of Euro 50.

(3) The Annual Contribution, its installment, the proportionate part of the Annual Contribution, an installment thereof, and the default interest are income for the state budget. The Annual Contribution, its installment, the proportionate part of the Annual Contribution, an installment thereof, and the default interest shall be collected by the Authority.

(4) The Annual Contribution, its installment, the proportionate part of the annual contribution, an installment thereof, and the default interest are paid by bank transfer or by depositing cash to the income account maintained by the State Treasury specified by the Authority. Variable symbol to be used is the number allocated to individual authorisation holders pursuant to Section 34a by the Authority.

Section 36
This Act is transposing the legally binding acts of the European Union listed in Annex 4.

Section 37
Transitional provisions

(1) Validity of authorisations issued under previous regulations expires on the date of effect of this Act, except authorisations for activities, which are stated under Section 5 par. 2 and 3 hereof. Other decisions issued under the previous regulations are deemed to be as decisions issued under this Act.

(2) Any proceedings initiated prior to the effectiveness of this Act shall be completed pursuant to the previous regulations. Any proceedings for granting authorisations shall be closed as at
the date of effect of this Act.

(3) If performance of some activities in the field of use of nuclear energy is not in compliance with the terms and conditions specified under this Act, the legal person or the natural person is required to immediately negotiate with the Authority any measures for making them compliant with this Act. The measures must be performed within the time limit set by the Authority, however, not later than within six months from the date of effect of this Act.

(4) Any new licenses for the Inspectors pursuant to this Act shall be issued by the Authority within three months from the date of effect of this Act.

Section 37a
Transitional provisions for regulations effective from 1 January 2008

(1) The authorisation holder, whose authorisation entered into force prior to 1 January 2008, has the obligation to pay an Annual Contribution on 1 January 2008.

(2) The authorisation holder pursuant to paragraph 1 is required to pay the first installment of the Annual Contribution pursuant to Section 34a par. 8 for year 2008 or the whole amount of the Annual Contribution pursuant to Section 34a par. 9 for year 2008 not later than by 31 January 2008.

Section 37b
Transitional provisions for regulations effective from 25 December 2008

(1) Any proceedings initiated or cross-border shipments permitted prior to 25 December 2008 shall be completed pursuant to the previous laws.

(2) Any proceedings initiated prior to the effectiveness of this Act shall be charged in a manner and applying the rates according to the previous regulations.

Section 37ba
Transitional provisions for regulations effective from 1 May 2010

(1) Payments of Annual Contributions and installments of the proportionate part of the Annual Contributions, which have been calculated with the rates and paid within the time limits pursuant to the previous regulations by 30 April 2010, are considered to be installments of the Annual Contributions according to the rates valid from 1 May 2010.

(2) Payments of the Annual Contributions and installments of the proportionate part of the Annual Contributions, the due date of which according to the previous regulations, as well as pursuant to this Act is set from 1 May 2010, the authorisation holder is obliged to pay according to the rates and within the deadlines valid from 1 May 2010.

Section 37bb
Transitional provisions for regulations effective from 1 November 2011

(1) The quality management system documentation approved by the Authority prior to 1 November 2011 shall be deemed to be the quality management system documentation approved pursuant to a regulation effective from 1 November 2011.
(2) Requirements for quality of nuclear installations and requirements for quality of classified equipment approved by the Authority prior to 1 November 2011 are deemed to be approved according to a regulation effective from 1 November 2011.

(3) If it is necessary to modify the documentation pursuant to paragraph 1 or the requirements according to par. 2, the authorisation holder shall submit any proposals for changes to the Authority for approval pursuant to the regulation effective from 1 November 2011.

**Section 37bc**

**Transitional provisions for regulations effective from 1 August 2013**

A licence for operation of nuclear installation with the time restriction, issued on the present act basis, and, which have to expire after 1 August 2013 upon the present act basis, is considered to be a licence for operation of nuclear installation without any time limitation.

**Section 37bd**

**Transitional provisions for regulations effective from 1 July 2016**

Any proceedings initiated prior to 1 July 2016 that have not been legally terminated shall be governed by the regulations effective until 30 June 2016.

**Section 37c**

This Act was adopted in compliance with the legally binding Act of the European Union in the field of technical standards and technical regulations. 46)

**Section 38**

**Repealing provisions**

The following is being repealed:


2. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 29/1999, issuing the list of special materials and equipment,

3. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 30/1999, specifying the details on maximal limits for quantities of nuclear materials, where there is no assumption of causing nuclear damage,

4. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 186/1999, establishing the details on providing physical protection for nuclear installations, nuclear materials and radioactive waste,

5. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 187/1999 on professional competence of employees of nuclear installations in the wording of the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 317/2002,
6. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 198/1999 on registration and control of nuclear materials,

7. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 245/1999 on emergency planning for the case of incident or accident in the wording of the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 318/2002,

8. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 246/1999 on documentation regarding nuclear installations during their decommissioning.

9. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 284/1999 on details regarding transport of nuclear materials and radioactive waste,

10. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 31/2000 on events at nuclear installations,

11. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 190/2000, establishing the details on radioactive waste management and spent nuclear fuel management,

12. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 317/2002 on requirements for the quality system of authorisation holders and on amendments and complements to the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 187/1999 on professional competence of employees of nuclear installations,

13. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 318/2002 on safety documentation of nuclear installation and on amendments and complements to the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 245/1999 on emergency planning for the case of incident or accident,

14. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 121/2003 on nuclear safety assessment,

15. Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 167/2003 on requirements for nuclear safety of nuclear installations.

**Article II**


1. In Section 121 par. 2 is complemented with subparagraph e), with the following text:

"e) The Nuclear Regulatory Authority of the Slovak Republic for constructions of nuclear installations and structures relating to nuclear installation located within the area bounded by the boundaries of a nuclear installation.".

2. In Section 126 par. 1 after the word "environment" the following words are inserted:"and on
nuclear safety of nuclear installations”.

3. In Section 126 par. 3 the following words are deleted “building permit and the final building approval”.

**Article III**
Cancelled

**Article IV**

Act No. 95/2000 on labour inspection and on amendments and complements to certain laws in the wording of Act No. 231/2002, Act No. 121/2004 and Act No. 215/2004 shall be complemented as follows:

After Section 16 a new Section 16a is inserted, with the following text: "§ 16a

The state administration authorities in the field of labour inspection, when performing supervision over occupational health and safety and security of technical equipment in nuclear energy sector, coordinate their activity with the Nuclear Regulatory Authority of the Slovak Republic, 15a) performing state supervision over nuclear safety.”.

Foot note to ref. 15a:

"15a) § 4 par. 4 of Act No. 541/2004 on peaceful use of nuclear energy (the Atomic Act) and on amendments and complements to certain laws."

**Article V**
Cancelled from 1 June 2010

**Article VI**

This Act enters into effect on 1 December 2004 with the exception of Section 3 par. 9 and 10, which enter into effect from 1 January 2012.

Act No. 238/2006 entered into effect on 1 July 2006.


Act No. 94/2007 entered into effect on 1 January 2008.


Act No. 120/2010 and Act No. 145/2010 entered into effect on 1 May 2010.

Act No. 137/2010 entered into effect on 1 June 2010.

Act No. 350/2011 entered into effect on 1 November 2011.

Act No. 143/2013 entered into effect on 1 August 2013 apart from new wording of Art. 29 (6) (a) and (b), Art. 34a (4) (a), Art. 34a (5), Art. 34a (6) (a) and new letter (b), which entered into force on 1 January 2014.
ANNEX 1: DOCUMENTATION OF NUCLEAR INSTALLATIONS NECESSARY FOR INDIVIDUAL DECISIONS

A. Documentation necessary for the written application for approval of the siting of a nuclear installation

a) Reference safety report,
b) Reference report on the method of decommissioning,
c) Project proposal for physical and technical solution of nuclear installation on the level of reference project,
d) Reference report on the method of radioactive waste management and spent nuclear fuel management,
e) Requirements for the quality of nuclear installation,
f) Proposal of boundaries of a nuclear installation,
g) Proposal for the size of the emergency planning zone for a nuclear installation,
h) Assessment of the impact of nuclear installation on the environment, if established by a special regulation, 8) as well as assessment of the potential impact of the surrounding environment on the nuclear installation.

B. Documentation necessary for written application for building permit for construction of a nuclear installation

a) Preliminary safety report proving fulfillment of legal requirements for nuclear safety on the basis of data, which are contemplated in the design,
b) Design documentation necessary for the building proceedings,
c) Preliminary plan for radioactive waste management, spent nuclear fuel management including their shipment,
d) Preliminary conceptual decommissioning plan,
e) Categorization of classified equipment into safety classes,
f) Preliminary plan of physical protection,

g) Quality management system documentation and requirements for quality of nuclear installations and their assessment according to point A letter e),

h) Preliminary on-site emergency plan,

i) Preliminary limits and conditions for safe operation,

j) Preliminary program of control of nuclear installation prior to its operation,

k) Preliminary demarcation of boundaries of nuclear installation by specifying the data stated under point A f),

l) Preliminary demarcation of the size of the emergency planning zone of a nuclear installation by specification of data stated under point A g),

m) Documentation according to Section 6 par. 2 j).

C. Documentation needed for the written application for authorisation for commissioning of a nuclear installation and operational authorisation

a) Limits and conditions for safe operation,

b) List of classified equipment broken down to safety classes, c) programs of testing classified equipment specified by the Authority,

d) Commissioning program of a nuclear installation broken down to phases,

e) Program of operational controls of classified equipment,

f) Quality management system documentation and requirements for quality of a nuclear installation and their assessment according to point B letter g),

g) Operating regulations specified by the Authority, h) on-site emergency plan,

i) Pre-operational safety report specifying the report referred to in point B a),

j) Probabilistic safety assessment of operation for shutdown reactor and for low power levels, as well as for the full reactor power for nuclear installations with nuclear reactor

k) Physical protection plan, including the contract with the Police Corps according to Section 26 par. 10, as well as the description of the method of implementing aviation operations 13) at the premises or in the vicinity of a nuclear installation,

l) Plan for radioactive waste management, spent nuclear fuel management including their shipment, m) conceptual decommissioning plan for the nuclear installation,

n) Document supporting the secured financial coverage for liability for nuclear damage, except the repository under a special regulation, 7b),

o) System of training for the employees,
p) Training programs for licensed employees,
q) Training programs for professionally competent employees,
r) Documents on meeting the qualification requirements for licensed employees and professionally competent employees,
s) Documents on readiness of the nuclear installation for commissioning, for the trial operation, report on evaluation of the commissioning of the nuclear installation and of permanent operation, report on evaluation of the trial operation,
t) Off-site emergency plans for the regions in the emergency planning zone,
u) Demarcation of boundaries of the nuclear installation by specification of data stated under point B k),
v) Demarcation of the size of the emergency planning zone for the nuclear installation by specifying the data stated under point B l),
w) Documentation pursuant to Section 6 par. 2 j).

D. Documentation necessary for the written application for licensing the decommissioning phase
a) Limits and conditions for safe decommissioning,
b) Quality management system documentation and requirements for quality of nuclear installations,
c) on-site emergency plan,
d) Decommissioning phase plan,
e) Concept of decommissioning for the period after the end of licensed phase of decommissioning,
f) Physical protection plan, including the contract with the Police Corps pursuant to Section 26 par. 10, as well as the description of method of implementation aviation operations 13) within the premises or in the vicinity of the nuclear installation,
g) Plan for radioactive waste management and transport and plan for handling conventional waste from the decommissioning,
h) Document on secured financial coverage of liability for nuclear damage under a special regulation,7b),
i) Program of inspections of classified equipment,
j) Operational procedures defined by the Authority,
k) System of professional training of employees,
l) Training programs for licensed employees,
m) Training programs for professionally competent employees,
n) Documents on fulfilment of qualification requirements of licensed employees and of professionally competent employees,
o) Plan to protect the region’s population in the emergency planning zone,

p) Changes to the boundaries of nuclear installations by specification of data stated under point C letter u),

q) Changes to the size of the emergency planning zone of nuclear installation by specification of data stated under point C subpar. v),

r) Categorization of classified equipment into safety classes.

E. Documentation necessary for the written application for authorisation for closure of a repository and for institutional control

a. Overall assessment of the status of the repository and its operation, including the description of changes and modifications to the repository and their

b) Safety assessment,

c) Total inventory of disposed radioactive waste,

d) Plan for repository closure and institutional control including safety analyses,

e) Program of monitoring including proposal for possible corrective actions,

f) System of training of employees,

g) Training programs for professionally competent employees,

h) Documents on fulfilment of qualification requirements for competent employees,

i) Quality management system documentation and requirements for quality of nuclear installations, i) changes to the boundaries of the nuclear installation by specification of data stated under point C u),

j) Changes to the size of emergency planning zone of nuclear installation by specification of data stated under point C v).

F. Documentation necessary for the written application for approval of excluding a nuclear installation from the scope of this Act:

a. Final description of the territory of the decommissioned nuclear installation and of all works performed during decommissioning,

b. Summary data on the quantity and the activity level of disposed long-term stored radioactive waste and on the quantity of radioactive waste from decommissioning and materials release to the environment,

c. List of data, which shall be retained after completion of the decommissioning together with the retention time, d) final assessment of the radiation situation of objects and the territory,

d. Institutional measures for limited use of objects and the territory, f) contract pursuant to Section 20 par. 7, if required by the circumstances.

ANNEX 2 A. Documentation necessary for the written application for authorisation of
transportation of radioactive materials

a. Identification data of the carrier,
b. Type and the quantity of radioactive materials identified for transport,
c. Transport route,
d. Expected date of transportation,
e. Safety documentation:
   1. program of health protection against adverse effects of ionizing radiation,
   2. transportation order, including emergency transport order,
   3. quality management system documentation for the transportation,
   4. plan of securing physical protection,
f. Document on approval of the type of transport equipment,
g. Document on secured financial coverage for liability for nuclear damage, if required under a special regulation, 7b),

h. In case of authorisation for transit of nuclear materials and spent nuclear fuel, a document from the relevant state authority of the shipper that their taking back is secured in case that the transit is not completed,

i. Authorisation for transport of nuclear materials and spent nuclear fuel issued by the relevant authorities of the country of the consignee or the shipper and of the transit countries in case of international transportation,

j. Declaration of the relevant authority of the consignee’s country that the nuclear material or spent nuclear fuel shall be used in compliance with the special regulation, 46)

k. Authorisation for imports or exports of nuclear material,
l. Duly concluded commercial contract approved by the European Commission, in case of nuclear material, or draft of a contract, or contract between the applicant and his partner together with a precise specification of special materials and equipment and their volume, except the planned transport of quantities and materials as stated in special regulations, 47)

m. Authorisation for handling nuclear materials granted to a natural person or a legal person exporting or importing the nuclear materials.

B. Documentation necessary for the written application for authorisation of imports and exports of nuclear materials, exports of special materials and equipment pursuant to Section 14

a. Identification data of the applicant, in case of a natural person, the first name and family name, date of birth, address of residence, in case of legal person, the name, registered office, identification number of the organization, the first name, family name and address of residence of a statutory body or its member,
b. Type and the quantity of nuclear materials to be imported or exported, type and quantity of special
materials and equipment to be exported,
c. Name of the country, to which the nuclear materials, special materials and equipment are to be exported or from which the nuclear materials are to be imported,
d. Expected date of imports or exports,
e. In case of imports of nuclear materials a confirmation that the applicant for authorisation holds an authorisation for handling nuclear materials or that it has contractually secured other natural person or legal person, who is a holder of authorisation for handling nuclear materials, who will handle the imported nuclear materials,
f. In case of exports of nuclear materials, special materials and equipment a guarantee from the country of the consignee that the nuclear materials, special materials and equipment shall not be handled in contradiction with the requirements of an international treaty, by which the Slovak Republic is bound, 1)
g. In case of imports of nuclear materials, declaration from the applicant for authorisation, in which he undertakes:
   1. not to use the given material or equipment for purposes that would be in contradiction with the international treaty, by which the Slovak Republic is bound, 1) and would help to achieve any military objectives,
   2. Secure physical protection of such materials and equipment in compliance with Section 26,
   3. Not to hand over the given material or equipment to other natural person or legal person without the authorisation of the Authority.

ANNEX 3 PART A

FIELDS OF NUCLEAR ENERGY REQUIRING REGULATED EDUCATION AND TRAINING OR AT LEAST FIVE MONTHS EXPERIENCE RELATING TO

a. Research in nuclear energy in the areas specified under part B,
b. Management, maintenance, repair or technical operation of objects and equipment for:
   1. Production, separation or any use of ores, source materials or special fissile materials or for reprocessing of spent nuclear fuels,
   2. Isotope separation,
   3. Production of special materials needed in the nuclear field, such as moderators and structural, cladding and shielding materials specially designed for nuclear use,
   4. Generation of nuclear energy,
   5. Disposal of nuclear waste and radioactive contamination,
   6. Transport or storage of radioactive materials,
   7. Production, preparation or use of radioactive isotopes,
c. Planning, designing or construction of buildings or equipment or structural part of buildings or equipment used in the areas referred to in subparagraphs a) and b),
d. Radiation protection.
PART B

LIST OF REGULATED PROFESSIONS IN THE FIELD OF NUCLEAR ENERGY

A profession requiring knowledge that is equivalent to knowledge of nuclear engineer or nuclear technician

Profession, requiring the knowledge in one of the following areas:

a. Working conditions typical for the nuclear industry and when designing nuclear installations (nuclear engineer and nuclear technician),
b. Special mechanical issued related to nuclear industry and when designing auxiliary equipment (mechanical engineer and technician),
c. Effect of radiation on materials and nuclear properties of various substances used as fuels, moderators and structural materials for nuclear installations; preparation of nuclear substances, reprocessing of spent fuel, disposal of radioactive waste or decontamination (chemical engineer and technician),
d. Properties of ceramic materials used in nuclear energy (uranium and thorium oxides, uranium carbide, etc.) (engineer and technician for ceramic materials),
e. Properties of structural materials for nuclear reactors, of cladding materials for fuel and for metallic fuel; behavior of such materials during irradiation and presence of substances used in reactors or in reprocessing facilities (metallurgy engineer and technician),
f. Control of nuclear reactors, measurement of radioactivity (electrical engineer and technician),
g. Neutron physics of nuclear reactors and the main requirements arising from that (thermodynamics analyses engineer and technician),
h. Special properties and operational supervision of the reactor and the measures necessary in the event of a major breakdown (operating engineer and technician),
i. Assessment and control of the technical security of the reactor and of the experimental nuclear installation (safety engineer and technician).

Prospector
Profession involving indicating radioactivity with the aid of special instruments (Geiger-Müller counters, etc.) in locations identified by the geologists; interpretation of information obtained for the purpose of later research.

Test driller in uranium mines
Profession requiring the ability to manage operations relating to test drills for the purpose of determining the nature of land and to detect the presence of radioactive materials and to interpret the information obtained for the purpose of directing later operations.

Mine superintendent in a uranium mine
Profession involving management, supervision and/or control of one or several or all underground sections or operations in an uranium mine or implementation of technical research or complicated measurements and supervision of compliance with the safety measures required by the special nature of these mines.

Laboratory technician
Profession involving study of radioactive ores and in cooperation with the analysts carrying out chemical and physical analyses of samples in order to determine the intensity of radiation of samples,
their chemical composition and other properties.

**Specialist (preparation of fuel elements)**
Profession involving performance of activities in fabrication of fuel elements by forging, their inspection and testing; preparation and acceptance of metallic fuel cladding.

**Reactor Operator**
Profession involving reactor operation and requiring knowledge of the basics of the electronics and reactor dynamics, as well as the ability to interpret diagrams and to locate and repair minor breakdowns.

**Reactor operation supervisor**
Profession involving reactor operation and requiring good general knowledge and a thorough knowledge of all typical reactor properties; ability to give order and to adopt decisions.

**Specialist for loading, unloading and cooling of nuclear fuels**
Profession requiring the ability to handle the equipment for loading, unloading and cooling of nuclear fuels according to the instructions.

**Laboratory technician (hot laboratory)**
Profession involving ability to interpret diagrams and to carry out the necessary installation and setting, to be able to undertake tests independently according to detailed instructions and to express results in quantitative energy levels; knowledge of the dangers arising from radiation and the ability to use remote control apparatus.

**Design engineer (specialist for nuclear field)**
Profession requiring preparing a simple design based on written data and to illustrate such data by quickly created drawings or sketches providing a visual interpretation of the subject of design according to the specification and to use valid regulations for protection against radiation.

**Operator (particle accelerator)**
Profession involving operating and handling of high voltage equipment for electrostatic accelerators; construction, use and handling of ion sources; handling and operation of apparatus for detecting and measuring radioactivity, etc.

**Radiation protection technician**
Profession involving safety oversight of staff operating reactors, or staff in uranium mines or other nuclear installations, and which requires deep knowledge of the dangers arising from radiation, and on radiation protection.

**Decontamination technician**
Profession involving ability to carry out in the event of contamination the necessary measures and certain special decontamination operations and if needed, to carry out practical measures.

**ANNEX 4**
**List of transposed legally binding acts of the European Union**

2) Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and the steps to be taken in the event of a radiological emergency (Special edition of OJ EU, chap. 15/issue 1; OJ ES L 357, 07/12/1989).


ANNEX 5 Cancelled from 25 December 2008

1) Section 3 par. 1 subpar. a) Regulation of the Government of the Slovak Republic No. 345/2006 on basic safety requirements for health protection of workers and the citizens from ionizing radiation.

1a) Section 2 par. 2 subpar. o) of the Act No. 355/2007 on protection, promotion and development of public health and on amendments and complements to certain laws.

1aa) Regulation of the Government of the Slovak Republic No. 345/2006 on the basic safety requirements for the protection of health of workers and the citizens from ionizing radiation. Act No. 355/2007 on protection, promotion and development of public health and on amendments and complements to certain laws, as amended.

1aaa) Art. 2 par. 2 subpar. u) of Act No. 355/2007 Coll.


1ac) Table 1 in Annex 2 to the Regulation of the Government of the Slovak Republic No. 345/2006 Section 2 par. 2 subpar. l) of Act No. 355/2007

1ad) Section 2 par. 2 subpar. t) of Act No. 355/2007

1b) For example, the Decree of the Minister of Foreign Affairs No. 61/1974 on the Treaty on the Non-Proliferation of Nuclear Weapons, Decree of the Minister of Foreign Affairs No. 62/1974 on Treaty on the Prohibition of placing nuclear weapons and other weapons of mass destruction at the bottom of the seas and oceans and its underground.


3a) Joint Convention on the safety of spent nuclear fuel management and on the safety of radioactive waste management (Communication of the Ministry of Foreign Affairs of the Slovak Republic No. 125/2002).


3d) Section 11 par. 1 subpar. h) of Act No. 211/2000 on free access to information and on amendments to certain acts (Freedom of Information Act) in the wording of Act No. 145/2010


5) Article 37 of the Treaty Establishing the European Atomic Energy Community.

6) Act No. 215/2004 on protection of classified information and on amendments to certain laws.

7) Section 121 par. 2 subpar. e) of Act No. 50/1976 on land use planning and the building order (the Building Act) as amended.

7b) Act No. 54/2015 Coll. on Civil Liability for Nuclear Damage and on its Financial Coverage and on changes and amendments to certain laws.

7c) Section 4, par. 4 of the Act No. 54/2015 Coll.

8) For example, Section 31 par. 2 of Act No. 24/2006 on environmental impact assessments and on amendments to certain laws, Act No. 50/1976 as amended.


10) For example, Section 5 par. 1 of Act No. 656/2004 on the energy sector and on amendments to certain laws, Act No. 125/2006 on labour inspection and on amendments to Act No. 82/2005 on
illegal work and illegal employment and on amendments to certain laws as amended.

10a) Section 29 and 37 Act No. 24/2006 Z. z. as amended.

11) Sections 66, 76, 83 and 84 of Act No. 50/1976 as amended.

11aa) Section 8 par. 1 of the Act No. 54/2015 Coll.

11ab) Section 8 par. 5 to 8 of the Act No. 54/2015 Coll.


12) Act of the National Council of the Slovak Republic No. 10/1996 on control in state administration as amended

13) For example, Section 44 of Act No. 143/1998 on civil aviation (the Aviation Act) and on amendments to certain laws in the wording of Act No. 37/2002

14) Article 79 of the Treaty Establishing the European Atomic Energy Community.


17) Chapter 7 of the Treaty Establishing the European Atomic Energy Community.

18) Section 9 par. 6 subpar. c), Section 13 par. 4 subpar. c) and Section 20 par. 3 subpar. b) of Act No. 21/2007 on goods and technology of dual use and on amendments to certain laws.

19) Act No. 264/1999 on technical requirements for products and on conformity assessment and on amendments to certain laws as amended.

20) For example, the Decree of the Minister of Foreign Affairs No. 64/1987 on European Agreement concerning the International Carriage of Dangerous Goods (ADR), the Decree of the Minister of Foreign Affairs No. 8/1985 on Convention on International Carriage by Rail (COTIF).

20a) Section 2 par. 2 subpar. m) of Act No. 355/2007


20c) Section 5 par. 5 of Act No. 355/2007

20d) Act No. 215/2004 on protection of classified information and on amendments to certain laws as amended.

20e) For example, Act No. 355/2007 in the wording of Act No. 140/2008, Regulation of the Government of the Slovak Republic No. 345/2006, the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 53/2006 establishing the details of requirements for handling of nuclear materials, radioactive waste management and spent nuclear fuel management, the Decree of the Nuclear
Regulatory Authority of the Slovak Republic No. 57/2006 establishing the details of requirements for shipments of radioactive materials, the Decree of the Ministry of Health of the Slovak Republic No. 545/2007, establishing the details of requirements for securing radiation protection in activities leading to irradiation and activities relevant for radiation protection, the Joint Convention on the safety of spent fuel management and on the safety of radioactive waste management (communication of the Ministry of Foreign Affairs of the Slovak Republic No. 125/2002).

20f) Section 45 par. 2 subpar. i) and j) and par. 3 subpar. d) of Act No. 355/2007

20g) Art. 27 of the Joint Convention on the safety of spent fuel management and on the safety of radioactive waste management (communication of the Ministry of Foreign Affairs of the Slovak Republic No. 125/2002).

20h) Section 1 and 7 par. 1 of the Act of the National Council of the Slovak Republic No. 270/1995 on the state language in the Slovak Republic.

21) Article 41 of the Treaty establishing the European Atomic Energy Community

22) Sections 43 to 85 of the Act no. 50/1976 as amended.

23) Section 66 of the Act No. 50/1976 as amended.

24) Act No. 44/1988 on protection and use of mineral resources (the Mining Act) as amended

25) Section 83 of act No. 50/1976 as amended.

26) Section 84 par. 1 and 2 of Act No. 50/1976 as amended.

27) Section 84 par. 3 of the Act No. 50/1976 as amended.

28) Act No. 238/2006 on the National Nuclear Fund for Decommissioning of Nuclear Installations and for spent nuclear fuel management and radioactive waste management (the Nuclear Fund Act) and on amendments to certain laws as amended.

Regulation of the Government of the Slovak Republic No. 312/2007 establishing the details on the method of collection and payment of mandatory contributions to the National Nuclear Fund for Decommissioning of Nuclear Installations and for spent nuclear fuel management and radioactive waste management.

29) Article 7, paragraph 4, of the Constitution of the Slovak Republic as amended by Constitutional Act No. 90/2001 Coll.

29a) Section 5 par. 5 subpar. b) Act No. 355/2007 Coll.

30) Section 11 of the Act No. 293/2007 on recognition of professional qualifications.

31) Act No. 576/2004 on health care, services related to health care and on amendments to certain laws as amended.

33) Section 2 subpar. b) of Act No. 293/2007
34) Section 2 subpar. c) of Act No. 293/2007
35) Sections 8 to 27 of Act No. 293/2007
36) Section 15 par. 1 subpar. c) of Act No. 355/2007
37) For example, the Act No. 312/2001 on civil service and on amendments to certain laws as amended.
37a) Annex 1 and 2 of the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 51/2006 establishing the details of requirements for physical protection,
37b) Section 4 par. 1 subpar. n) of Act No. 428/2002 on personal data protection.
37c) Act No. 482/2002 as amended.
37d) Section 50 Act No. 215/2004 Coll.
37e) Section 3 Act No. 42/1994 Coll. as amended.
38) For example, Section 13 par. 1 subpar. i) of the Act of the National Council of the Slovak Republic No. 42/1994 on civil protection of the population as amended.
38a) Articles 1 and 2 of the Convention on Early Notification of a Nuclear Accident (Notification No. 327/2001 Coll.).
38b) Article 1 of the Council Decision 87/600/Euratom.
38c) For example, the Act of the National Council SR No. 46/1993 Coll. on the Slovak Information Service as amended, Act No. 575/2001 Coll. on the organization of government activities and organization of the central state administration, as amended, Section 3 of the Act No. 355/2007 Coll. as amended.
41) Sections 8 to 13 of the Act of the National Council of the Slovak Republic No. 10/1996
42) Article 35 of the Treaty Establishing the European Atomic Energy Community.
43) For example, the Act No. 575/2001 on organization of the Government and organization of the central state administration as amended.
45) Act No. 71/1967 on administrative procedures (the Administrative Procedure) as amended.

45a) Section 23 par. 1 of Act No. 305/2013 Coll. on electronic form of exercising powers of the public authorities and on the amendment of certain laws (E-Government Act) as amended by Act No. 273/2015 Coll.

45b) Section 29 to 33 of Act No. 305/2013 Coll. as amended

45c) Section 2 par. 2 a) of Act No. 305/2013 Coll.

