

# NUCLEAR LAW

## Bulletin

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M E X I C O

STATUTORY LAW OF 14TH DECEMBER 1978 UNDER  
CONSTITUTIONAL ARTICLE 27 ON NUCLEAR ENERGY\*

(Official Gazette No. 19 of 26th January 1979)

CHAPTER I

General Provisions

ARTICLE 1

Radioactive ores, the use of nuclear fuels and the overall applications of nuclear energy shall be governed by the provisions of this law.

The provisions of this Law are a matter of public interest and subject to general observance in the Republic.

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\* Unofficial translation by the IAEA Secretariat.

ARTICLE 2

For the purpose of this Law the following definitions shall apply:

1. Radioactive ore

Ore containing uranium, thorium or a combination of both, and any other ores capable of being used for the fabrication of nuclear fuel as specifically determined by the Ministry of National Property and Industrial Development by means of an announcement published in the Official Gazette of the Federation.

2. Nuclear fuel

Natural uranium, uranium depleted to the extent fixed by the competent authority, and special fissile material.

3. Nuclear fuel cycle

The process which commences with extraction of the radioactive ore, continues with the fabrication of nuclear fuel and its use in the nuclear reactor, and terminates with the reprocessing of the spent fuel in order to separate the uranium and special fissile material from the radioactive waste, together with proper treatment and disposal of the latter, care being shown for the protection of the environment.

4. Nuclear material

Source materials and special fissile materials:

(a) Source materials are:

Uranium made up of the mixture of isotopes that it contains in its natural state;

Uranium in which the proportion of the isotope uranium 235 is below normal;

Thorium;

Any of the foregoing in the form of a metal, alloy, chemical compound or concentrate.

(b) Special fissile materials are:

Plutonium 239 and plutonium 241;

Uranium 235;

Uranium enriched in the isotopes uranium 235 or 233.

5. Radioactive material

Material which emits ionizing radiation.

6. Nuclear fuel burn-up

Burn-up is the operation by which the fuel elements are used in a nuclear reactor for the generation of nuclear energy and during which irradiated fuel is produced.

ARTICLE 3

The use of nuclear fuel for the generation of nuclear energy and the control of its application for other purposes, shall devolve solely upon the Nation.

It is the exclusive right of the Mexican State to carry out exploration, mining, beneficiation and marketing of radioactive ores and materials within the meaning of this Law. Radioactive ores shall not be the subject of concessions or contracts.

ARTICLE 4

Research and technology pertaining to nuclear fuels and reactors, as well as the nuclear fuel and reactor industry shall be regarded as being in the public interest.

ARTICLE 5

The Federal Executive, through the Ministry of National Property and Industrial Development, shall:

- I. Establish a framework for the use and development of nuclear energy and technology in accordance with the national energy policy;

- II. Authorize the programmes and projects on the use and application of nuclear energy to be submitted for its consideration by public or private organizations and private persons, where appropriate, under the provisions of Article 38 of this Law;
- III. Issue decisions relating to nuclear safety and safeguards, together with any others falling under the national energy policy.

## CHAPTER II

### Exploration, mining and beneficiation of radioactive ores

#### ARTICLE 6

Radioactive ore deposits constitute national reserves that the State alone may exploit. Radioactive ores are in all cases the property of the Nation.

#### ARTICLE 7

Concessions or grants for the exploration or mining of minerals found in mineralogical association with radioactive ores shall be made only when, in the opinion of the Ministry of National Property and Industrial Development, after consultation with the National Atomic Energy Commission and URAMEX\*, the radioactive ores are not technically or economically viable. In any event the Ministry shall fix the specifications for the mining operations and ensure that the conditions it imposes are met, as provided for in Articles 8 and 9.

#### ARTICLE 8

Any physical or juridical person having information on radioactive ore deposits shall notify the Ministry of National Property and Industrial Development to that effect in writing.

Whenever holders of mining grants or concessions discover the existence of radioactive ores on their respective lands, they shall advise the Ministry of National Property and Industrial Development in writing within thirty calendar days of the discovery. In case of default, they shall be penalized by a fine of up to one million pesos, without prejudice to the possibility of proceedings for withdrawal of the grant or concession. Should the parties to whom this obligation refers have mined the radioactive material in violation of the relevant regulations, the said fine may be increased to up to three times the value of the mined ore.

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\* URANIO MEXICANO.

## ARTICLE 9

When the concessionnaire or grantee referred to in Articles 7 and 8 reports the existence of radioactive ores, or when this fact is ascertained in another way, the State shall, as appropriate:

- I. Take charge of the exploration, mining and beneficiation work under the terms of Article 3 of this Law, and place the non-radioactive ores at the disposal of the relevant concessionnaire or grantee, with repayment by him of the cost of mining and beneficiating the ores handed over;
- II. Appoint an inspector to ensure that the concessionnaire or grantee does not mine or beneficiate the radioactive ores, or, should he do so, to ensure that he hands them over to the State.

## ARTICLE 10

The exploration and mining of radioactive ores and materials carried out by URAMEX under Articles 3 and 17 of this Law shall require the authorization of the Ministry of National Property and Industrial Development.

## CHAPTER III

### National Atomic Energy Commission

## ARTICLE 11

There shall be set up a National Atomic Energy Commission composed of a Chairman, who shall be the Minister of National Property and Industrial Development, an Executive Member and a Secretary, who shall both be appointed by the President of the Republic.

## ARTICLE 12

The National Atomic Energy Commission shall have the following functions:

- I. To co-ordinate the working plans and activities of the decentralized public organizations referred to in Chapters IV and VI of this Law;
- II. To make studies and draw up projects and programmes to serve as a basis for the Federal Executive in the exercise of the powers referred to in sub-paragraphs I and II of Article 5;

III. To compile reports serving as a basis for the Ministry of National Property and Industrial Development in the exercise of the powers referred to in Articles 7 and 10 of this Law;

IV. Any further functions as conferred on it under this Law.

#### ARTICLE 13

Every three months, and at any other time deemed necessary by its Chairman, the National Atomic Energy Commission shall hold a joint meeting with the authorities of the organizations referred to in subparagraph I of the preceding Article, in order to study and evaluate the results obtained and progress made by the organizations in their activities, and take the decisions necessary for optimizing co-ordination between them.

#### ARTICLE 14

In addition to the functions stated in the previous Article, the Commission shall at any time hear the reports that URAMEX and ININ\* may wish to make to it on the matter of co-ordinating their respective activities, and shall immediately take the action necessary for the proper functioning of these organizations.

#### ARTICLE 15

The National Atomic Energy Commission shall have the technical and administrative staff strictly necessary for discharging the functions assigned to it under this Law.

### CHAPTER IV

#### URAMEX

#### ARTICLE 16

URANIO MEXICANO (URAMEX) shall be set up as a decentralized public organization of the Federal Government with the status of a juridical person and the right to own property.

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\* ININ: National Nuclear Research Institute.

#### ARTICLE 17

The purpose of URAMEX shall be to act as the sole agent of the Mexican State for the exploration, mining, beneficiation and marketing of radioactive minerals; for implementation of the various stages of the nuclear fuel cycle, with the exception of burn-up and such operations as it is not in a position to perform, though in such cases it shall stipulate and supervise the operations requiring to be carried out; and for importing and exporting radioactive ores and nuclear fuels, exports to take place only after the requirements of national energy have been met. Theoretical research and technological research and development of the nuclear fuel cycle shall be carried out by ININ, with the collaboration and approval of the National Atomic Energy Commission.

The burn-up of nuclear fuel for the generation of electricity shall be reserved exclusively for the Federal Electricity Commission, which shall meet the requirements to be stipulated by the Nuclear Safety and Safeguards Commission.

#### ARTICLE 18

The export of radioactive ores or materials shall not be authorized until the Ministry approves a nuclear energy development plan quantifying the country's annually updated needs for a period of not less than fifteen years.

Nor shall export be authorized if it involves proven reserves of these materials required by the country. When applicable, the authorization shall not exceed an annual five per cent of the proven reserves that the country will require under the plan referred to in this Article.

#### ARTICLE 19

The assets of URAMEX shall include property received under the present Law, grants assigned to it by the Federal Government, payments made to it for the provision of services connected with its functions and any receipts and contributions obtained under the terms of other applicable legal provisions.

#### ARTICLE 20

The governing bodies of URAMEX shall be the Administrative Council and the Directorate-General.

## ARTICLE 21

The Administrative Council shall be presided over by the Executive Member of the National Nuclear Energy Commission and be composed of the Director General of the National Nuclear Research Institute (ININ) and four other members to be appointed by the Federal Executive through the Ministry of National Property and Industrial Development. An alternate shall be appointed for every regular Council Member.

## ARTICLE 22

The Administrative Council shall study and approve the programme and budget of URAMEX, and determine the best way in which it can fulfil the functions assigned to it under this Law. Similarly, the Council shall administer the property of URAMEX and may delegate to the Director General such powers as it deems appropriate, under the corresponding Regulations, for the implementation of its decisions and the proper operation of the organization.

## ARTICLE 23

The Director General, who shall be appointed by the Federal Executive through the Ministry of National Property and Industrial Development, shall be responsible for the implementation of resolutions adopted by the Administrative Council, for whose examination and approval, as appropriate, he shall submit the programme and budget of URAMEX, together with reports giving information on the activities carried out by it; he shall likewise represent it legally on the terms laid down by the Administrative Council.

## CHAPTER V

### Use of nuclear fuels and the application of nuclear energy

## ARTICLE 24

Nuclear energy shall be used exclusively for peaceful purposes pursuant to the stipulations of Paragraph 7 of Constitutional Article 27.

## ARTICLE 25

The supply of nuclear fuels obtained from radioactive ores originating in deposits located on the national territory shall be contracted for by URAMEX.

Contracting for the purchase of nuclear fuel of any processing grade originating from abroad shall be carried out by URAMEX.

ARTICLE 26

Users shall place the nuclear fuels they have used, whatever their origin, at the disposal of URAMEX. The National Nuclear Safety and Safeguards Commission referred to in Article 38 of this Law shall supervise the reprocessing, storage and disposal of these materials by URAMEX.

ARTICLE 27

The National Nuclear Safety and Safeguards Commission referred to in Chapter VII of this Law shall examine, assess and authorize the design basis, construction, operation and modification of nuclear facilities, as well as all aspects relating to the handling and transport of nuclear fuels, radioactive products and by-products, and the storage and disposal of waste.

CHAPTER VI

National Nuclear Research Institute

ARTICLE 28

The National Nuclear Research Institute (ININ) shall be set up as a centralized public organization with the status of a juridical person and the right to own property.

ARTICLE 29

The purpose of the National Nuclear Research Institute shall be to plan and put into effect research and development in the field of nuclear science and technology, to promote the peaceful uses of nuclear energy and to publicize the progress made in applying them to the country's economic, social, scientific and technological development.

ARTICLE 30

In order to achieve its purpose the National Nuclear Research Institute shall have the following functions:

- I. To carry out and promote activities conducive to scientific and technological development in the field of nuclear energy, and to foster the transfer of technical knowledge in this area;
- II. To perform pure and applied research in the various fields of nuclear science and technology; to render technical assistance to the organizations created under this Law, to the Federal Electricity Commission and to public and private bodies which may require it, in the design and construction of nuclear plants and, as appropriate, in contracting for such services;
- III. To support and advise URAMEX in the formulation of plans and programmes for the development of its activities, subject at all times to co-ordination by the National Atomic Energy Commission, pursuant to Article 5 of this Law. It shall also be responsible for activities relating to theoretical research and technological research and development of the nuclear fuel cycle;
- IV. To design and promote national construction of nuclear reactors. With regard to the requirements for electricity generation, the Institute shall advise the Federal Electricity Commission on the design, engineering and contracting for the construction of nuclear reactors, such reactors being the property of the Commission, which shall be responsible for their operation;
- V. To be sole agent of the Federal Government for the programming, coordination, promotion, production, sale and import, as well as the overall use of radioactive materials for non-energy production purposes required for national development; to promote and develop the uses of radiation and radioisotopes in various fields, as well as to perform research work and experiments relating to such applications;
- VI. To encourage the specific nuclear research and development projects underway at the universities, institutes and higher educational establishments of the country, in co-ordination with the Institute's own programmes;
- VII. To plan and put into effect training programmes and specialized courses in the areas within its competence, including the training of research workers to meet its own needs;
- VIII. To prepare and offer, when specifically requested, training courses and instruction for different grades of employees of the Federal Executive and of organizations and firms concerned with the use of nuclear energy for various purposes;
- IX. To encourage national and international exchange aimed at promoting research and development in the nuclear field; to sponsor meetings and other events for the same purpose;

- X. To request, receive and distribute nationally the technical assistance and the advisory and other services provided by the International Atomic Energy Agency and other international organizations;
- XI. To advise the Federal Government on all matters within its terms of reference;
- XII. To promote the establishment of a nuclear documentation centre, the aim of which shall be to acquire, analyse and disseminate data and information on new developments in the field through the intermediary of reports, publications, programmes and other material sent to interested groups and the general public. To establish agreements on the exchange of information with other centres of the same kind at international level, and to set up specialized libraries of books and periodicals;
- XIII. To participate in international events concerned with nuclear energy which are of interest to Mexico; and
- XIV. To perform any other activities concerned with the above, as determined by the laws or provisions applicable and by its internal regulations, and as decided by its Governing Council in accordance with its terms of reference.

#### ARTICLE 31

The governing bodies of the National Nuclear Research Institute shall be the Governing Council and the Directorate-General.

#### ARTICLE 32

The Governing Council shall be presided over by the Executive Member of the National Atomic Energy Commission and shall be composed in addition of the Directors General of the Federal Electricity Commission, the National Council of Science and Technology, the National Polytechnical Institute and URAMEX, as well as the Rectors of the National Autonomous University of Mexico and the Metropolitan Autonomous University. An alternate shall be appointed for each regular Council Member.

#### ARTICLE 33

The Governing Council shall examine and approve the programme and budget of the Institute and determine what is required for the Institute to fulfil the purpose assigned to it under the present Law. Furthermore, the Council shall administer the Institute's property and may delegate to the Director General the powers which it considers necessary, under the Regulations, for the implementation of its decisions and the proper functioning of the organization.

ARTICLE 34

The Director General shall be appointed by the Federal Executive through the Ministry of National Property and Industrial Development, and shall be responsible for the implementation of the resolutions adopted by the Governing Council, for whose consideration and approval, as appropriate, he shall submit the Institute's programmes and budget, together with reports furnishing information on its activities, and shall represent the Institute legally on the terms laid down by the Governing Council.

ARTICLE 35

The assets of ININ shall include property received under the present Law, grants assigned to it by the Federal Government, payments made to it for provision of services connected with its functions and any receipts and contributions obtained under the terms of other applicable legal provisions.

ARTICLE 36

The Institute may reach agreement with the technical and professional educational establishments of the country to enable the teachers of subjects considered useful for ININ's purpose to collaborate with it to the extent possible.

CHAPTER VII

National Nuclear Safety and Safeguards Commission

ARTICLE 37

A decentralized organization of the Ministry of National Property and Industrial Development shall be set up with the title of National Nuclear Safety and Safeguards Commission.

ARTICLE 38

The National Nuclear Safety and Safeguards Commission shall report directly to the Minister of National Property and Industrial Development, and, excepting prerogatives that are conferred by law on other departments or bodies, shall discharge the following functions:

- I. To establish standards ensuring the safety of the inhabitants of the country in the development of the nuclear industry;
- II. To see that legal provisions and international treaties to which Mexico is party in the field of nuclear safety, health physics and safeguards are complied with on the territory of the United Mexican States;
- III. To examine, assess and authorize the design basis, construction, operation, modification and documentation of nuclear plants and facilities;
- IV. To establish and operate a national system for the accounting and control of nuclear materials;
- V. To establish standards for nuclear safety, health physics and safeguards for the efficient operation of the country's nuclear plants and facilities;
- VI. To establish radiological protection standards governing the import and transport of radioactive materials, to attest observance thereof for purposes of authorizing imports under Articles 17 and 30 of this Law, and to supervise due compliance with the standards established;
- VII. Any further functions as laid down by the Regulations under this Law.

#### ARTICLE 39

The National Nuclear Safety and Safeguards Commission shall have an Advisory Board and a Technical Secretary. The Advisory Board shall be composed as follows: one representative each appointed by the Ministers of External Relations, National Defence, Navy, Agriculture and Hydraulic Resources, Communications and Transport, Social Settlement and Public Works, Health and Public Welfare, and Labour and Social Security, and the Minister of National Property and Industrial Development, who shall preside over the Advisory Board.

Upon invitation, and without the right to vote, representatives of other departments in the centralized sector or organizations in the State-aided sector, federal organizations, municipal authorities or private persons directly involved may also form part of the Advisory Board.

#### TRANSITORY PROVISIONS

#### ARTICLE 1

This Law shall enter into force on the day following its publication in the "Official Gazette" of the Federation.

## ARTICLE 2

The Constitutional Law of the National Nuclear Energy Institute (INEN) of 30 December 1971, published in the "Official Gazette" of the Federation of 12 January 1972, and all provisions that are contrary to this Law shall be repealed.

## ARTICLE 3

The National Atomic Energy Commission shall divide the assets, rights and obligations of INEN between URAMEX and ININ; it shall similarly divide the present staff of INEN among these organizations, while respecting their rights pursuant to the applicable laws and in accordance with the aims, powers and functions assigned to these organizations by this Law.

## ARTICLE 4

The grants and concessions already made for the exploration or mining of ores found in mineralogical association with radioactive ores shall remain in force, provided they conform to the specifications and obligations determined by the Ministry of National Property and Industrial Development, which shall ensure that these are met.

## ARTICLE 5

References to the National Nuclear Energy Institute contained in the Statutory Law under Constitutional Article 27 on Mining shall be regarded as applying to URAMEX.

The grants that have been assigned for radioactive ore mining shall be transferred to URAMEX.

Y U G O S L A V I A

Act on Liability for Nuclear Damage\*

19th April 1978

Section 1

Liability for nuclear damage resulting from the peaceful uses of nuclear energy shall be governed by this Act.

Section 2

For the purposes of this Act

1) "Nuclear damage" means:

- damage caused by death, personal injury or any other damage to a person's health, any loss of, or damage to, property or any contamination of the environment, which arises out of or results from the radioactive properties or a combination of radioactive properties with toxic, explosive or other hazardous properties of nuclear fuel or radioactive products or waste in, or of nuclear material coming from, processed in or sent to a nuclear installation;

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\* Based on a translation by the Yugoslav authorities.

- damage caused by death, personal injury or any other damage to a person's health, any loss of, or damage to, property or contamination of the environment which arises out of or results from other ionizing radiation emitted by any other source of radiation inside a nuclear installation;

2) "Nuclear incident" means any occurrence or series of occurrences of the same origin which causes nuclear damage;

3) "Operator of a nuclear installation" means an Organization of Associated Labour (Organizacija udruzenog rada) which has received approval for the site, test run and entry into operation of a nuclear installation from the authority of the Federative Republic or the autonomous Province concerned, or a person recognized as the operator pursuant to provisions of the Installation State;

4) "Nuclear installation" means

- any nuclear reactor other than one which is used in sea and air transport as a source of power, whether for propulsion or for any other purpose;
- any installation using nuclear fuel for the production of nuclear material, or any installation for the processing of nuclear material or for the reprocessing of irradiated nuclear fuel;
- any facility where nuclear material is stored, other than storage incidental to the carriage of such material.

Within the meaning of this Act, several nuclear installations of one operator which are located at the same site, are considered as one nuclear installation.

5) "Nuclear reactor" means a structure containing nuclear fuel in such an arrangement that a self-sustaining chain process of nuclear fission can occur therein without any additional source of neutrons;

6) "Nuclear fuel" means any material capable of producing energy by a self-sustaining chain process of nuclear fission;

7) "Radioactive products or waste" means radioactive material produced in, or any material made radioactive by exposure to the radiation incidental to the production or utilization of nuclear fuel, but does not include radioisotopes which have reached the final stage of fabrication so as to be usable for scientific, medical or commercial purposes;

8) "Nuclear material" means

- nuclear fuel other than natural and depleted uranium, which is capable of producing energy by a self-sustaining chain process of nuclear fission outside a nuclear reactor, either alone or in combination with some other material;
- radioactive products or waste.

### Section 3

The operator of a nuclear installation shall be liable for nuclear damage regardless of fault.

### Section 4

The operator of a nuclear installation shall be liable for nuclear damage if such damage has been caused by a nuclear incident in his nuclear installation.

### Section 5

The operator of a nuclear installation shall also be liable for nuclear damage if such damage has been caused by a nuclear incident:

- 1) in connection with nuclear material sent from his nuclear installation; or in the case of storage incidental to carriage, if the nuclear incident caused by the nuclear material occurs before the operator of another nuclear installation has assumed liability for damage pursuant to the express terms of a contract in writing; or, in the absence of such express terms, before the operator of another nuclear installation has taken charge of this nuclear material;
- 2) in connection with nuclear material sent to his nuclear installation; or in the case of storage incidental to carriage if he had assumed liability for nuclear incidents caused by the operator of another nuclear installation, pursuant to the express terms of a contract in writing or, in the absence of such express terms, from the moment he has taken charge of this nuclear material.

### Section 6

The operator of a nuclear installation shall not be liable for nuclear damage if such damage is caused by:

- 1) a nuclear incident directly due to an aggression, war or an act of armed conflict;
- 2) a nuclear incident directly due to an earthquake, floods, fire or any other grave natural disaster upon proof that such damage could not have been anticipated or avoided.

The operator of a nuclear installation shall not be liable for nuclear damage suffered by a person upon proof that such person has caused the damage intentionally.

The operator of a nuclear installation shall not be liable for nuclear damage caused:

- 1) to the nuclear installation or to property on the site of that installation which is used or to be used in connection with that installation;
- 2) to the means of transport upon which the nuclear material was at the time of the nuclear incident.

#### Section 7

The operator of a nuclear installation shall have a right of recourse with regard to:

- 1) an individual who has caused nuclear damage intentionally or by gross negligence;
- 2) a person bound by contract, if this is expressly provided for in writing.

#### Section 8

A carrier of nuclear material may, in agreement with an authority designated under regulations by a Republic or an autonomous Province and with the written consent of the operator liable for a nuclear installation, act in the latter's place.

#### Section 9

The operator of a nuclear installation shall provide the carrier, before transfer of nuclear material for transport purposes, with a certificate related to the insurance contract or the financial security, issued by the insurer or the person furnishing financial security pursuant to this Act.

The above-mentioned certificate shall respectively state the name, firm and address of the operator; and the amount, type and duration of the insurance or financial security; it shall also indicate the nuclear material in respect of which the insurance or financial security, applies, and shall include a statement by the body designated under State or regional regulations, that the person named in the certificate is an operator of a nuclear installation.

## Section 10

Nuclear material may be imported into the Socialist Federative Republic of Yugoslavia, or transit through its territory, only if the carrier who transports such material has obtained the certificate referred to in Section 9 of this Act and if the statement referred to in Section 9, paragraph 2 of this Act was supplied by the competent body of the importing State, pursuant to the provisions of international agreements on liability for nuclear damage, which have been ratified by the Socialist Federative Republic of Yugoslavia.

## Section 11

Whenever both nuclear damage and damage other than nuclear damage have been caused by a nuclear incident or jointly by a nuclear incident and one or more other occurrences, such other damage shall, to the extent that it is not separable from the nuclear damage, be deemed, for the purposes of this Act, to be nuclear damage caused by that nuclear incident.

## Section 12

Where nuclear damage occurs on the territory of a Federative Republic or an autonomous Province and the nuclear installation at the origin of the damage is not situated thereon and, in accordance with the Federal Act on protection against emission of ionizing radiation, the special authorization related to the site, test run and entry into operation has been issued to the nuclear installation concerned by the competent authority of the Republic or autonomous Province where it is situated without the approval of the Republic or autonomous Province where the nuclear damage has occurred, the Republic or autonomous Province whose competent authority has issued the authorization shall be liable for the portion of compensation for the damage suffered on that other territory which exceeds the limit provided for by this Act.

## Section 13

The operator of a nuclear installation shall be liable for nuclear damage up to the amount of dinars 450,000,000 for each and every nuclear incident.

The amount mentioned in paragraph 1 of this Section shall not include any interest or costs awarded in the course of actions for compensation for nuclear damage.

#### Section 14

Where nuclear damage engages the liability of more than one operator of nuclear installations, the operators involved shall, insofar as the damage attributable to each operator is not separable, be jointly and severally liable.

Where a nuclear incident occurs in the course of carriage of nuclear material in the same means of transport, on which there is nuclear material belonging to two or more operators of nuclear installations, or in the case of storage incidental to the carriage, all the operators shall be jointly and severally liable for such nuclear damage, up to the limit of liability of that operator whose limit of liability is the highest.

Within the meaning of paragraph 1 and 2 of this Section, the liability of each operator whose nuclear installation is located on the territory of the Socialist Federative Republic of Yugoslavia, shall not exceed the amount applicable pursuant to Section 13 of this Act.

#### Section 15

The operator of a nuclear installation shall be required to take out and maintain insurance or other financial security covering his liability for nuclear damage in such amount which shall be specified by regulations made by the Republic or autonomous Province concerned and shall not be less than dinars 150,000,000.

A lower amount of insurance or financial security to cover liability for nuclear damage may be specified pursuant to the provisions mentioned in paragraph 1 of this Section, if nuclear damage is caused by nuclear reactors with less power which are used for scientific purposes.

#### Section 16

The insurer or financial guarantor shall not suspend or cancel the insurance or financial security without giving notice in writing six months prior to such suspension or cancellation to the operators of nuclear installations and the authority designated under regulations made by the Republic or the autonomous Province concerned.

If such insurance or financial security relates to the carriage of nuclear material, the insurer or financial guarantor shall not suspend or cancel the insurance or financial security during the period of the carriage in question.

### Section 17

Whenever the financial means provided for by the insurer or financial guarantor are not sufficient for compensation for nuclear damage the financial resources and the procedure for settling the difference between such means and the compensation for nuclear damage up to the amount as provided for in Section 13 of this Act, shall be specified under regulations made by the Republic or the autonomous Province concerned.

### Section 18

Whenever serious contamination of environment occurs due to a nuclear incident and the nuclear damage caused by such an incident exceeds the amount laid down by Section 13, paragraph 1 of this Act, the Federal Executive Assemblies and the Executive Councils of the autonomous Provinces, shall propose to the Assembly of the Socialist Federative Republic of Yugoslavia the measures to provide the means required for decontamination.

### Section 19

If an organization of associated labour, a self-managed organization or community pays part of the compensation for the damage caused by a nuclear incident, and the operator of a nuclear installation is liable therefor, pursuant to the provisions of this Act, such a community or organization shall have a right of recourse against the operator of the nuclear installation up to the amount paid.

### Section 20

Rights of compensation for nuclear damage under this Act shall be extinguished if an action for compensation of the nuclear damage is not brought within ten years from the date of nuclear incident.

Where nuclear damage is caused by a nuclear incident involving nuclear material which at the time of nuclear incident was stolen, lost, jettisoned or abandoned, the period established pursuant to paragraph 1 of this Section shall be 20 years from the date of theft, loss, jettison or abandonment.

A claim for compensation shall be extinguished within a period of three years from the date on which the person suffering nuclear damage had knowledge of the damage and of the operator liable for the damage, provided that the period established pursuant to paragraphs 1 and 2 of this Section shall not be exceeded.

Any person who has brought an action for compensation for nuclear damage within the period applicable pursuant to paragraphs 1 to 3 of this Section, may amend his claim to take into account any aggravation of the damage, even after the expiry of that period, provided that final judgment has not been entered.

#### Section 21

Any action for compensation for nuclear damage caused by a nuclear incident may be brought directly against the insurer or financial guarantor, in accordance with Section 15 of this Act.

#### Section 22

Jurisdiction over compensation for nuclear damage shall expressly lie with the local court of the Installation State.

Where the nuclear damage occurred during the transport of nuclear material, products or waste, jurisdiction over such actions shall lie with the local court of the territory in which the operator has his residence.

#### Section 23

If it is established or justifiably assumed that the nuclear damage exceeds the amount specified in Section 13 of this Act, the procedure for establishing the nuclear damage and its compensation shall be implemented in accordance with the provisions of Sections 397 to 423 of the Act on Maritime and Inland Navigation (Official Gazette of the Socialist Federative Republic of Yugoslavia, No. 22/77).

#### Section 24

In the case of a change of parity of the Dinar the Federal Executive Council shall determine a new amount for the liability limit of the operator of a nuclear installation, as specified by Section 13, paragraph 1 of this Act.

#### Section 25

This Act shall come into force eight days after its publication in the Official Gazette of the Socialist Federative of Yugoslavia .