

NATIONAL LEGISLATIVE AND REGULATORY ACTIVITIES

Australia

Radiation Protection

Radiation Protection and Nuclear Safety Regulations (1999)

The Australian Radiation Protection and Nuclear Safety Act 1998 was proclaimed on 5 February 1999 (See *Nuclear Law Bulletin* No. 63). The Act provides a legal framework for the protection of the health and safety of the public and the environment from the harmful effects of radiation, and establishes the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) as the national regulatory body. In March 1999, the Australian Radiation Protection and Nuclear Safety Regulations (Statutory Rules No. 37) were adopted to implement this Act. Subsequently, these regulations were amended by Statutory Rules No. 97 of 9 June 1999.

Statutory Rules No. 37 consist of 6 Parts, 4 Schedules and a Dictionary. Part 1 of the Regulations contains preliminary provisions, and Part 2 defines the controlled apparatus and facilities (nuclear installations or radiation facilities) which come within the scope of this legislation. Part 3 contains provisions governing members, meetings and general procedures of the Radiation Health and Safety Advisory Council and two advisory committees (the Radiation Health Committee and the Nuclear Safety Committee) that provide expert advice to the Chief Executive Officer (the CEO) of ARPANSA on a range of issues such as developments in the radiation protection and nuclear safety fields. Part 4 covers both facility and source licences, exemptions and applications for licences. The CEO is empowered to issue licences. Part 5 regulates specified practices (dose limits) to be followed. Lastly, Part 6 contains provisions governing reporting and inspection for controlled facilities, apparatus and materials.

According to Part 4 of the Regulations, the CEO must take into account, *inter alia*, the following matters when issuing facility licences:

- whether the application includes all information requested by the CEO;
- whether the information provided establishes that the proposed conduct can be carried out without undue risk to the health and safety of the public and the environment;
- whether the applicant has shown that there is a net benefit from carrying out the conduct related to the controlled facility; and

- whether the applicant has shown that the magnitude of individual dose, the number of people exposed, and the likelihood that exposures will happen, are as low as reasonably achievable, having regard to economic and social factors.

The Regulations lay down in Part 5 the effective dose limit for occupational exposure, which is set at 20 mSv annually, averaged over 5 consecutive calendar years, and the effective dose limit for public exposure, set at 1 mSv annually. The four Schedules of the Regulations govern respectively exposure limits for non-ionising radiation, exempt dealings, information that may be regulated by the CEO (in relation to licence applications) and the identity card of inspectors appointed by the CEO.

The June 1999 amendments to the Regulations, set out in Statutory Rules No. 97, establish the licence application fees for activities involving nuclear installations, prescribed radiation facilities, sealed and unsealed sources of controlled materials and controlled apparatus producing ionising and non-ionising radiation.

Austria

General legislation

Federal Constitutional Act for a Nuclear-Free Austria (1999)

The Federal Constitutional Act for a Nuclear-Free Austria was adopted by the Parliament and entered into force on 13 August 1999. This legislation confirms Austria's policy on both civil and military matters in the nuclear field. It refers to the Act of 15 December 1978 forbidding the use of nuclear fission for the purpose of providing energy (see *Nuclear Law Bulletin* No. 23), which approved Austria's decision not to use nuclear energy for peaceful purposes.

The text of the 1999 Act reads as follows:*

“The Federal Council has ruled that:

1. It shall be forbidden to produce, store, transport, test or use nuclear weapons in Austria. It shall also be forbidden to create installations for the storage of nuclear weapons.
2. It shall be forbidden to construct installations for the production of nuclear energy by nuclear fission in Austria. To the extent that such installations already exist, it shall be forbidden to put them into service.
3. It shall be forbidden to transport fissile materials on Austrian territory, except to the extent that Austria's international obligations are incompatible with this ban. Transport for purely peaceful purposes, with the exception of the production of energy by nuclear fission or the disposal of waste, is excluded from this ban. There are no other exceptions to this ban.

* Unofficial translation established by the OECD.

4. It must be provided by law that damage occurring in Austria as a result of a nuclear accident shall be compensated in an adequate manner and that claims for compensation shall be enforceable to the greatest possible extent against foreign operators who have caused damage.
5. The Federal Government is responsible for the implementation of this Federal Constitutional Act.”

Belarus

General Legislation

Amendments to the Law on Legal Treatment of Territories Contaminated as a Result of the Chernobyl NPP Catastrophe (1999)

This Law of November 1991, which regulates the living conditions and economic and other related activities in the area contaminated as a result of the Chernobyl accident, was amended on 26 April 1999. The amendments entered into force on 12 May 1999. They modify the Law as follows:

- the periodicity of defining zones within contaminated areas is changed: the zones will be re-classified every five years;
- the current practice whereby certain activities are carried out in zones with different levels of contamination is updated to take account of experience acquired;
- a more appropriate decision-making procedure for the use of arable land in the contaminated territories is established;
- more specific requirements for the disposal of waste have been drawn up.

The revised Law prohibits the import of radioactive waste from abroad, with the exception of waste resulting from services rendered to Belarus by States under contractual obligations.

Radiation Protection

Decree on Establishing a Uniform State System of Record-keeping and Control of Personal Exposure Doses (1999)

Pursuant to the Law on Radiation Protection of the Public of 5 January 1998 (see *Nuclear Law Bulletin* Nos. 60 and 61), Decree No. 929 on Establishing a Uniform State System of Record-keeping and Control of Personal Exposure Doses was adopted on 17 June 1999. It establishes the procedure for the establishment and operation of the State system for control of personal exposure doses. The Decree provides that controls are carried out on professionally-exposed persons, persons exposed for medical purposes, persons living in the territories where the effective dose resulting from natural exposure may be higher than 2mSv, and persons living in the territories where the effective dose resulting from artificial exposure may be higher than 1 mSv.

The Ministry of Health is responsible for organising and maintaining the state dose register which is to be put into operation in 2001.

Belgium

Organisation and Structure

Act containing Budgetary and Miscellaneous Provisions (1999)

The Act of 3 May 1999 containing Budgetary and Miscellaneous Provisions partially amends the Act of 15 April 1994 on Protection of the Population and the Environment against the Dangers of Ionising Radiation and providing for the setting up of the Federal Agency for Nuclear Control (see *Nuclear Law Bulletin* Nos. 53 and 54). These amendments were introduced in order to establish transitional legal measures to allow the Agency to become operational as soon as possible through staff placements and the making available of allocated budgetary commitments.

Civil servants from the Division of Technical Safety of Nuclear Installations, which is part of the Ministry of Employment and Labour, and from the Division for Protection against Ionising Radiation, which is part of the Ministry of Social Affairs, Public Health and the Environment, have been made available to the Agency (see *Nuclear Law Bulletin* No. 61). This transfer has been carried out on a voluntary basis, and the civil servants maintain the rights and benefits which they had in their original position. The Agency is to completely reimburse the services from which the civil servants have been transferred for the budgetary expenses resulting from these transfers. During this transitory period, which shall not exceed two years, the Agency is required to adopt Staff Rules. When this has been completed, it will be possible to commence final selection and transfer of staff.

A new provision has also been added which allows the Agency to receive and use the payments necessary to cover its operating costs before the entry into force of the provision governing its effective powers, as some of the provisions of the 1994 Act have not yet entered into force.

Finally, the Act of 3 May 1999 gives retroactive effect to the above provisions, which are stated to apply as of 1 January 1998, date on which some of the provisions of the 1994 Act came into effect.

Bosnia and Herzegovina

General Legislation

Law on Radiation Protection and Nuclear Safety (1999)

A new Law on Radiation Protection and Nuclear Safety, which repealed and replaced a Law on the same subject adopted by the former Yugoslav Parliament, was adopted on 24 January 1999 by the Parliament of Bosnia and Herzegovina (See *Nuclear Law Bulletin* No. 64). This Law, which is based on the IAEA Basic Safety Standards, provides framework legislation and establishes a national

regulatory body for radiation protection and safety, the Administration for Radiation Protection and Radiation Safety.

The Law comprises 10 Chapters, divided into 55 Sections: General provisions, Requirements governing radiation practices, Exposure, Sources, Radioactive Waste, Supervision and Authorities, Finances, Penalties, Authorisations to adopt implementing regulations, Transitional and Final provisions.

The Law is based on the principles of justification and optimisation, dose limitation, authorisation, and the primary responsibility of the licensee. It establishes general and special measures for protection against ionising radiation, and provides for systematic monitoring of radioactivity in food and the environment.

This Law sets out the main principles for the protection of radiation workers: prior evaluation of risk and optimisation of protection, classification of work places and of workers, exposure monitoring and medical surveillance.

It also defines specific health protection rules in relation to medical exposure to ionising radiation. The main provisions consist of qualification requirements for the medical staff involved, conditions for the use of radiological equipment, written protocols for each type of radiological practice, and the role of medical physics experts.

The Law regulates the conditions which must be met by legal entities performing activities involving the use of ionising radiation: the facilities shall apply technical, safety, sanitary and other standards for radiation protection and safety; they shall possess technical and protective equipment, as well as programmes and plans by means of which quality in relation to radiation sources is ensured; finally, measures for removal of radioactive waste and spent radiation sources shall be taken.

Natural and legal persons may perform activities involving ionising radiation only if they have been granted a preliminary permit by the Administration for Radiation Protection and Radiation Safety. Legal entities performing activities involving ionising radiation must nominate a person responsible for radiation protection who will perform the following activities:

- internal supervision of radiation sources, personnel working with these sources and protective measures against ionising radiation;
- monitoring the personal dosimeter service and carrying out of medical examinations for personnel working with radiation sources;
- setting up and maintaining a registry on radiation sources, personnel working with radiation sources, etc.;
- organisation of protective measures in the event of an accident;
- participation in inspections and informing the competent institution or inspector in the event of violation of the rules.

The Law furthermore provides for the legal requirements for radioactive waste management. The waste producer bears the responsibility for the management of his radioactive waste, and must make financial and material arrangements to cover the collection, transport, treatment, conditioning and disposal of waste arising from his activities.

This legislation also prescribes the obligations of the Government of Bosnia and Herzegovina in the event of a nuclear accident. In such a case, the Government is authorised to establish, on the preliminary proposal of the Administration for Radiation Protection and Radiation Safety, plans and programmes for the protection of the life and health of the public and of the environment.

The Law establishes the Administration for Radiation Protection and Radiation Safety (which is an integral part of the Ministry of Health) as the regulatory body responsible for these fields in Bosnia and Herzegovina. This Administration is responsible for the following activities:

- issuing regulations, technical documents, standards and instructions for radiation protection of professionally-exposed persons, the public and the environment from radiological hazards, and for physical protection, safeguards, transport, import, export and transit of radioactive materials;
- ensuring that appropriate records are kept and corrective actions are taken concerning, *inter alia*, matters such as radiation exposure of personnel, radioactive releases, incidents, etc.;
- delivering, amending and revoking licences, and making decisions in relation to radioactive waste; carrying out of regulatory inspections;
- managing a registry on radiation sources and personnel who work with radiation sources; organising educational measures for such workers;
- carrying out statistical, scientific, and other research in the field of radiation protection and safety;
- supervision, monitoring and analyses of the radiation situation in Bosnia and Herzegovina.

The Administration is independent, co-operating with the Parliament and the Government through the Minister of Health. Supervision is performed by the Federal Inspectors for Radiation Protection and Radiation Safety. These Inspectors have the following duties:

- to ensure authorisation of activities involving radiation sources and to order the removal of identified irregularities and insufficiencies within a determined deadline;
- to prohibit work institutions which no longer meet the set conditions in respect of premises, staff and technical and other equipment;
- to order additional specialist training for all workers who have been identified as lacking in such expertise, and if necessary, to re-examine their qualifications.

The Law provides for sanctions in the event of a breach of its provisions by legal entities.

Brazil

Organisation and Structure

Reorganisation of the Scope of Activities of Different Ministries in the Field of Nuclear Energy (1999)

Provisional Measure No. 1911-8 was adopted on 29 July 1999 in order to partly amend Law No. 9649 of 27 May 1998 on the Organisation of the Presidency of the Republic and of Other Ministries [the Measure was published in the *Diario Oficial* (Official Journal) of 30 July 1999]. The Provisional Measure sets out the powers and duties of the Ministry of Mines and the Ministry of Sciences and Technology which are responsible for nuclear energy and for nuclear policy, respectively.

More specifically, the Ministry of Mines and Energy is responsible for activities resulting from the generation of electricity from all sources, including nuclear energy. The Ministry of Sciences and Technology is responsible for defining and evaluating programmes of a strategic nature, *inter alia*, in the field of the peaceful uses of nuclear energy. The latter task previously lay within the powers of the Secretariat for Strategic Affairs.

As a result of the above Provisional Measure, Decree No. 3131 was adopted on 9 August 1999, in order to place the National Nuclear Energy Commission (CNEN) under the aegis of the Ministry of Science and Technology. Previously, the CNEN was attached to the Secretariat for Strategic Affairs (see *Nuclear Law Bulletin* No. 56). The CNEN continues to carry out its statutory duties, namely the policy, planning, monitoring and control of nuclear energy.

Bulgaria

Radiation Protection

Regulation on Planning and Preparedness for Action in the case of a Radiation Accident (1999)

This Regulation was adopted on 26 March 1999 and entered into force on 9 April 1999. It determines the respective duties of State bodies and local administration in this field, as well as the obligations of the operator of a nuclear power plant. This Regulation also identifies actions which should be taken in the case of an emergency, and defines updated criteria for the adoption of various protective measures for the population in the event of a radiation accident.

Chinese Taipei

Third Party Liability

Nuclear Damage Compensation Law (1997)

The 1971 Nuclear Damage Compensation Law was amended on 14 May 1997. The modifications made to this Act, which for the most part concern definitions, liability amounts and compulsory insurance, were discussed in *Nuclear Law Bulletin* No. 60. This amendment entered into force on 14 May 1998. The text of this Act is reproduced in the chapter “Texts” of this *Bulletin*.

Estonia

Transport of radioactive materials

Decree on the Safe Transport of Radioactive Materials (1998)

The Estonian Government adopted this Decree (which also covers radioactive waste) on 4 August 1998. Its provisions harmonise existing local transport legislation with the requirements of IAEA technical regulations and EU Directives. The Decree contains general provisions on radiation safety and emergency response; activity and fissile material limits; requirements for packaging, marking, labelling, transport and storage in transit; administrative requirements; and documentation.

France

Radiation Protection

Orders Establishing Rules Governing the External Dosimetry of Workers Exposed to Radiation and on the Accreditation of Persons Qualified in Radiation Protection (1999)

These two Orders of 23 March 1999 were adopted in implementation of Decree No. 75-306 of 28 April 1975 (see *Nuclear Law Bulletin* No. 16) and Decree No. 86-1103 of 2 October 1986 (see *Nuclear Law Bulletin* No. 38) concerning the Protection of Workers against the Dangers of Ionising Radiation, last amended by two Decrees bearing the references 98-1185 and 98-1186 of 24 December 1998 (see *Nuclear Law Bulletin* No. 63).

The Order establishing Rules Governing the External Dosimetry of Radiation Workers specifies that the control of dose equivalents received by workers in Category A, or those who work in a controlled zone and are subject to a risk of external exposure, is carried out using individual dosimeters which measure the exposure in real time (operational dosimetry) and at pre-determined times (passive dosimetry). It repeals the Order of 19 April 1968 (see *Nuclear Law Bulletin* No. 2) establishing the conditions for use of Individual Dosimeters Designed to Monitor Dose Equivalents.

The technical modes of implementation of the dosimetry, particularly operational, as well as the transfer of data involved are set out in an Annex.

The Order laying down Rules concerning the Accreditation by the Board for Protection against Ionising Radiation of Persons Qualified in Radiation Protection defines the method of accreditation of “persons qualified in radiation protection or from the service responsible for radiation protection” who have access to the individual results of the exposure of workers subject to this control, over a reference period which shall not be longer than the last twelve months.

Radioactive Waste Management

Decree implementing Article 14 of the Act of 30 December 1991 relating to Research on Radioactive Waste Management (1999)

Article 14 of Act No. 91-1381 of 30 December 1991 (see *Nuclear Law Bulletin* Nos. 49 and 50) provides for the creation, on the site of each underground laboratory, of a local information and monitoring Committee which is consulted on all questions related to the operation of laboratories which have an effect on the environment and on the neighbourhood.

A Decree implementing this legislation was adopted on 3 August 1999 (No. 99-686). It principally defines the composition of this Committee, which comprises the Prefect of Police (*Préfet*) of the Department, the Regional Director for Industry, Research and the Environment, the Chairpersons of the Departmental Chamber for Agriculture and the Chamber of Commerce and Industry, a representative of the entity holding the licence for operation of the laboratory, the Chairperson of the Scientific and Technical Association, MPs, elected representatives of the local communities consulted in the context of the public enquiry, and representatives of environmental protection associations, agricultural unions, nation-wide professional organisations and personnel of the site.

Decree to implement Article 6 of the Act of 30 December 1991 relating to Research on Radioactive Waste Management (1999)

Article 6 of Act No. 91-1381 of 30 December 1991 (see *Nuclear Law Bulletin* Nos. 49 and 50) provides that any project for the construction of an underground laboratory shall, before any preliminary research work is undertaken, be discussed with the elected representatives and population of the sites concerned. In order to fulfil this requirement, Decree No. 99-687 of 3 August 1999 establishes a mission of three persons, designated jointly by the Ministry of Economy, Finance and Industry and the Secretary of State for Industry, who is responsible for organising preliminary consultations before a choice is made in relation to one or more granite sites where the initial work leading to the establishment of an underground laboratory could be carried out. This mission initiates all useful consultations with the elected representatives, associations and the public concerned; it then incorporates all observations received into a report for the Ministers for the Environment, Energy and Research.

The Evaluation Commission, established by the Act of 30 December 1991, is requested to give its opinion on all work envisaged during this consultation.

The National Radioactive Waste Management Agency (ANDRA) may not commence any preliminary research, including in particular geological and geophysical studies or drilling, until the mission's report has been submitted.

Decree authorising the Operation of an Underground Laboratory (1999)

Pursuant to this Decree of 3 August 1999, the National Radioactive Waste Management Agency (*Agence nationale pour la gestion des déchets radioactifs* – ANDRA) is authorised to install and operate an underground laboratory on the territory of the commune of Bure (Meuse) with a view to studying deep geological formations where radioactive waste could be stored.

The investigations and experiments aim to compile data on the design, optimisation, reversal potential and safety of a possible radioactive waste storage facility.

The underground laboratory will consist of a series of structures and equipment including surface installations, underground installations and two communicating wells between them.

This licence has been granted to ANDRA until 31 December 2006. Beyond this date, in order to continue operations in the laboratory, it will be necessary to obtain a Decree of the Supreme Administrative Court (*Conseil d'Etat*).

Order authorising Électricité de France to Continue Using Water Supplies and Releasing Liquid and Gaseous Waste for the Operation of the Nuclear Installation at Saint-Laurent-des-Eaux (1999)

This Order of 2 February 1999 sets out the characteristics of waste procedures, maximum limits of radioactive waste and the conditions governing control, analysis, verification and supervision of this waste by the operator, as well as the control operations which are to be carried out by the Board for Protection against Ionising Radiation. It also specifies the obligation to inform the authorities and the public, in particular in relation to accidents or anomalies, releases and their impact on the environment, and the operation of the installations themselves, including any changes which may have been introduced.

Japan

General Legislation

Amendment to the Law for the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors (1999)

The Law No. 166 for the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors (hereinafter referred to as the “Regulation Law”) was amended by Law No. 75 of 1999.

The storage of spent nuclear fuel is included within the scope of this Law. Persons who undertake the storage of spent nuclear fuel outside nuclear power plants or other nuclear installations as specified in the Regulation Law are required to obtain a licence from the Minister for International

Trade and Industry and are subject to supervision during the operation of the spent fuel storage facility.

In December 1998, Japan signed an Additional Protocol to the Safeguards Agreement which they concluded with the IAEA. To incorporate the requirements of this Protocol, the following new provisions were added to the Regulation Law:

- persons who undertake internationally specified activities, defined as the activities listed in Annex I of the Additional Protocol, are to report to the Prime Minister;
- the users of internationally-controlled materials are subject to regular inspection by the services of the Prime Minister to the extent necessary for the implementation of safeguards; and
- an IAEA officer may enter the offices of the users of internationally-controlled materials, factories, or other premises in order to conduct necessary inspections in the presence of the person designated by the Prime Minister, within the scope as determined by the Additional Protocol.

Third Party Liability

Amendment to the Law on Compensation for Nuclear Damage (1999)

As previously indicated in *Nuclear Law Bulletin* No. 63, the Law on Compensation for Nuclear Damage (Law No. 147 of 17 June 1961, hereinafter referred to as “the Compensation Law”) was amended by Law No. 37, adopted on 28 April 1999 (published in the Official Journal on 10 May 1999), which will enter into force on 1 January 2000. This amendment provides that nuclear damage resulting from transport, storage or disposal incidental to the storage of nuclear spent fuel are included within the scope of the Compensation Law.

The Compensation Law requires operators to take out insurance or other financial security in the amounts prescribed in the Ordinance for the Enforcement of the Law on Compensation for Nuclear Damage. Taking into account the recent developments of the nuclear liability conventions and the capacity of the nuclear insurance market, the maximum amounts for financial security have been doubled, from JPY (yen) 30 billion to JPY 60 billion (approximately 395 million SDRs at the rate of 24 August 1999), for the operation of nuclear reactors and the reprocessing of spent fuel.

The time limits governing the provisions dealing with indemnity agreements and with state aid have been extended from 1999 to 2009.

Kazakhstan

Radiation Protection

Law on Radiation Safety of the Population (1998)

The Law on Radiation Safety of the Population was adopted by the Parliament and signed by the President on 23 April 1998. It reflects the main aspects of national policy regarding radiation safety of the public. This Law aims to protect the public and the environment from the harmful effects of ionising radiation, and, in particular, to protect the interests of present and future generations. It regulates radiation safety through legal, administrative, engineering, technical, sanitary and educational measures, implementing the principles of justification, optimisation and limitation of exposure doses. The Law sets out the rights of individuals in the field of radiation safety, the duties of users of ionising radiation sources and the responsibilities of the competent State authorities. It provides details on annual dose limits for radiation workers and for the public and contains provisions governing emergency situations, quality assurance, accountability and information.

Latvia

Radiation Protection

Regulations on Control of Radioactive Contamination in Animal Feeding Products (1999)

These Regulations were adopted on 9 March 1999. They replace the relevant provisions of the national Basic Safety Standards, and fully implement the Euratom Directives in this field. The principal change brought about by the adoption of this legislation, similar to that introduced in the 1998 Regulations on the Control of Radioactive Contamination in Food Products (see *Nuclear Law Bulletin* No. 62), is the increase in post-accident values (more than three months after the incident) which have also been defined numerically. These values have been established on the assumption that during the first three months after an incident, it would be possible to introduce adequate protection measures in order to reduce the limits currently set out in EU legislation by a factor of five.

Radioactive Waste Management

Regulations on Radioactive Waste Management (1999)

These Regulations were adopted on 3 August 1999. They set out basic principles for radioactive waste management: limitation of individual and collective doses, justification of practices, minimisation of waste and protection of future generations.

The Regulations establish clearance procedures for releases and set out criteria and requirements for reuse, recycling and dispersion of waste, as well as waste acceptance criteria. They also prescribe the responsibilities of waste producers, radiation safety officers at facilities, the radioactive waste management organisation (*Radons*) and state authorities. The Regulations

furthermore introduce long term safety and environmental impact assessments, and classify waste into four groups for accounting purposes. Furthermore, they lay down requirements for handling and packaging (including standardisation of waste packs) and for transboundary movement of radioactive waste, and rules for marking of radioactive waste disposal sites after final closure. They introduce the obligation to return spent sealed sources to producers and set out procedures governing international shipments of radioactive waste. They also establish rules for site selection, including public hearings for new disposal facilities or safety-relevant modifications at existing sites.

Lithuania

Radiation Protection

Law on Radiation Protection (1999)

A new Law on Radiation Protection was adopted by the Lithuanian Parliament on 12 January 1999 and it entered into force on 1 April 1999 (see *Nuclear Law Bulletin* No. 63). The text of this Law is reproduced in the Supplement to this *Bulletin*.

Radioactive Waste Management

Law on the Management of Radioactive Waste (1999)

This new Law was adopted by the Lithuanian Parliament on 20 May 1999. This Law establishes the rights, duties and functions of the State executive and supervisory authorities and of persons and legal entities involved in radioactive waste management, including its export and transit. The Law is divided into 10 Chapters governing *inter alia* licensing; responsibilities of waste generators; creation of the Radioactive Waste Management Agency and the Radioactive Waste Management Fund; and requirements concerning radioactive waste management facilities including their siting, design, construction, commissioning, operation, decommissioning and control after closure.

The Lithuanian Nuclear Power Safety Inspectorate (VATESI) has the primary role in regulating the safety of radioactive waste management. This includes the responsibility for issuing licences for activities related to radioactive waste management, including the design, construction or reconstruction, operation, decommissioning or permanent closure of radioactive waste management facilities. Together with VATESI, the Radiation Protection Centre of the Ministry of Health and the Ministry of the Environment are also responsible for establishing procedures for the import, export, transit, transportation and disposal of radioactive waste. The Radiation Protection Center is furthermore entrusted with the task of issuing licences for the transport of radioactive waste.

The Law provides for the creation of a storage facility or repository as well as a Radioactive Waste Management Agency. The Agency's objective will be to manage radioactive waste transferred to it by the waste generators, ensuring nuclear and radiation safety. A Radioactive Waste Management Fund is also to be established.

The burden of all expenses related to radioactive waste management lies with the waste generator until the radioactive waste is transferred to the Radioactive Waste Management Agency or is exported from Lithuania.

The text of this Law is reproduced in the Supplement to this *Bulletin*.

Netherlands

Organisation and Structure

Royal Decree on the Transfer of Responsibility for the Implementation of the Nuclear Energy Act (1999)

A Royal Decree on the Transfer of Responsibility for the Implementation of the Nuclear Energy Act of 21 February 1963 (see *Nuclear Law Bulletin* No. 3) was adopted on 21 June 1999 (published in *Staatsblad* No. 275). The Decree transfers the primary responsibility in the nuclear energy field, as established in the Nuclear Energy Act, from the Minister of Economic Affairs to the Minister of Housing, Spatial Planning and the Environment.

Slovenia

Regulations on nuclear trade

Amendments to the Decree on Imports and Exports of Specified Goods (1999)

The Decree on Imports and Exports of Specified Goods (Official Gazette, 75/95), which implements the Law on Radiation Protection and the Safe Use of Nuclear Safety, adopted by the ex-Yugoslavian Parliament on 21 November 1984 (see *Nuclear Law Bulletin* Nos. 35 and 36), was amended by the Government of the Republic of Slovenia in February 1999.

Through these amendments, Slovenia has established a comprehensive export control regime for nuclear equipment and material especially designed or prepared for processing, use or production of special fissionable material. Slovenia therefore fulfils the requirements of the Treaty on the Non-proliferation of Nuclear Weapons concerning the prohibition on supplying such items to non-nuclear-weapon states.

Ukraine

Organisation and Structure

Decree on State Nuclear Regulatory Administration Matters (1999)

On 15 June 1999, the Cabinet of Ministers of Ukraine adopted a Decree to implement the Presidential Decree of 13 March 1999 on the Reorganisation of the Nuclear Control Structures (see *Nuclear Law Bulletin* No. 63). This implementing Decree governs personnel and administrative aspects in relation to the new nuclear regulatory authority – the State Nuclear Regulatory Administration of Ukraine – which has the status of a central state executive body and reports to the Minister for Environmental Protection and Nuclear Safety. The Administration comprises approximately ninety members of staff, who will be supervised by two Deputy Heads of Administration and a Board. The Decree establishes, *inter alia*, the 1999 budget for the State Nuclear Regulatory Administration.

Third party liability

Law Authorising the Accession by Ukraine to the 1988 Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention (1999)

On 17 November 1999, the Parliament of Ukraine (*Verkhovna Rada*) adopted the Law Authorising the Accession by Ukraine to the 1988 Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention.

