

Act of the Republic of Belarus

30 July 2008 No. 426-Z¹
on the Use of Atomic Energy²

CHAPTER 1

General provisions

Article 1

Terms and definitions

The terms and definitions that are used in the act are the following:

- Emergency preparedness: the capacity to take immediate steps that will effectively, reliably and promptly prevent or reduce the probability of a radiation accident during the performance of activities involving the use of atomic energy.
- Emergency response: implementation of measures aimed at restricting or minimising the consequences of, or the cleaning up after, a radiation accident.
- Nuclear power plant: a nuclear installation for the production of electricity and thermal energy under set regimes and conditions, located within a defined territory. To achieve this aim use is made of a nuclear reactor (or reactors) and a set of systems, devices, equipment and facilities that are essential to its functioning.
- Atomic energy: energy released in nuclear reactions, and with radioactive decay, as well as the energy of ionising radiation that is generated.
- Nuclear power plant unit: part of a nuclear power plant comprising one nuclear reactor together with other equipments that correspond to the functions of the nuclear power plant as designed.

-
1. Passed by the Chamber of Representatives on 24 July 2008; approved by the Council of the Republic on 28 June 2008.
 2. Unofficial translation by the OECD.

- Commissioning of a nuclear installation and/or storage facility: a process during which systems and components of a nuclear installation and/or storage facility that have been constructed are put into operation and their compliance with the design of these facilities is evaluated.
- Decommissioning of a nuclear installation and/or storage facility: a process aimed at terminating the further use of a nuclear installation and/or storage facility for its intended purpose, entailing maintenance of safety for workers of the operating organisation, the public and the environment.
- Activities involving the use of atomic energy: licensed activities by individuals related to siting, planning, construction, commissioning, operation, limitation of operation, extension of life and decommissioning of a nuclear installation and/or storage facility as well as the management of nuclear materials, spent nuclear fuel and/or operational radioactive waste.
- Items used in atomic energy: nuclear installation, storage facility, nuclear materials, spent nuclear fuel, operational radioactive waste.
- Spent nuclear fuel: nuclear material irradiated in a reactor core and permanently withdrawn from it.
- Design of nuclear installation and/or storage facility: design and technical documentation which include a case for investment, an environmental impact assessment, a safety case, architectural and construction designs and other documentation in compliance with legal enactments, including technical enactments, that are required for the siting, construction, commissioning, operation and decommissioning of a nuclear installation and/or storage facility.
- Storage facility: stationary items and/or structures intended for the storage of nuclear materials, spent nuclear fuel and/or operational radioactive waste.
- Siting of a nuclear installation and/or storage facility: selection of a location where a nuclear installation and/or storage facility is to be build. This includes a corresponding evaluation and determination of criteria which would serve as the basis of a design for a nuclear installation and/or storage facility.
- Construction of a nuclear installation and/or a storage facility: manufacture and assembling of units of a nuclear installation and/or storage facility, construction and erection of structures and utilities, installation of units and equipment, carrying out performance tests.
- Physical protection: a set of technical, organisational and other measures aimed at preserving the integrity of items used in atomic energy and preventing unauthorised access to them.
- Operational radioactive waste: radioactive waste arising as a result of operation of a nuclear installation and/or storage facility.
- Operating organisation: an organisation which, using its own resources or with the involvement of other organisations, carries out activities related to siting, planning, construction, commissioning, operation, limitation of operation, extension of life and decommissioning of a nuclear installation and/or storage facility, and also related to the management of nuclear materials, spent nuclear fuel and/or operational radioactive waste.
- Nuclear safety: a state in which the public and the environment are protected from the harmful effects of ionising radiation arising from a nuclear installation and/or storage facility, through proper conditions of their operation as well as through proper management of nuclear materials, spent nuclear fuel and/or operational radioactive waste.

- Nuclear installation: structures and complexes with a nuclear reactor (reactors), including structures and complexes with commercial, experimental and research nuclear reactors and critical and sub-critical nuclear rigs (assemblies).
- Nuclear material: material containing and capable of breeding fissile materials (substances).
- Nuclear reactor: a device for the implementation of a controllable nuclear chain reaction.

Article 2

Legal regulation of activities involving the uses of atomic energy

- (1) This act governs siting, planning, construction, commissioning, operation, limitation of operation, extension of life and decommissioning of a nuclear installation and/or storage facility. It further governs the management of nuclear materials during the operation of a nuclear installation and/or storage facility, spent nuclear fuel and/or operational radioactive waste as well as other issues in the field of nuclear energy.
- (2) Issues linked to the management of nuclear materials, spent nuclear fuel and/or operational radioactive waste and other matters in the field of atomic energy that are not regulated by this act shall be regulated by legislation on radiation protection and other legislation.
- (3) Legislation in the field of atomic energy shall be based on the Constitution and shall comprise this act, other legal enactments and international agreements entered into by the Republic of Belarus.

Article 3

Principles for carrying out activities involving the uses of atomic energy

Activities involving the use of atomic energy shall be founded on the following principles:

- Priority of protection of life and health of present and future generations and protection of the environment from activities involving the use of atomic energy.
- Ensuring that the benefit to citizens and the public by using atomic energy outweighs the damage that may be caused by activities involving the use of atomic energy.
- Ensuring nuclear safety and radiation protection.
- Compensating for damage caused by the harmful impact of ionising radiation or activities involving the use of atomic energy.
- Providing complete, reliable and timely information related to activities involving the use of atomic energy provided such information does not contain state secrets and is not classified as restricted information.
- Prohibition of the production of nuclear weapons and other nuclear explosive devices.

CHAPTER 2

State control/State regulation to ensure nuclear safety

Article 4

Powers of the President of the Republic of Belarus in the field of atomic energy

In the field of atomic energy, the President shall:

- Establish the main trends in state policy.
- Ratify dedicated state programmes.
- Take decisions on the siting, planning, construction, commissioning, extension of life, limitation of operation and decommissioning of a nuclear power plant or a unit of such a plant.
- Determine which Republic-level state control agency or other state organisation has responsibility for a nuclear power plant.
- Take decisions on matters related to maintaining safety, protecting the public and the environment when using atomic energy.
- Take decisions on matters related to warnings in emergency situations during the use of atomic energy and the cleaning up after such situations.
- Have a right to establish state agencies and other organisations in charge of the development of atomic energy and their powers in this field.
- Exercise other powers under this act and other legal enactments.

Article 5

Powers of the Government of the Republic of Belarus in the field of atomic energy

In the field of atomic energy, the Government shall within the scope of its powers:

- Monitor the implementation of state policy.
- Co-ordinate the activities of state agencies and state organisations.
- Organise the drafting and monitor the implementation of dedicated state programmes.
- Take decisions on the siting, planning, construction, commissioning, extension of life, limitation of operation and decommissioning of a nuclear installation (except for nuclear power plants and units of such plants) and/or a storage facility.
- Determine which Republic-level state control agency or other state organisation has responsibility for a nuclear installation and/or storage facility (except for atomic power plants).
- Establish the procedure concerning the discussion of issues with public associations, other organisations and citizens.

- Elaborate provisions for the compensation of damage caused by exposure to ionising radiation or by activities involving the use of atomic energy, in compliance with this act and other legal enactments.
- Establish the conditions and procedure for physical protection of items used in atomic energy.
- Establish the procedure for the implementation of state supervision regarding physical protection of items used in atomic energy.
- Take steps to ensure that international agreements entered into by the Republic of Belarus are fulfilled.
- Co-ordinate international co-operation on the part of the Republic of Belarus.
- Exercise other powers under this act, other acts and enactments of the President of the Republic of Belarus.

Article 6

Republic-level state control agencies and other state organisations in the field of atomic energy and their powers

- (1) Under this act and other legal enactments, state control in the field of atomic energy shall be exercised by the Ministry of Energy, the Ministry for Emergency Situations, by Republic-level state control agencies and by other state organisations authorised by the President of Belarus.
- (2) The Ministry of Energy shall, within the scope of its powers:
 - Participate in the formation and implementation of state policy.
 - Promote a single state scientific/technical and investment policy.
 - Draft proposals to support activities involving the use of atomic energy including the regulation of matters relating to the supply of nuclear installations with nuclear fuel.
 - Exercise other powers in accordance with this act and other legal enactments.
- (3) The Ministry of Emergency Situations shall, within the scope of its powers:
 - Organise emergency preparedness of forces and means at the disposal of agencies and sub-divisions in charge of emergency situations to take action in the event of an emergency situation. Monitor the implementation of measures aimed at preventing such situations.
 - Organise the drafting of an external emergency plan.
 - Establish the requirements for maintenance of nuclear safety and radiation protection during the performance of activities involving the use of atomic energy.
 - Organise measures aimed at limiting, minimising or dealing with the consequences of a radiation accident that has occurred during the performance of activities involving the use of atomic energy.
 - Exercise other powers in accordance with this act and other legal enactments.

- (4) Republic-level state control agencies and other state organisations authorised by the President shall within the scope of their powers:
- Draw up proposals for the development and implementation of a single state scientific/technical and investment policy.
 - Participate in the performance of state expert appraisals of designs for nuclear installations and/or storage facilities through the legally-established procedure.
 - Take part in the organisation and performance of work to evaluate compliance of equipment, products and processes for items used in atomic energy.
 - Ensure safety and carry out measures to protect the environment at items used in atomic energy falling within the scope of specific authorities.
 - Organise the discussion of issues with public associations, other organisations and citizens.
 - Take part in activities relating to the training of specialists.
 - Exercise other powers in accordance with this act and other legal enactments.

Article 7

Republic-level state control agencies carrying out state regulation of activities to ensure nuclear safety

- (1) The Ministry of Emergency Situations, the Ministry of Natural Resources and Environmental Protection, the Ministry of Health, the Ministry of Internal Affairs and the Committee for State Security (hereinafter referred to as state regulatory agencies) are the authorised Republic-level state control agencies effecting state regulation of activities to ensure safety in the use of atomic energy, unless otherwise established by the President.
- (2) The Ministry of Emergency Situations shall, within the scope of its powers:
- Implement state supervision to ensure nuclear safety and radiation protection, and be responsible for providing physical protection of items used in atomic energy.
 - Organise and implement state supervision over the management of spent nuclear fuel and operational radioactive waste.
 - Implement monitoring of observance of the law to ensure nuclear safety and radiation protection.
 - Participate in the organisation and performance of work to evaluate compliance of equipment, products and processes for items used in atomic energy.
 - Ensure the functioning of a single state system of accountancy and monitoring for ionising radiation sources and one for nuclear materials.
 - Organise expert appraisals on the safety of nuclear installations and/or storage facilities, with designs, including the involvement of independent experts.
 - Exercise other powers in accordance with this act and other legal enactments.

- (3) Other state regulatory agencies in the field of atomic energy shall, within the scope of their powers:
- Monitor the provision of physical protection for items used in the field of atomic energy.
 - Adopt commissioning and decommissioning programmes for nuclear installations and/or storage facilities.
 - Participate in the drafting of an external emergency plan.
 - Adopt technical enactments in the field of atomic energy.
 - Exercise other powers in accordance with this act and other legal enactments.
- (4) State regulatory agencies in charge of nuclear safety shall, in exercise of their powers related to safety and the monitoring and supervision of activities involving the use of atomic energy, be independent of Republic-level agencies and other state organisations carrying out state control in the field of atomic energy.

Article 8

Powers of local government agencies

In the field of atomic energy, local government agencies shall, within the scope of their powers:

- Organise and participate in the discussion of issues with public associations, other organisations and citizens.
- Participate in measures to ensure protection of the public and the environment from the impact of ionising radiation at levels above those established by technical enactments.
- Monitor, within the territory of the relevant administrative area, the preparedness of organisations and the public for action in the event of a radiation accident.
- Participate in restricting or reducing the consequences of or cleaning up after a radiation accident.
- Inform the public through the local media of the radiation circumstances within the territory of the relevant administrative area.
- Exercise other powers in accordance with this act and other legal enactments.

Article 9

Features of technical standardisation and confirmation of compliance

- (1) Technical enactments in the field of atomic energy shall be adopted in agreement with state regulatory agencies in the field of nuclear safety.
- (2) Equipment, items and processes used in atomic energy shall be subject to confirmation of compliance in accordance with the law.

Article 10

Licensing

Licensing in the field of atomic energy shall be carried out in accordance with legal enactments on licensing.

Article 11

Licences conferring a right to perform activities involving the use of atomic power and requirements applicable to workers

- (1) Certain types of activities shall be carried out by workers of operating organisations and organisations performing work and/or providing services for activities involving the use of atomic energy, provided that these workers possess licences conferring a right to perform these activities issued by authorised state agencies in charge of nuclear safety.
- (2) For the performance of the activities, workers must obtain licences conferring a right to carry out work involving the use of atomic energy. The related requirements, including skills, level of education, training and retraining and the procedure for obtaining these licences shall be established by the Government of the Republic of Belarus.
- (3) A list of medical contraindications and a schedule of professions to which these contraindications relate. Also, the requirements for the performance of medical examinations and mental and physical checks shall be established in legislation.

CHAPTER 3

Management of nuclear materials, spent nuclear fuel and/or operational radioactive waste

Article 12

State accountancy and monitoring of nuclear materials, spent nuclear fuel and operational radioactive waste

- (1) Nuclear materials and spent nuclear fuel shall be subject to state accountancy and monitoring in the state nuclear materials accountancy and monitoring system.
- (2) Operational radioactive waste shall be subject to state accountancy and monitoring in the single state accountancy and monitoring system for ionising radiation sources.
- (3) The procedure for the operation of the state nuclear materials accountancy and monitoring system, and also the single state accountancy and monitoring system for ionising radiation sources, shall be established by the Government of the Republic of Belarus.

Article 13

Transportation of nuclear materials, spent nuclear fuel and/or operational radioactive waste

- (1) Transportation of nuclear materials, spent nuclear fuel and/or operational radioactive waste shall be carried out in accordance with this act and legal enactments in the field of transportation of hazardous goods.
- (2) During transportation of nuclear materials, spent nuclear fuel and/or operational radioactive waste, persons carrying out the transportation must put in place measures to prevent incidents and accidents and take steps to mitigate the consequences should incidents and accidents occur. They are to clean up and also implement measures to protect workers, the public, the environment and property from the consequences of potential accidents during transportation.
- (3) Confinement of and cleaning up after accidents during transportation of nuclear materials, spent nuclear fuel and/or operational radioactive waste shall be carried out using the capacities of persons carrying out the transportation and specialised sub-divisions of the Ministry for Emergency Situations.

CHAPTER 4

Siting and construction of nuclear installations and/or storage facilities

Article 14

Decisions concerning the siting and construction of nuclear installations and/or storage facilities

Decisions on the siting and construction of nuclear installations and/or storage facilities, including decisions on proposals put forward by interested Republic-level state control agencies and other state organisations, shall be taken with due consideration given the following requirements:

- The need to resolve socio-economic problems in the Republic of Belarus and its individual regions, with consideration given to potential consequences of the site of these facilities.
- The absence of any threat to the safety of the nuclear installation and/or storage facility posed by civil or military facilities located nearby.
- The conditions necessary for the environmentally safe siting of the nuclear installation and/or storage facility which meet legal requirements on environmental protection and sustainable utilisation of natural resources. This should be confirmed by positive conclusions from state and other expert appraisals as envisaged in laws.
- Other requirements established in laws.

Article 15

Revocation of decision to construct a nuclear installation and/or storage facility

- (1) A decision to construct a nuclear installation and/or storage facility must be revoked and its construction discontinued in the event that factors are identified which will lead to a decrease of the safety level for these facilities or to contamination of the environment, or other negative

consequences, according to conclusions of state and other expert appraisals as envisaged in laws.

- (2) The revocation of a decision to construct a nuclear installation and/or storage facility shall be carried out by the agency or official that took the decision to construct these facilities.
- (3) Proposals to revoke a decision to construct a nuclear installation and/or storage facility shall be submitted to the agency or official that took the decision by Republic-level state control agencies, local government agencies or public associations and other organisations or citizens, providing grounds for the factors indicated in the first section of this article.
- (4) Losses associated with the revocation of a decision to construct a nuclear installation and/or storage facility shall be subject to compensation by the organisations through whose fault the factors indicated in the first section of this article were not identified in a timely manner and taken into account.

Article 16

Designs of nuclear installations and/or storage facilities

- (1) The development of designs for nuclear installations and/or storage facilities shall take place in accordance with the requirements of the law on construction, architecture and town planning, the law on the protection and utilisation of land, the law on the use of underground resources, the law on public sanitary and epidemiological wellbeing, the law on protection of the public and territories from emergency situations and the law on environmental protection and appropriate use of natural resources, including technical enactments.
- (2) In a design for a nuclear installation and/or storage facility, it is compulsory to provide justification for the size of the land that must be made available, the need to establish restrictions (encumbrances) on the rights to utilise the site for the planned nuclear installation and/or storage facility, taking into account the situation of functional capital structures (buildings, edifices), and other production, transport and engineering infrastructure facilities and the setting up of a health protection zone and observation zone.
- (3) The design for a nuclear installation and/or storage facility should envisage measures for safe decommissioning of these facilities and measures for the safe management of nuclear materials, spent nuclear fuel and/or operational radioactive waste as a compulsory stage of any nuclear technology cycle.
- (4) The design for a nuclear installation and/or storage facility shall undergo legally required state and other expert appraisals to confirm the safety of these facilities.

Article 17

Health protection zone and observation zone

- (1) To protect the public and the environment around the site of a nuclear installation and/or storage facility, under this act radiation safety legislation and public sanitary and epidemiological wellbeing legislation, a health protection zone and an observation zone may be set up.
- (2) A health protection zone shall be established in order to reduce the harmful impact of ionising radiation associated with activities involving the use of atomic energy on the health of the public.

- (3) An observation zone shall be established in order to ensure that reliable information is obtained on natural background radiation and radioactive contamination of the atmosphere and surface and underground water around the site of a nuclear installation and/or storage facility.
- (4) In a health protection zone it is prohibited to locate capital structures (buildings, edifices) that do not relate to the functioning of the nuclear installation and/or storage facility, or other facilities belonging to the production, transport or engineering infrastructure, that are not envisaged in the design of the nuclear installation and /or storage facility.
- (5) Changes to the functional purpose of capital structures (buildings, edifices) or other facilities belonging to the production, transport or engineering infrastructure that are envisaged in the design of the nuclear installation and/or storage facility and which are located in a health protection zone shall be permitted subject to agreement with state regulatory agencies on the basis of a proposal from the operating organisation.
- (6) The need to establish a health protection zone and an observation zone, together with the size of these zones and their boundaries, shall be established in the design for the nuclear installation and/or storage facility in line with safety requirements as envisaged in technical enactments and shall be agreed with authorised state agencies and institutions carrying out state sanitary supervision.
- (7) The size of a health protection zone and an observation zone around a nuclear installation and/or storage facility shall be established taking into account potential external irradiation levels and also the magnitude and area of potential propagation of radioactive discharges into the air and/or surface and underground water. The procedure for the approval of health protection zones and observation zones and the establishment and delineation of their boundaries, and also the requirements for their protection and use, shall be established by the Government of the Republic of Belarus.
- (8) In health protection zones and observation zones, authorised state agencies and institutions carrying out state sanitary supervision may introduce restrictions on economic activities in accordance with the law.
- (9) In health protection zones and observation zones, radiation checks and radiation monitoring of the environment must be carried out in accordance with this act and with other legal enactments.

CHAPTER 5

Commissioning and decommissioning of nuclear installations and/or storage facilities

Article 18

Licensing and commissioning of a nuclear installation and/or storage facility

- (1) Licensing of a nuclear installation and/or storage facility for operation shall be carried out in accordance with the procedure established in the law on construction, architecture and town planning, including technical enactments.
- (2) Commissioning of a nuclear installation and/or storage facility shall take place in accordance with the nuclear installation and/or storage facility commissioning programme drawn up by the operating organisation on the basis of the designs for these facilities. A nuclear installation

and/or storage facility commissioning programme shall be agreed with state regulatory agencies and adopted by the agency or official that took the decision on siting and construction of the nuclear installation and/or storage facility. The periods for drafting, agreeing and adopting a nuclear installation and/or storage facility commissioning programme shall be established by technical enactments.

Article 19

Life extension for a nuclear installation and/or storage facility

- (1) A decision on life extension for a nuclear installation and/or storage facility shall be taken by the agency or official that took the decision on the construction of these facilities.
- (2) A life extension proposal for a nuclear installation and/or storage facility shall be made by the Republic-level state control agency, or another state organisation, responsible for the nuclear installation and/or storage facility provided appropriate grounds have been submitted by operating organisations that have been duly agreed with state regulatory agencies.

Article 20

Decommissioning or limiting operation of a nuclear installation and/or storage facility

- (1) Decommissioning or limiting operation of a nuclear installation and/or storage facility shall take place in accordance with the requirements of technical enactments in the field of atomic energy.
- (2) The operating organisation shall draw up a decommissioning programme five years prior to the end of the design life of a nuclear installation and/or storage facility. This should contain measures for the dismantling of these facilities, the management of nuclear materials, spent nuclear fuel and/or operational radioactive waste, as well as measures for subsequent monitoring and state supervision of the facilities.
- (3) A nuclear installation and/or storage facility decommissioning programme shall be agreed with state regulatory agencies and sent by the Republic-level state control agency or other state organisation for ratification to the agency or official that took the decision on the construction of the nuclear installation and/or storage facility.
- (4) In the event that factors are identified during the operation of the nuclear installation and/or storage facility that lead to a reduction in the safety level of these facilities, contamination of the environment or other negative consequences based on conclusions drawn by state and other expert appraisals envisaged in law, the agency or official that took the decision to construct the nuclear installation and/or storage facility shall take a decision on premature decommissioning or a decision on limiting the operation.
- (5) Proposals for premature decommissioning or proposals for limiting operation of a nuclear installation and/or storage facility shall be made by state agencies, local government agencies or public associations, other organisations or citizens to the agency or official that took the decision to construct the nuclear installation and/or storage facility.
- (6) Premature decommissioning or limiting operation of a nuclear installation and/or storage facility shall take place in accordance with a premature decommissioning programme or operation limitation programme drawn up by the operating organisation. These programmes must be drawn up, agreed and adopted within one year of the date of the decision on premature

decommissioning or the decision to limit operation, following the procedure envisaged in section 3 of this article.

Article 21

Funds for decommissioning of nuclear installations and/or storage facilities

- (1) A nuclear installation and/or storage facility decommissioning fund shall be set up for the decommissioning, premature decommissioning or the limitation of operation of nuclear installations and/or storage facilities.
- (2) The procedure for the creation of the nuclear installation and/or storage facility decommissioning fund shall be established by the President of Belarus.
- (3) For nuclear power plants or their units, the fund shall be created from money received from the sale of electricity and thermal energy and provision of other services as well as from other sources that are not in breach of the law.
- (4) The fund shall only be used to finance measures envisaged in programmes for decommissioning, premature decommissioning or limitation of the operation.

CHAPTER 6

Physical protection of items used in atomic energy

Article 22

Physical protection of items used in atomic energy

Physical protection of items used in atomic energy shall be provided for the following purposes:

- To prevent unsanctioned ingress onto the territory of a nuclear installation and/or storage facility, and to prevent unsanctioned access to nuclear materials, spent nuclear fuel and/or operational radioactive waste and their theft or damage to them.
- Timely identification, prevention and termination of threats to the safety of items used in atomic power, including threats of a terrorist or diversion.
- Detection and return of lost or stolen nuclear materials, spent nuclear fuel and/or operational radioactive waste.

Article 23

Provision of physical protection for items used in atomic energy

- (1) Physical protection measures for a nuclear installation and/or storage facility should be provided at all stages of design, construction, commissioning, operation, limitation of physical

characteristics, life extension and decommissioning as well as during the management of nuclear materials, spent nuclear fuel and/or operational radioactive waste.

- (2) Physical protection for items used in atomic energy shall be provided by operating organisations and Republic-level state control agencies within the scope of their powers.
- (3) State supervision over physical protection for items used in atomic energy shall be carried out by authorised state regulatory agencies, through a procedure established by the Government.
- (4) The operation of a nuclear installation and/or storage facility, as well as any work involving the use of nuclear materials or the handling of spent nuclear fuel and/or operational radioactive waste, shall be prohibited if the necessary measures to meet physical protection requirements have not been taken.

Article 24

Restriction of the rights of individuals on the site of a nuclear installation and/or storage facility

- (1) In order to provide physical protection for items used in atomic energy and to ensure the safety of workers of operating organisations, movements and actions by individuals, including workers, on the site of a nuclear installation and/or storage facility or in the health protection zones of such facilities may be restricted.
- (2) In order to identify substances, materials and items which may be used to carry out an unlawful act in the operation of a nuclear installation and/or storage facility, special systems are to be employed to examine and check items and/or means of transport, workers of operating organisations and citizens visiting these facilities. The manner in which examinations and other checks are to be carried out shall be established in accordance with the law on security activities.
- (3) On the site of a nuclear installation and/or storage facility or in the health protection zones of such facilities, congresses, meetings, demonstrations and also unsanctioned mass undertakings shall be prohibited.

CHAPTER 7

Emergency preparedness and emergency response

Article 25

Organisation of emergency preparedness and emergency response

- (1) The organisation of emergency preparedness and emergency response shall consist of the elaboration of measures to ensure emergency preparedness and to provide an emergency response.
- (2) Measures to provide emergency preparedness and an emergency response are to be elaborated in accordance with the requirements of legal enactments and shall be established in external and internal emergency plans.

Article 26

External emergency plan

- (1) An external emergency plan shall establish zones of emergency response and action for Republic-level state control agencies, local government agencies, state and other organisations as well as citizens, aimed at protecting public life and health, the environment and property in the event of a radiation accident arising during activities involving the use of atomic energy. This would include the use of atomic energy at a nuclear installation and/or storage facility located outside the territory of the Republic of Belarus within one hundred kilometres of the state border.
- (2) State regulatory agencies and local government agencies shall draft an external emergency plan and take measures to implement it.
- (3) The Government shall adopt the external emergency plan. External emergency plan measures shall be subject to unconditional execution. The operating organisation shall, at its own expense and other sources which are not prohibited by law, maintain the level of material/technical and staff required in the external emergency plan.

Article 27

Internal emergency plan

- (1) An internal emergency plan, in accordance with an external emergency plan, shall determine the actions of an operating organisation in cleaning up after, confining or reducing the consequences of a radiation accident.
- (2) An internal emergency plan shall be drawn up and approved by the operating organisation in agreement with state regulatory agencies.
- (3) An internal emergency plan must be approved at least six months prior to the start of the planned commissioning of a nuclear installation and/or storage facility.
- (4) The drafting of an internal emergency plan, along with measures to implement it, shall be funded by the operating organisation.
- (5) An internal emergency plan shall undergo a practical check prior to commissioning and during operation of a nuclear installation and/or storage facility at intervals to be established by state agencies for safety regulation in the use of atomic energy.

Article 28

Terms and procedure for drafting of emergency plans

The Government at the proposal of state regulatory agencies shall establish the terms and procedure for the drafting of emergency plans, the measures to be taken in cleaning up after, confining or minimising the consequences of a radiation accident, the methods used to inform the public and the measures to be taken to verify emergency preparedness.

Article 29

Duties of the operating organisation in ensuring emergency preparedness and emergency response

- (1) The operating organisation must familiarise workers with the emergency plans and carry out special training of workers who will have duties under these plans.
- (2) In the event of a radiation accident while activities involving the use of atomic energy are being performed, which has led to a release of radioactive substances into the environment at a level above the limits, the operating organisation must:
 - Immediately notify the public, state regulatory agencies and local government agencies in the emergency response area and other state agencies.
 - Take steps to clean up, restrict or mitigate the consequences of the radiation accident.
 - Monitor the irradiation of individuals involved in cleaning up, restricting or mitigating the consequences of the radiation accident and also take steps aimed at preventing the basic irradiation dose limits for these individuals from being exceeded.
 - Ensure that there is continuous monitoring of the release of radioactive substances into the environment.
 - Provide the relevant state agencies, other organisations and the public in the observation zone with up-to-date information on the radiation circumstances in accordance with the emergency plans.
 - Perform other duties in line with the measures envisaged in the external and internal emergency plans and this act.
- (3) Irradiation of workers of the operating organisation above set fundamental irradiation dose limits may be allowed when work is carried out to clean up, restrict or mitigate the consequences of a radiation accident (but not above the effective potentially hazardous irradiation dose set by enactments). This should only be done if it is not possible to take other steps to protect the public or prevent large-scale irradiation, or where there is a threat of major radioactive contamination of the environment. The operating organisation must give prior notification to workers taking part in such activities of the potential risk of irradiation at levels exceeding set fundamental irradiation dose limits and obtain their written consent to this.

CHAPTER 8

Operating organisations and organisations carrying out work and/or providing services

Article 30

Characteristics of activities involving the use of atomic energy carried out by an operating organisation

- (1) The operating organisation and the Ministry of Energy shall co-operate on matters relating to the setting of operating regimens for a nuclear power plant or a unit at such a station and operating regimens for generating and other equipment used at the nuclear power plant.
- (2) Any interference in activities involving the use of atomic energy being carried out by an operating organisation that may reduce the level of nuclear safety, with the exception of cases as envisaged in legal enactments and technical enactments, shall be inadmissible.

Article 31

Funds for financing the work to maintain and improve safety of a nuclear installation and/or storage facility

- (1) The operating organisation shall establish a fund with the objective of financing research, experimental design and other work to maintain and improve the safety of the nuclear installation and/or storage facility. This fund must be set up prior to commissioning of the nuclear installation and/or storage facility.
- (2) The procedure for the setting up and utilisation of this fund shall be established by the President.

Article 32

Duties and responsibility of operating organisation in ensuring safety of a nuclear installation and/or storage facility

- (1) An operating organisation shall draw up and put into effect measures aimed at maintaining and improving the safety of a nuclear installation and/or storage facility, in case of need set up the appropriate services to carry out safety monitoring and present information on the safety status of these facilities to state regulatory agencies at times as set by them.
- (2) An operating organisation shall provide for:
 - Utilisation of the nuclear installation and/or storage facility only for the intended purposes.
 - The organisation and performance of work in a scope and of a quality which meet the requirements of technical enactments at all stages of the siting, planning, construction, commissioning, operation, limitation of operation, extension of life and decommissioning of a nuclear installation and/or storage facility.
 - The drafting and implementation of measures to prevent radiation accidents and to mitigate their negative consequences for workers, the public and the environment.

- Safe management of nuclear materials, spent nuclear fuel and/or operational radioactive waste where workers and the public are concerned.
 - The establishment and targeted use of a nuclear installation and/or storage facility decommissioning fund and a fund for financing of work to maintain and improve nuclear installation and/or storage facility safety.
 - The implementation of workers' rights to social guarantees.
 - Record-keeping on workers individual irradiation dose.
 - The drafting and implementation of measures to protect workers and the public in the observation zone in the event a radiation accident.
 - Accountancy and monitoring for nuclear materials, spent nuclear fuel and/or operational radioactive waste and other ionising radiation sources.
 - Implementation of physical protection for items used in atomic energy.
 - The drafting and implementation of fire safety measures at a nuclear installation and/or storage facility.
 - Radiation control and radiation monitoring in the health protection zone and the observation zone.
 - Selection, training, retraining and maintenance of appropriate skills levels as well as required number of workers.
 - Notification of the public in the observation zone of the radiation circumstances.
 - Performance of other duties required by laws.
- (3) Under the law, an operating organisation shall be liable for failure to observe the safety maintenance requirements of a nuclear installation and/or storage facility.
- (4) In the event that decisions are duly taken to suspend or terminate the licence conferring a right to operate a nuclear installation and/or storage facility, the Republic-level state control agency or other state organisation responsible for the facilities in question shall take steps to ensure their safety. If it proves impossible to put such a special licence back into effect, the aforementioned state agencies and state organisations shall take steps to establish another operating organisation.

Article 33

Organisations carrying out work and/or providing services

- (1) Organisations carrying out design and surveys, research, experimental design, process work, the design and manufacture of equipment for nuclear installations and/or storage facilities and other work and/or services involving the use of atomic energy shall ensure that the work is carried out and/or the services are provided in a scope and of a quality which meet the requirements in technical enactments. They shall bear liability for the quality of the work performed and/or the services provided throughout the lifetime as set in the design of the nuclear installation and/or storage facility.

- (2) The requirements of this act in respect of operating organisations and their obligation to maintain nuclear safety and radiation protection shall apply to the organisations referred to in the first section of this article.

Article 34

Legal status of workers

- (1) Workers of operating organisations belong to the category of employees performing special work. Employment relations and discipline for workers of operating organisations shall be regulated by labour laws and by the relevant disciplinary regulation adopted by the President.
- (2) Workers of operating organisations shall be subject to compulsory accident at work and occupational disease insurance including diseases caused by exposure to ionising radiation, in accordance with the law on insurance.
- (3) With respect to workers as referred to in Article 33 of this act who are performing work and/or providing services directly at a nuclear installation and/or storage facility or with nuclear materials, spent nuclear fuel and/or operational radioactive waste, the requirements of sections one and two of this article shall apply as well as the requirements of Article 41 of this act.
- (4) The social and routine provisions for specific categories of workers at operating organisations shall be established by law.

CHAPTER 9

Liability for damage caused by a radiation accident / Liability for breaches of the law

Article 35

Compensation for damage caused by a radiation accident

Damage caused to organisations and individuals by a radiation accident occurring during the performance of activities involving the use of atomic energy, or by a combination of such an accident with a toxic, explosive or other hazardous impact shall be subject to compensation by the operating organisation pursuant to this act and other legislation.

Article 36

Liability limit for damage caused to organisations and individuals by a radiation accident and features of compensation

- (1) A liability limit for compensation for damage caused by a radiation accident shall be set by the President or, at his assignment, by the Government.
- (2) The liability limit for compensation for damage caused by a radiation accident may not be lower than the minimum level established in international agreements of the Republic of Belarus.
- (3) In order to provide compensation for damage caused by a radiation accident an operating organisation must have financial cover for liability. The sources for this and the amount of

which shall be established by the Government, by agreement with the President, taking into account international agreements of the Republic of Belarus.

Article 37

Compensation for damage to the environment caused by a radiation accident

- (1) The operating organisation shall bear liability for damage to the environment caused by a radiation accident, in accordance with the law.
- (2) In the event of a complete or partial refusal by an operating organisation to compensate claims for damages to the environment caused by a radiation accident, action shall be brought for compensation by the state agency within the limits of its powers or by the public prosecutor carrying out state monitoring in the field of environmental protection.

Article 38

Liability for breaches of law

Officials of state agencies, including Republic-level state control agencies, state regulatory agencies, local government agencies and also workers at operating organisations, organisations carrying out work and/or providing services for activities involving the use of atomic energy as well as other individuals, shall bear disciplinary, administrative, criminal and/or other liability for breaches of the laws in the field of atomic energy.

CHAPTER 10

Guarantees of rights of individuals and organisations

Article 39

Rights of individuals and organisations to receive information

- (1) Individuals, public associations and other organisations shall have a right to request, through a legally-established procedure, and obtain from state agencies and organisations information on the safety of nuclear installations and/or storage facilities that are scheduled for construction, being planned, constructed, operated or decommissioned, with the exception of information that is a state secret and information the dissemination or disclosure of which is restricted. Information on a radiation accident must not be categorised as a state secret or as information the dissemination or disclosure of which is restricted.
- (2) Individuals, public associations and other organisations shall have a right to obtain information on radiation circumstances free of charge.
- (3) Individuals who have been exposed to ionising radiation shall have a right to obtain a document on the irradiation dose received. The procedure for obtaining such a document and its form shall be established by the Government, unless otherwise stipulated by legal enactments.

Article 40

Rights of individuals and organisations to participate in policy making

- (1) Individuals, public associations and other organisations shall have a right to take part in the discussion of drafts of legal enactments and targeted state programmes in the field of atomic energy.
- (2) Public associations and other organisations shall have a right to put forward representatives to take part in state and other expert appraisals of nuclear installations and/or storage facilities at the stage of siting, planning, construction, operation, decommissioning or limitation of operation.
- (3) Public associations and other organisations shall have a right to hold independent expert appraisals in cases and following the procedure stipulated in law.

Article 41

Rights of workers of operating organisations to social guarantees

Workers of operating organisations shall have a right to social guarantees for harmful impacts of ionising radiation on their health, and for supplementary risk factors, at the expense of the operating organisation pursuant to legal enactments establishing the types, amounts and procedure of such social guarantees as well as the sources from which their funding is to come.

CHAPTER 11

International co-operation in the field of atomic energy

Article 42

International agreements of the Republic of Belarus

If an international agreement stipulates rules, other than those envisaged in this act, the rules of the international agreement of the Republic of Belarus shall apply.

Article 43

Exchange of information with foreign states, the International Atomic Energy Agency and other international organisations in the field of atomic energy

Exchange of information with foreign states, the International Atomic Energy Agency and other international organisations in the field atomic energy shall take place in accordance with international agreements of the Republic of Belarus.

Article 44

Import and export of nuclear installations, equipment and technology, nuclear materials, spent nuclear fuel, operational radioactive waste, work and services

- (1) Import and export of nuclear installations, equipment and technology, nuclear materials, spent nuclear fuel, operational radioactive waste, work and services involving the use of atomic energy, including transfer of them for display at exhibitions, performance of joint work and other purposes of a non-commercial nature, shall take place in accordance with enactments of the President, international undertakings on non-proliferation of nuclear weaponry and international agreements of the Republic of Belarus.
- (2) Imports into Belarus of spent nuclear fuel and/or operational radioactive for the purpose of their storage or underground disposal shall only be permitted in respect of spent nuclear fuel and/or operational radioactive waste that was generated in Belarus.

Article 45

Notification of foreign states of a radiation accident

Notification of a radiation accident that has occurred during the performance of activities involving the use of atomic energy, and which has led to trans-border propagation of radioactive substances, shall be made by authorised state agencies in accordance with international agreements of the Republic of Belarus.

Article 46

International assistance in the event of a radiation accident

Offers of international assistance in the event of a radiation accident that has occurred during the performance of activities involving the use of atomic energy, with a view to minimising its consequences and with a view to protecting the life and health of the public, the environment and property from harmful exposure to ionising radiation, shall be made in accordance with international agreements of the Republic of Belarus.

CHAPTER 12

Final provisions

Article 47

Bringing legal enactments in line with this act

Within one year, the Council of Ministers shall:

- Draft and duly submit to the House of Representatives of the National Assembly proposals aimed at bringing legal enactments into line with this act.

- Draft and duly submit draft legal enactments establishing the forms and amounts of social guarantees for the harmful impact of ionising radiation on the health of workers of operating organisations and for supplementary risk factors and the procedure by which they shall be made available as well as the sources from which they are to be funded.
- Bring decisions of the Government into line with this act.
- Ensure that Republic-level state control agencies that are subordinate to the Government bring their legal enactments into line with this act.
- Take other steps essential to the implementation of the provisions of this act.

Article 48

Entry into effect of this act

- (1) This act shall enter into effect ten days after its official promulgation.
- (2) Until legal enactments have been brought into line with this act, they shall be applied to the extent that they do not conflict with this act, unless otherwise established by the Constitution of the Republic of Belarus.