

Regulation on the Department for Nuclear Safety and Radiation Protection of the Ministry for Emergency Situations of the Republic of Belarus¹

of 12 November 2007

CHAPTER 1

General provisions

1. The Department for Nuclear Safety and Radiation Protection of the Ministry for Emergency Situations of the Republic of Belarus (Gosatomnadzor) is a sub-division of the Ministry with the rights of a legal person, performing special functions in the field of nuclear safety and radiation protection.
2. Gosatomnadzor shall be subject to the Constitution of the Republic of Belarus, the Regulation on the Ministry for Emergency Situations, this regulation and other legislative acts.
3. Gosatomnadzor shall have its own balance, accounts at banks, a seal and letterheads bearing the state emblem of the Republic of Belarus and its own name as well as other seals and stamps.
4. Activities of Gosatomnadzor shall be funded by the Republic's budget and other sources, subject to law.
5. The property of Gosatomnadzor shall be owned by the Republic and managed by Gosatomnadzor.

CHAPTER 2

Main tasks of Gosatomnadzor

6. The main tasks of Gosatomnadzor are:
 - 6.1 state oversight in the field of nuclear safety and radiation protection;
 - 6.2 monitoring of compliance with legislation in the field of nuclear safety and radiation protection.

1. Unofficial translation by the OECD.

CHAPTER 3

Functions and rights of Gosatomnadzor

7. Gosatomnadzor shall, in pursuit of the tasks assigned to it:
 - 7.1 Analyse the application of the law in the field of nuclear energy, nuclear safety and radiation protection as well as draft proposals to upgrade practices.
 - 7.2 Create a set of standards and rules in the field of nuclear energy, nuclear safety and radiation protection, to be ratified by the Ministry for Emergency Situations.
 - 7.3 Participate in the issuing of licences by the Ministry for Emergency Situations to organisations and individual entrepreneurs to carry on activities related to ionising radiation sources, nuclear materials, radiation protection systems and process equipment for nuclear materials and ionising radiation sources.
 - 7.4 Establish the requirements to document nuclear safety and radiation protection for a nuclear installation, radiation source, nuclear material or ionising radiation source storage facility (hereinafter referred to a storage facility) and for activities related to ionising radiation sources, nuclear materials, radiation protection systems and process equipment for nuclear materials and ionising radiation sources.
 - 7.5 Carry out expert appraisals of nuclear installations, nuclear power plants, radiation sources and storage facilities as well as appraisals of design and construction documentation for these with or without the involvement of independent experts.
 - 7.6 Within the scope of its competence, organise and carry on state oversight in relation to:
 - compliance with licensing requirements and conditions by licensees;
 - management of radioactive waste and spent nuclear fuel and their reprocessing, disposal and excavation;
 - physical protection of nuclear materials and installations, radiation sources and storage facilities;
 - protective measures to ensure the safety of workers and the public in the event of a nuclear and radiation accidents;
 - compliance with requirements of legal enactments and technical legal enactments in the field of nuclear safety and radiation protection during the planning (design), manufacture, storage, assembling, operation and decommissioning of equipment and systems for nuclear installations, nuclear power plants, radiation sources and storage facilities.
 - 7.7 Organise scientific studies to maintain the principles and criteria on nuclear safety and radiation protection, to improve the efficiency of state oversight and involve both national and foreign scientific organisations, scientists and specialists.

- 7.8. Duly examine and submit proposals for draft programmes to conduct research and design aimed at demonstrating and improving the safety of nuclear installations, nuclear power plants, radiation sources and storage facilities that are being designed, constructed, reconstructed or operated.
- 7.9. Verify computer programmes, set up and run databases for safety analysis of nuclear installations, radiation sources and storage facilities. Ensure the functioning of a state system of nuclear materials accountancy and monitoring, a single state system of ionising radiation source accountancy and monitoring and a physical protection system for nuclear materials and installations, nuclear power plants, radiation sources and storage facilities.
- 7.10 Set up the requirements for the content and procedure when reporting violations in the operation of radiation facilities, nuclear installations and nuclear power plants to Gosatomnadzor.
- 7.11 Set up procedures to investigate the circumstances and causes that have led to violations in the operation of radiation facilities, nuclear installations and nuclear power plants. Carry out these investigations.
- 7.12 Draft requirements and conditions to prevent any possibility of acts of terrorism being perpetrated at radiation facilities, nuclear installations, nuclear power plants or storage facilities.
- 7.13 Participate in operations to certificate equipment, items and processes for nuclear installations, nuclear power plants, radiation sources and storage facilities.
- 7.14 Publish legal enactments and information, reference and other documents required for the performance and upgrading of activities in the field of nuclear safety and radiation protection.
- 7.15 Organise professional training, retraining, skills upgrading and probation work for Gosatomnadzor employees.
- 7.16 Draft for Republic-level state agencies, local executive and management agencies and other organisations, proposals on matters related to improving the functioning of radiation facilities, nuclear installations and nuclear power plants.
- 7.17 Participate in the work of commissions engaged in preliminary, regular and initial testing of equipment and technical systems used at radiation facilities, nuclear installations and nuclear power plants. Engage special commissions to select radioactive waste storage locations.
- 7.18 Monitor compliance with requirements of standards and rules in the field of nuclear energy.

Ensure compliance with the international obligations of Belarus with regard to nuclear safety and radiation protection.

Organise and carry on professional training, retraining and skills upgrading at radiation and nuclear installations with the aim to safely perform work.

Implement measures to improve the accident prevention provisions and the safe operation of radiation facilities, nuclear installations and nuclear power plants.

- 7.19 Inform the public in accordance with the law on the safety of radiation facilities, nuclear installations and nuclear power plants.
 - 7.20 Draft and submit to the Ministry for Emergency Situations:
 - A procedure to verify the knowledge of managers and specialists at organisations and individual entrepreneurs working with ionising radiation sources, at nuclear installations and at nuclear power plants of the laws in the field of nuclear safety and radiation protection .
 - Procedures for those carrying out work and services in the field of nuclear energy and issuing licences for activities related to the manufacture, use, reprocessing and storage of nuclear materials.
 - Planning (design), manufacture, storage and assembly of ionising radiation sources, radiation protection systems and process equipment for nuclear materials and ionising radiation sources.
 - Proposals for the co-ordination of activities of Republic-level state agencies, local executive and management agencies and other organisations to ensure nuclear safety and radiation protection.
 - Proposals for the preparation of the annual report to the Council of Ministers on the protection of the public and the environment from natural and man-made emergency situations.
 - 7.21 Within the limits of its competence, protect information on state secret.
 - 7.22 Monitor the work of Republic level state agencies and other state organisations subordinate to the Government on matters related to radiation protection and monitor the performance of officials in carrying out the duties assigned to them.
 - 7.23 Give due consideration to requests by organisations and citizens on matters that fall within its competence.
 - 7.24 Carry out other functions as envisaged by law.
8. In order to carry out its tasks and functions, Gosatomnadzor shall have a right:
- to draw up and submit to the Ministry of Emergency Situations proposals on matters falling within its competence, including draft legal enactments and draft technical enactments;
 - to recruit experts to participate in the performance of appraisals and inspections at radiation facilities, nuclear installations and nuclear power plants;
 - to commission scientific organisations, higher education institutions and other organisations to draft comprehensive and special programmes as well as to prepare drafts

of legal enactments and technical enactments in the field of nuclear safety and radiation protection;

- to carry on international trade activities in compliance with the law;
- to request and receive information from state agencies and other organisations on matters falling within its competence;
- to issue mandatory orders to organisations and individual entrepreneurs operating ionising radiation sources, nuclear installations and nuclear power plants with a view to avoid violations in the field of nuclear safety and radiation protection;
- to enforce other powers in line with its tasks and functions.

CHAPTER 4

Organisation of Gosatomnadzor activities

9. Gosatomnadzor shall be headed by a director appointed to the post and dismissed from it by the President as advised by the Minister for Emergency Situations.

The director of Gosatomnadzor shall have deputies, including one first deputy, appointed to the post and dismissed from it by the Minister for Emergency Situations as advised by the director of Gosatomnadzor and subject to agreement with the Council of Ministers.

10. The director of Gosatomnadzor shall:
- 10.1 be subordinate to the Minister for Emergency Situations;
 - 10.2 manage the activities of Gosatomnadzor and bear personal responsibility for the implementation of the tasks and functions allocated to it;
 - 10.3 within the limits of its competence, issue orders and ratify regulations on structural subdivisions of Gosatomnadzor;
 - 10.4 delegate duties to deputies and set the powers of Gosatomnadzor officials;
 - 10.5 appoint and dismiss Gosatomnadzor employees, apart from Gosatomnadzor deputy directors;
 - 10.6 represent Gosatomnadzor's interests *vis-à-vis* state agencies and other organisations;
 - 10.7 within the limits set by the Ministry for Emergency Situations, dispose of the property of Gosatomnadzor (including money) and act without power of attorney on behalf of Gosatomnadzor and open accounts at banks;
 - 10.8 give incentives and impose disciplinary requirements on Gosatomnadzor employees;
 - 10.9 ensure that Gosatomnadzor employees observe discipline at work and apply measures aimed at improving safety conditions at work and rest and in everyday life;

10.10 monitor the implementation of decisions taken by the Ministry for Emergency Situations;

10.11 exercise other powers within the limits of his competence.

11. A board shall be set up at Gosatomnadzor comprising seven people (namely the director of Gosatomnadzor (chairman of the board), his deputies and other Gosatomnadzor management employees) for collective discussion of the most important matters.

The regulation on the Gosatomnadzor board and the composition of its members shall be ratified by the Ministry for Emergency Situations as advised by the director of Gosatomnadzor.

Decisions of the board with regard to public relations on certain activities which require normative action shall be drafted as a protocol and submitted to the Ministry for Emergency Situations which shall issue the appropriate resolutions and orders. Board decisions on other matters shall be put into effect through orders of the director of Gosatomnadzor.

In the event of disputes arising between the director of Gosatomnadzor and board members, a decision shall be taken by the director of Gosatomnadzor, with a report on this decision being sent to the Minister for Emergency Situations. Board members may inform the Minister for Emergency Situations of their stance.

12. Commissions, councils and other advisory bodies may be set up at Gosatomnadzor to consider matters falling within its competence.