Radiological and Nuclear Security Act

PARLIAMENT OF CROATIA

3012

Under Article 89. Constitution of the Republic of Croatia,

DECISION

ON THE PROCLAMATION OF THE RADIOLOGICAL AND NUCLEAR SAFETY ACT

I declare the Law on Radiological and Nuclear Security, which was adopted by the Croatian Parliament at its session on November 15, 2013.

Class: 011-01/13-01/247

Urnumer: 71-05-03/1-13-2

Zagreb, 21 November 2013

President
of the Republic of Croatia
Ivo Josipović,
Acting President of the
Republic of Croatia

LAW

ON RADIOLOGICAL AND NUCLEAR SECURITY

I. GENERAL PROVISIONS

Content
Article 1

This Act sets out radiological safety measures, physical insurance measures and non-proliferation of nuclear weapons in the performance of nuclear activities and activities with sources of ionizing radiation, with the aim of providing adequate protection of individuals, society and the environment, in the present and future, from the harmful consequences of

ionizing radiation and enabling the safe performance of activities with sources of ionizing radiation, nuclear activities, radioactive waste disposal and physical waste ionising radiation sources and nuclear facilities.

Article 2

This Act contains provisions that comply with the following acts of the European Union:

- Council Regulation (Euratom) No. 1493/93 of 8 June 1993 on consignments of radioactive substances between Member States (SL L 148, 19.6.1993)

- Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safety monitoring (SL L 54, 28.2.2005)

- Commission Regulation (Euratom) No. 66/2006 of 16 January 2006 on the exemption of the transfer of small quantities of ores, raw materials and specific fissile materials from the application of the rules of the supply chapter (SL L 11, 17. 1. 2006)

- Council Directive No 123/2013 89/618/Euratom of 27 November 1989 on informing the population of the healthcare measures to be applied and the steps to be taken in the event of a radiological hazard (SL L 357, 7.12.1989)

- Council Directive No 123/2013 90/641/Euratom of 4 December 1990 on the operational protection of external workers, who are at risk of ionising radiation during their activities in supervised areas (SL L 349, 13.12.1990)

- Council Directive No 123/2013 96/29/Euratom of 13 May 1996 on establishing basic safety standards to protect the health of workers and the population from the risk of ionising radiation (SL L 159, 29.6.1996)

– Council Directive 97/43/Euratom of 30 June 1997 on protecting the health of individuals from the risk of ionising radiation in relation to medical exposure and on the repeal of Directive 84/466/Euratom (SL L 180, 9.7. 1997)

- Council Directive No 123/2013 2003/122/Euratom of 22 December 2003 on the control of highly active closed radioactive sources and sources without keepers (SL L 346, 31.12.2003)

- Council Directive No 123/2013 2006/117/Euratom of 20 November 2006 on the control and control of shipments of radioactive waste and spent fuel (SL L 337, 5.12.2006)

- Council Directive No 123/2013 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear facilities (SL L 172, 2. 7. 2009)

- Council Directive No 123/2013 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe disposal of spent fuel and radioactive waste (SL L 199, 2.8.2011).

Exclusion from the application of the Act

Article 3

This Act does not apply to the natural level of ionizing radiation originating in space, the Earth's crust or humans unless it is altered by human activity, except in the case of the activities referred to in Article 9(5) of this Act.

Notions

Article 4

Some expressions within the meaning of this Act have the following meaning:

an activity with sources of ionising radiation is human activity during which there may be an increase in an individual's irradiation from an artificial source of ionising radiation or from natural sources of ionising radiation when processed for fissile or fertility properties, except in the case of irradiation at an emergency

a permit for the use of sources of ionizing radiation is a solution by which the State Institute for Radiological and Nuclear Safety (hereinafter: the Office) allows the holder of the authorisation to carry out activities with sources of ionizing radiation to use a certain source of ionizing radiation

fission is the process of splitting the nucleus of the atom into two parts of similar masses during which the release of energy and the emission of several neutrons occurs

physical inventory is the sum of all measured or estimated quantities of nuclear material in batches available at a specified time within a given period of time within a particular zone of the material balance sheet

physical insurance means measures to prevent unauthorised access or damage, loss, theft or unauthorised transmission of sources of ionising radiation, nuclear material or special equipment

The INES scale is a categorization of nuclear and radiological events, accidents and accidents as determined by the International Atomic Energy Agency

interventions are systematic, pre-planned measures that reduce the pre-existing level of exposure to ionising radiation or the possibility of irradiation by ionising radiation resulting from an emergency

intervention levels are the levels of expected irradiation that could result from an emergency or chronic exposure to ionising radiation in the environment, where specific safeguards are taken

ionising radiation is electromagnetic and particle radiation, the passage of which directly or indirectly produces pairs of positive and negatively electrically charged particles – ions

used source is that radioactive source that is not used or does not intend to be used to carry out a previously authorised activity

spent nuclear fuel is a nuclear fuel that has been irradiated in and permanently removed from the reactor core; spent fuel may be considered as a reprocessable source or may be earmarked for disposal if it is considered radioactive waste

exposed worker is a worker who, while carrying out his activity, is in the field of exposure to

an emergency is an event relating to sources of ionising radiation or the safety of nuclear installations caused by circumstances no longer under control, resulting in or increased irradiation of an individual or group of people or radioactive pollution of the environment

a source without a keeper is a radioactive source that is not under control within the meaning of this Act, regardless of whether it has been supervised or has been left, lost, moved, stolen or is the subject of an activity without authorisation

the source of ionising radiation is any device, installation or substance that produces or transmits ionising radiation, which is not excluded from the application of this Act, including nuclear material

the source material is uranium containing a mixture of isotopes that appears in nature, uranium whose contents of the uranium-235 isotope are less than natural, thorium, all of the above substances in the form of metals, alloys, chemical compounds or concentrates, other substances containing one or more substances mentioned above, in a concentration determined by the Office

the beneficiary is a legal or natural person, a state administration body and another state body or body of a local and regional self-government unit that does not require authorisation to carry out a particular activity with a source of ionising radiation to use the source of ionising radiation

the principle of justification in relation to activities with sources of ionising radiation or nuclear activities shall be realised where an activity involving the irradiation of people benefits exposed individuals or a society which in all circumstances outweighs the harm caused by exposure to ionising radiation, taking into account economic, social and other factors. The principle of justification in relation to interventions is achieved in such a way

that any intervention must mitigate the consequences of an emergency, and in particular reduce human exposure to ionising radiation due to an emergency

the principle of optimisation of protection against ionizing radiation in relation to activities with sources of ionizing radiation, i.e. nuclear activities, is realized through the implementation of protection measures that reduce the exposure of workers and other persons to ionizing radiation from all activities with sources of ionizing radiation, nuclear activities and all sources of ionizing radiation as low as reasonably possible within the prescribed limits, taking into account technical, organisational, economic, health and social factors. The principle of optimisation in relation to interventions shall be achieved in such a way that the implementation, scope and duration of each intervention must achieve the maximum reasonably possible positive impact

the principle of irradiation restrictions shall be implemented in such a way that the exposure of an individual from activities with sources of ionising radiation, i.e. nuclear activity, must be limited, and the radiological and nuclear safety measures applied by this Act must ensure that the exposure of persons to ionising radiation does not exceed the established limits

the authorisation holder is a legal or natural person, a state administration body and another state body or body of a local and regional self-government unit that has been authorised and is responsible for carrying out a particular activity with a source of ionising radiation or nuclear activity or activities in the disposal of radioactive waste, used sources or spent nuclear fuel or carrying out activities that do not count towards activities with sources of ionising radiation, where there may be an increase in irradiation of workers and residents from natural sources of ionising radiation

nuclear safety includes achieving adequate operational conditions to prevent an emergency or minimise the effects of an emergency, to protect workers, the public and the environment from the harmful effects of ionising radiation

nuclear activities are:
a) use of nuclear material for energy purposes (nuclear reactor in nuclear power plant, nuclear heating plant and nuclear propulsion)

b) use of nuclear material for research purposes (research reactor)

c) enrichment and production of nuclear fuel

d) processing of spent fuel

e) storage of radioactive waste at the nuclear plant site for the purpose of nuclear operation

f) storage of spent nuclear fuel.

the nuclear fuel cycle includes all activities in the production of nuclear energy including: finding raw materials and producing nuclear fuel, using nuclear fuel in a nuclear reactor, cessation of operation and decommissioning of a nuclear facility, disposal of radioactive waste originating in nuclear facilities, disposal of spent nuclear fuel and all research related to these activities

nuclear material includes *special fissile material*, *source material* and *ores*. For the purposes of physical insurance, nuclear material includes only that specific fissile material and source material subject to physical protection measures in accordance with the Convention on the Physical Protection of Nuclear Material ("Official Gazette" – International Treaties, No. 111/2013). 5/01)) and the rulebook regulating the physical protection of nuclear material

nuclear facility is:
a) enrichment facility, nuclear fuel production facility, nuclear power plant, irradiated nuclear fuel processing plant, research reactor, spent nuclear fuel storage facility and

b) a radioactive waste storage facility located at the site and directly related to the operation of the nuclear facility referred to in point a) of this definition.

enriched uranium is uranium enriched with isotope 235 or 233, meaning uranium containing isotope 235 or 233 or both in such quantity that the ratio of the sum of these isotopes to isotope 238 is greater than the ratio of isotope 235 to isotope 238 occurring in nature

enrichment is the relationship between the common weight of uranium-233 and uranium-235 according to the weight of the total uranium in question

landfill is an object intended to dispose of radioactive waste, used sources or spent nuclear fuel

disposal is the activity of controlled, permanent placement of radioactive waste, used sources and spent nuclear fuel in the landfill without intending to re-engage in any activity with radioactive substances

an authorisation to carry out activities with sources of ionising radiation is a solution by which the Office allows a legal or natural person, a state administration body and another state body or body of a local and regional self-government unit to carry out a particular activity with a source of ionising radiation, excluding nuclear activities

authorisation to carry out a nuclear activity is a solution by which the Office allows a legal or natural person, a state administration body and another state body or body of a local and regional self-government unit to carry out a nuclear activity

an authorisation to carry out the activities of disposal of radioactive waste, used sources and/or spent nuclear fuel is a solution by which the Office allows a legal or natural person, a state

administration body and another state body or body of a local and regional self-government unit to carry out a certain activity of radioactive waste disposal, used sources and/or spent nuclear fuel

depleted uranium is uranium that contains less uranium-235 isotopes than natural uranium, i.e. uranium. less than 0.72%

an open radioactive source is a radioactive source that is not a closed radioactive source and may be in a solid, liquid or gaseous state

an authorised nuclear security agent is a legal or natural person authorised by the Office by a decision to carry out certain professional tasks in the field of nuclear security

an authorized professional technical service is a legal person authorised by the Office by a decision to perform certain radiological safety tasks

irradiation is exposure to ionising radiation. It may be external or internal, depending on whether the source of ionising radiation is outside or inside the body

lot data are the total mass of each element of nuclear material, and for plutonium and uranium and isotopic composition

the exposure area is an area where an individual or group of people may be exposed to ionising radiation above the irradiation limit prescribed for a particular inhabitant. The exposure area shall be divided into the surveillance area and the area of special monitoring

an individual resident is a natural person, excluding exposed workers and persons who are trained or educated to work with sources of ionising radiation during work and education

special equipment is equipment and non-nuclear material used for nuclear activities for peacetime purposes and can also be used for the manufacture of nuclear weapons

the special fissile material is plutonium-239, uranium-233, uranium enriched with uranium-235 or uranium-233 isotopes and any substance containing one or more of the above isotopes and other fissile materials determined by the

a natural radioactive substance with properties altered by the use of technological procedures is a natural substance in which the concentration of individual radionuclides is altered by human activity outside the nuclear fuel cycle so that the activity or concentration of radionuclide activity containing such a radioactive substance is above the limit prescribed by the Regulation by the Director of the Office

the cause of radioactive waste, used sources, i.e. spent nuclear fuel is a legal or natural person whose activity generates radioactive waste, used sources, i.e. spent nuclear fuel

radioactive substances are substances containing, in addition to others, atoms with unstable nuclei that produce ionising radiation through their decay

radioactive source is a radioactive substance that is not exempted from

radioactive waste is a waste substance in a gaseous, liquid or solid state resulting from the performance of radioactive waste disposal activities, used sources and spent nuclear fuel, and by carrying out activities with sources of ionising radiation, nuclear activity or during the operation of a nuclear facility for which no further use is foreseen, regardless of the physical shape and chemical properties, containing radioactive substances whose activity is, concentration or radiation above the limit prescribed by the Regulation of the Director of the Office

radioactive contamination is the contamination of any material, surface, environment or individual inhabitant by radioactive substances. In the case of an organism, radioactive contamination also includes external contamination of the skin and internal pollution regardless of the method of introduction of radionuclides

radiological safety implies measures aimed at reducing the irradiation of the exposed worker and the individual resident, increasing operational safety when working with sources of ionising radiation, preventing circumstances that may cause an emergency and minimising possible adverse consequences

the radionuclide is an atom with a characteristic number of protons and neutrons and an energetic state of the nucleus that has the property of radioactivity, i.e. a radioactivity property. not stable

ores in terms of the application of the guarantee measures laid down in this Act are all ores containing an average concentration of substances from which the source material can be obtained by appropriate chemical or physical treatment, namely all uranium ores containing at least 0,1 % of uranium, Tory ores containing at least 3 % thorium and monaziti containing at least 10 % thorium or 0.1 % of uranium

remediation implies the elimination of radioactive pollution, the disposal of a radioactive source, i.e. taking any other necessary measures to reduce harm to humans and the environment or eliminate further risks, hazards or harms

central warehouse is a storage facility for radioactive waste and/or used sources generated on the territory of the Republic of Croatia for the purposes of the entire territory of the Republic of Croatia

storage facility is a storage facility for the storage of radioactive waste, used sources, or spent nuclear fuel for the purpose of carrying out the activities of radioactive waste disposal, used sources and spent nuclear fuel

storage is an activity of controlled placement of radioactive waste, used sources and spent nuclear fuel in a building intended for storage with the intention of re-engaging this radioactive waste, spent nuclear fuel and used sources in one of the activities

is a part of a nuclear material taken as a record unit at a key measurement point and for which the composition and quantity are defined by a single set of specifications or measurements

permanently exposed area is an area contaminated with radioactive materials to such an extent that the elimination of pollution would not be technically and financially justified

a closed radioactive source is a radioactive source enclosed in an airtight sheath of a non-radioactive substance so that the radioactive substance cannot come into contact with the environment

the disposal of radioactive waste, used sources and spent nuclear fuel implies all administrative and operational procedures involved in the processing, conditioning, manipulation, transport, storage and disposal activities, excluding transport outside the disposal site

a material balance zone is a space in which, at a certain time (where necessary), it is possible to carry out a physical inventory of nuclear material and at any time to determine the amount of that material entered into the zone, i.e. taken out of the zone.

Radiological and Nuclear Safety Council

Article 5

In order to give an assessment on the state of radiological and nuclear safety in the Republic of Croatia and to monitor the work of the Office in the field of carrying out the activities of storing radioactive waste and used sources originating from the territory of the Republic of Croatia, the Council for Radiological and Nuclear Safety (hereinafter: the Council) is established in the central warehouse as an advisory body of the Croatian Parliament.

Article 6

(1) The Council referred to in Article 5 of this Act performs the following tasks:

a) gives an opinion on bills regulating radiological and nuclear safety

b) gives proposals and opinions to the Croatian Parliament on:

– the state of radiological and nuclear security in the Republic of Croatia

– organization of radiological and nuclear security in the Republic of Croatia

– accession and implementation of international treaties in the field of radiological and nuclear security

– other aspects of radiological and nuclear security in the Republic of Croatia.

(2) The Council has seven members, one of whom is the President of the Council.

(3) The President and other members of the Council shall be appointed and dismissed by the Croatian Parliament on the proposal of the Government of the Republic of Croatia. Council members shall be elected from among experts in the field of radiological and nuclear security for a period of four years.

(4) The Deputy Chairperson shall, on the proposal of the President of the Council, be elected by the Council by a majority vote.

(5) The way the Council operates is governed by rules of procedure.

(6) Professional and technical tasks for the Council are carried out in the Office.

II. STATE INSTITUTE FOR RADIOLOGICAL AND NUCLEAR SAFETY

Jurisdictions of the National Institute for Radiological and Nuclear Safety
Article 7

(1) The Office, as a state administration body, is responsible for radiological and nuclear safety activities and carries out the tasks of storing radioactive waste and used sources originating from the territory of the Republic of Croatia in the central warehouse.

(2) For the purpose of implementing radiological and nuclear safety measures, the Office:

1. authorises the pursuit of nuclear activities

2. Authorises the performance of activities with sources of ionising radiation

3. Approves the acquisition, import, export, transport and transit of sources of ionising radiation

4. Approves the use of sources of ionising radiation

5. conducts independent safety analyses and issues solutions and consents for the accommodation, design, construction, use and decommissioning of the plant in which the nuclear activity will be carried out

6. Participates in the process of issuing a location permit, building permit and in the process of issuing a use permit for buildings housing sources of ionizing radiation or carrying out an activity with sources of ionizing radiation in accordance with a special regulation

7. authorises and supervises the professional work of authorised professional technical services and authorised nuclear security executors

8. Organises and supervises and, where appropriate, conducts tests on the presence of the species and the intensity of ionising radiation in the environment, food and feed and general use items under regular conditions and in case of suspected emergencies

9. Keep logbooks on permits, consents, orders and certificates, which it issues within its powers, and maintains and supervises logbooks on sources of ionising radiation, authorisation holders for carrying out activities with sources of ionising radiation and nuclear activity, users, exposed workers, the degree of irradiation of exposed workers and the degree of irradiation of persons exposed to medical irradiation and other persons

10. performs inspection work related to the supervision of the implementation of the provisions of this Act and the regulations adopted under this Act

11. develops professional backgrounds for curricula and plans for regular and complementary education and the restoration of knowledge in the field of radiological safety

12. provides professional assistance for the implementation of the regulation on measures to protect against ionising radiation and emergency interventions

13. Informs public information, competent authorities, organisations, associations and international institutions of emergencies related to sources of ionising radiation

14. provides professional assistance and cooperation in the tasks of combating the unauthorised traffic of nuclear and other radioactive material to the state administration bodies responsible for these tasks

15. Monitors the safety situation of nuclear power plants in the region and carries out an assessment of the risk of possible nuclear accidents therein, in particular for the Krško Nuclear Power Plant in Slovenia and the Paks Nuclear Power Plant in Hungary

16. provides dosimetric assessments of exposure to ionising radiation from exposed workers, populations from medical irradiation and from exposure to ionising radiation from environmental radionuclides

17. implements the obligations undertaken by the Republic of Croatia under international conventions, treaties and agreements, relating to protection against ionizing radiation, nuclear safety, nuclear damage and the application of protection measures for the purpose of non-proliferation of nuclear weapons

18. Cooperates with international and domestic organisations and societies in the field of radiological and nuclear security and appoints its expert representatives who participate in or monitor the work of these organisations and societies

19. Coordinates technical cooperation activities with the International Atomic Energy Agency for all participants from the Republic of Croatia

20. Encourages and supports scientific and development research, encourages professional, statistical and other research in accordance with the requirements and needs of the development of radiological and nuclear security in the Republic of Croatia

21. Issues instructions for the implementation of international recommendations and standards and designs standards and methods in monitoring the state of radiological and nuclear safety

22. performs the tasks of managing a central warehouse

23. performs other activities within its jurisdiction under this Act, regulations adopted under this Act and other regulations.

Appointment of a leader

Article 8

(1) The head of the Office is the Director.

(2) The Director is appointed by the Government of the Republic of Croatia.

(3) The Director is responsible for his work to the Government of the Republic of Croatia.

III. APPROVALS AND PERMITS

Authorisation to carry out activities with sources of ionising radiation

Article 9

(1) Activity with sources of ionising radiation shall not be carried out before the Authorisation issuing the Office.

(2) The authorisation referred to in paragraph 1 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(3) The list of activities and the list of documents proving in the process of granting approval referred to in paragraph 1 of this Article that the conditions laid down in this Act have been met shall be laid down by the regulation by the Director of the Office.

(4) The authorisation referred to in paragraph 1 of this Article shall be granted for a period of no more than ten years.

(5) The list of activities that are not included in activities with sources of ionizing radiation, which may lead to an increase in irradiation of workers and residents from natural sources of ionizing radiation and the conditions for carrying out these activities will be prescribed by the rulebook by the Director of the Office.

Permission to use ionising radiation sources

Article 10

(1) The holder of the authorisation to carry out the activities referred to in Article 9(1) of this Act shall not commence the use of the source of ionising radiation before the Office grants permission to use that source.

(2) The licence referred to in paragraph 1 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(3) The list of documents proving in the procedure for granting permission referred to in paragraph 1 of this Article that the conditions laid down in this Act have been met by the regulations by the Director of the Office.

(4) The licence referred to in paragraph 1 of this Article shall be granted for a maximum period of five years.

Exemption from the application for obtaining an authorisation, i.e. a permit for use

Article 11

(1) The conditions for exemption from the requirement to obtain authorisations for the performance of activities and the permit for the use of radioactive sources and electrical

appliances producing ionizing radiation will be laid down by the rulebook by the Director of the Office.

(2) Substances or devices contaminated with radionuclides whose concentration does not exceed the concentrations prescribed by the ordinance adopted by the Director of the Office shall not be subject to the provisions of Articles 9 and 10 of this Act.

Announcing the intention to carry out activities

Article 12

The intention to carry out nuclear activities as well as to excavate or mine or extract and convert uranium and thorium and place radioactive waste above or below the surface of the earth without the intention of reclaiming the stored waste must be announced to the Office within at least two years of the planned commencement of activities or activities.

Authorisation to carry out nuclear activities

Article 13

(1) A nuclear activity may not be carried out before the Authorisation of the Office has been granted.

(2) The authorisation referred to in paragraph 1 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(3) The list of documents proving in the process of granting approval referred to in paragraph 1 of this Article that the conditions laid down in this Act have been met shall be laid down by the Rulebook by the Director of the Office.

(4) The authorisation referred to in paragraph 1 of this Article shall be granted for a period of no more than ten years.

Analysis of the safety of the area for the placement of a nuclear plant

Article 14

(1) The choice of areas for the placement of a nuclear facility shall be made on the basis of a specific safety analysis, on the basis of which:

– any factors in the field of placement of a nuclear facility that may affect the nuclear safety of the plant during the operation of the plant and

– the impact of the plant plant on the population and the environment.

(2) The list of factors in the field of placement of a nuclear facility that may affect nuclear safety and the detailed content and scope of the analysis referred to in paragraph 1 of this Article shall be determined by rulebook by the Director of the Office, in cooperation with the Minister responsible for environmental protection.

Construction affecting nuclear safety

Article 15

(1) In addition to the application for the issuance of a location, construction and use permit for a nuclear facility, the legal person intending to build the nuclear plant must attach the consent of the Director of the Office.

(2) The construction of the plant referred to in paragraph 1 of this Article is:

– construction, reconstruction and decommissioning of the nuclear plant and

– carrying out construction work in an area with limited use due to a nuclear facility, affecting nuclear safety.

(3) The conditions of nuclear safety for the granting of consent for the construction of a nuclear facility will be laid down by a rulebook adopted by the Director of the Office.

Consent for the construction of a nuclear plant

Article 16

(1) In addition to the request for consent referred to in Article 15 of this Act, the legal person intending to build a nuclear facility must attach, in addition to the project documentation, the prior safety report and the opinion of the authorised nuclear safety contractor on nuclear safety measures for the construction or decommissioning of the plant.

(2) The legal person intending to build a nuclear facility shall ensure that the previous safety report is supplemented if, during the construction of the plant or during the test facility, there is a change in the situation to which the previous safety report relates.

(3) The consent referred to in Article 15 of this Act shall be issued with the project for obtaining a location, construction and use permit.

(4) The Office shall approve the previous security report referred to in paragraph 1 of this Article in the procedure for issuing the consent referred to in paragraph 3 of this Article.

(5) The detailed content of the project documentation and the previous safety report referred to in paragraph 1 of this Article will be prescribed by the rulebook adopted by the Director of the Office.

(6) The consent referred to in Article 15 of this Act shall be issued within 15 days of receipt of the orderly request.

(7) The consents referred to in Article 15 of this Act must also contain the conditions of the experimental work, the manner and time of its duration.

(8) The consent referred to in Article 15 of this Act shall be revoked if, within two years of the date on which the consent became final, construction of the plant referred to in Article 15 of this Act has not begun.

(9) In addition to the previous security report referred to in paragraph 1 of this Article, the investor must also attach the Physical Insurance Plan in accordance with the rulebook referred to in Article 66(2) of this Act, as a separate and secret document in accordance with the regulations on confidentiality of the data.

Test operation of a nuclear facility

Article 17

(1) Each nuclear facility must be put into test operation before it can be put into operation on a regular basis.

(2) In order to start the test operation of a nuclear facility, it is necessary to obtain the consent of the Director of the Office.

(3) In addition to the request for consent for the start of the test operation, a final safety report and the opinion of the authorised nuclear security executor on nuclear security measures and other prescribed documentation should be attached.

(4) The final safety report and the attached documentation referred to in paragraph 3 of this Article shall be approved by the Director of the Office in the procedure for granting consent for the commencement of the experimental work.

(5) The detailed content of the request for consent for the commencement of the test work referred to in paragraph 2 of this Article and the content of the documentation referred to in paragraph 3 of this Article for nuclear safety shall be laid down by the rulebook adopted by the Director of the Office.

(6) Consent for pilot work may, on the basis of the applicant's application, be extended if all the conditions laid down for its issuance upon expiry of the consent are met.

Consent to the use permit

Article 18

(1) Prior consent of the Director of the Office must be obtained for:

1. start or interruption of the operation of a nuclear facility

2. the commencement or completion of the decommissioning of the nuclear facility.

(2) The detailed content of the request and the contents of the necessary documentation for obtaining the consent referred to in paragraph 1 of this Article shall be laid down by the rulebook adopted by the Director of the Office in cooperation with the Minister of Environment and Nature Protection and the Minister of Construction and Physical Planning.

Revocation of authorisations to carry out activities with sources of ionising radiation and permission to use sources of ionising radiation and to carry out nuclear activities

Article 19

The Office may revoke the authorisation to carry out activities with the sources of ionizing radiation referred to in Article 9(1) of this Act, the permit for the use of sources of ionizing radiation or the authorisation to carry out nuclear activities if it determines that the holder of the authorisation or the user does not meet the conditions laid down in this Act and bylaws adopted under this Act.

Responsibilities of the authorisation holder for the performance of activities with sources of ionizing radiation and the authorisation holder for the performance of nuclear activities

Article 20

The authorisation holder and beneficiary shall be responsible for implementing radiological and nuclear security measures and shall bear the costs of their implementation.

Import, export, transport and transit

Article 21

(1) Import, export, transport and transit of sources of ionising radiation, special equipment and radioactive waste, spent nuclear fuel, used sources may be carried out by legal and natural persons on the basis of an authorisation or permission of the Office.

(2) The legal and natural persons referred to in paragraph 1 of this Article may carry out the activity of transport or transit if they meet the conditions laid down in this Act and the conditions laid down in the bylaws under this Act, as well as the conditions laid down in the law providing for the transport of dangerous goods and the conditions laid down in the bylaws under the bylaws under the law providing for the transport of dangerous goods and in relation to the transport by sea of the conditions laid down by the laws and bylaws in the field of maritime affairs.

(3) The list of documents proving in the process of granting approval or permits referred to in paragraph 1 of this Article that the conditions laid down in this Act have been met by the regulations by the Director of the Office.

(4) The authorisation or licence referred to in paragraph 1 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(5) The authorisation or licence referred to in paragraph 1 of this Article shall be granted for a maximum period of six months.

(6) Ways of financial insurance, ways of reporting the traffic of sources of ionising radiation, radioactive waste and spent nuclear fuel, the ways and deadlines of informing the competent authorities of other States about transport, the conditions of radiation safety and nuclear safety, and the verification of the capacity of other countries to receive, i.e. the sending of consignments containing radioactive waste and spent nuclear fuel and sources of ionising radiation, shall be laid down by the regulation adopted by the Director of the Office.

Article 22

(1) Surveillance in the import or export of material that is reasonably suspected of being contaminated with radionuclides or containing radioactive sources is carried out by the border police and the Customs Administration of the Ministry of Finance in cooperation with the Office.

(2) The method and procedure for supervision referred to in paragraph 1 of this Article will be prescribed by the regulation by the Director of the Office in cooperation with the Minister responsible for finance and the Minister responsible for internal affairs.

IV. RADIOLOGICAL AND NUCLEAR SAFETY

1. Principles of radiological safety

Article 23

The authorisation holder and the beneficiary shall ensure the implementation of the principles of justification, optimisation and irradiation restrictions by radiological safety measures.

2. Radiological safety measures

Irradiation limits

Article 24

The limits of irradiation and recommended irradiation limits for a particular inhabitant, exposed workers, certain organs or tissues of the human body, persons who are trained or educated to work with sources of ionizing radiation, limits of exposure in special circumstances due to the implementation of emergency interventions and the boundaries between the area of supervision and special supervision will be prescribed by the rulebook by the Director of the Institute in cooperation with the Minister responsible for health.

Age limits for exposed workers and people who are being trained or educated

Article 25

(1) Persons under the age of 18 shall not work in the field of exposure.

(2) Persons under the age of 18 and over the age of 16 may be trained or educated to work with sources of ionising radiation in the area of exposure, without being irradiated beyond the limits laid down in the regulations referred to in Article 24 of this Act.

(3) Persons under the age of 16 during training or education to work with sources of ionising radiation shall not be in the field of exposure.

Protection during pregnancy and lactation

Article 26

(1) The authorisation holder, i.e. the beneficiary, shall warn the exposed worker and the person who is being trained or educated to work with sources of ionising radiation to the need for early notification in the event of pregnancy.

(2) Once an exposed worker or a person who is being trained or educated to work in the field of exposure of the authorisation holder or the beneficiary of the notification of his pregnancy, it shall provide the exposed worker with working conditions such that the equivalent dose for the fruit is as low as reasonably possible, with a minimum probability of the equivalent dose reaching 1 mSv by the end of pregnancy.

(3) In workplaces where there is a possibility of radioactive contamination, women who are breastfeeding may not work.

Medical irradiation

Article 27

(1) The irradiation limits set out in this Act do not relate to medical irradiation.

(2) The conditions, manner and measures of protection of persons exposed to medical irradiation will be prescribed by the rulebook by the Director of the Office in cooperation with the Minister responsible for health.

Measuring personal irradiation

Article 28

(1) The measurement of personal irradiation of exposed workers or persons trained or educated to work with sources of ionising radiation shall be carried out systematically individually by measuring external irradiation, and in workers working with open radioactive sources, internal irradiation must also be measured and/or assessed.

(2) The manner, scope and timing of the measurement of personal irradiation referred to in paragraph 1 of this Article shall be prescribed by the Regulation by the Director of the Office in cooperation with the Minister responsible for health.

Medical capacity

Article 29

(1) Pupils, students and residents who are educated in exposure work, trainees working in the field of exposure and exposed workers must comply with specific health conditions.

(2) The medical capacity to work in the field of exposure must be checked for pupils, students and residents before starting education for exposure work and for trainees and exposed workers before starting work in the field of exposure as part of a prior health screening.

(3) The medical capacity of the persons referred to in paragraph 1 of this Article shall be verified in the context of a regular or extraordinary medical examination.

(4) The health conditions to be met by the persons referred to in paragraph 1 of this Article, the frequency of the examination and the content, manner and time limits for the retention of data on these examinations will be laid down by the rulebook adopted by the Director of the Office in cooperation with the Minister responsible for Health and Safety at Work and the Director of the Croatian Institute for Health and Safety at Work.

Article 30

The verification of the health capacity of persons referred to in Article 29 of this Act is carried out by health institutions engaged in occupational medicine activities, companies engaged in occupational medicine activities and occupational medicine specialists in private practice authorised by the Minister responsible for health.

Obligations of educational institutions

Article 31

(1) Institutions under whose curricula participants are trained or educated to work with sources of ionising radiation must provide participants with a health check in institutions, companies and specialists in occupational health in private practice referred to in Article 30 of this Act and the measurement of personal irradiation during education.

(2) Institutions under whose curricula participants are trained or educated to work with sources of ionising radiation shall not register candidates who do not meet the conditions laid down in the regulations referred to in Article 29(4) of this Act.

Conditions for space and appliances

Article 32

(1) The space, appliances and installations hosting sources of ionising radiation or carrying out activities with sources of ionising radiation and/or activities referred to in Article 9(5) of this Act, sources of ionising radiation, protective equipment and personal protective equipment, shall meet the conditions ensuring radiological safety and protecting people and the environment from ionising radiation and from contamination by radioactive substances.

(2) The conditions referred to in paragraph 1 of this Article will be laid down by the ordinance adopted by the Director of the Office.

(3) The Ordinance setting out the conditions for the design, construction, use and decomposition of buildings housing sources of ionizing radiation or carrying out activities with sources of ionizing radiation and/or activities referred to in Article 9(5) of this Act are adopted by the Director of the Office, in cooperation with the Minister responsible for construction, and in the part relating to physical safety and the Minister responsible for internal affairs.

Obligations of the authorisation holder

Article 33

The authorisation holder must ensure:

– checking the health capacity of exposed workers and persons being trained or educated to work with sources of ionising radiation

– monitoring the personal irradiation of exposed workers and the availability of data to the exposed worker on the results of monitoring

– Education on the application of radiological safety measures for exposed workers

– Education for handling sources of ionising radiation for workers handling sources of ionising radiation

– testing of ionising radiation sources and working conditions and measurement of prescribed parameters

- quality assurance programme and its implementation

- Quality check

– personal protective devices and protective equipment for exposed workers and regular verification of the correctness of these funds

– regular calibration and verification of the correctness of measuring instruments and how they are used

– verification of radioactive pollution of persons, objects, environment, premises and air in the premises where activities are carried out or sources of ionising radiation are located

– adoption, regular renewal and compliance with the act on the organisation and implementation of radiological safety measures

– adopt and regularly renew risk analysis

– adoption, regular renewal and treatment in accordance with written working instructions for work in the field of exposure

– informing exposed workers about the health risk associated with work in the field of exposure.

Method, scope and timing of identification and testing, content of the report and frequency, deadlines and reporting process

Article 34

Manner, scope and time limits for determining the personal irradiation of exposed workers, persons exposed to medical irradiation, testing of sources of ionizing radiation and working conditions, measurement of prescribed parameters, verification of the correctness of personal protective agents and equipment, verification of the correctness of measuring instruments, verification of radioactive pollution of persons, objects, environment, premises and air in rooms where activities with sources of ionizing radiation are carried out or radioactive sources are located and the mandatory content of the report on reviews, checks and measurements and the frequency, deadlines and reporting procedure will be prescribed by the rulebook adopted by the Director of the Office.

Obligation to implement self-protection measures

Article 35

Exposed workers are obliged to carry out all prescribed and usual measures of self-protection against ionizing radiation, as well as protection of other persons, use protective equipment and devices for measuring personal irradiation during their work, and use and implement all other necessary measures to protect against ionizing radiation.

Person responsible for protecting against ionizing radiation

Article 36

(1) The authorisation holder and the beneficiary shall be obliged to appoint the person responsible for protecting against ionising radiation.

(2) The professional education of the person responsible for protecting against ionising radiation must comply with the conditions laid down in the regulations referred to in Article 47(6) of this Act.

(3) The person responsible for protecting against ionising radiation:

- exercises internal control over the application of radiological safety measures

– care for the use of protective equipment and devices for measuring the personal irradiation of exposed workers

– care for the implementation of the health fitness check of exposed workers

– take care of the professional competence of exposed workers to handle sources of ionizing radiation and apply radiological safety measures and restore the knowledge of exposed workers

– care for inspections of ionising radiation sources within the prescribed deadlines

- attends the inspection and reflects on the inspector's findings

- ensures that all prescribed records are kept

– organises the implementation of safeguards in the event of an emergency.

(4) The person responsible for protection against ionizing radiation is obliged to inform the Office without delay about the violation of the provisions of this Act and the bylaws adopted under this Act, which endangers the life and health of people.

(5) If a violation of the provisions of this Act and bylaws adopted under this Act endangers nature or the environment, the person responsible for protecting against ionizing radiation is obliged to inform the state administration body responsible for environmental protection and the Office without delay.

Prohibition of the use of radioactive substances
Article 37

(1) The intentional addition of radioactive substances to general use items and the import and export of such goods shall not be permitted.

(2) Working and living quarters may not be used if they are contaminated by radionuclides above the limits prescribed by the ordinance adopted by the Director of the Office.

(3) Import, export and marketing and use of general use items are not permitted if they are contaminated with radionuclides above the limits prescribed by the regulations adopted by the Director of the Office.

3. Nuclear security

Prohibition and responsibility for the safety of nuclear facilities
Article 38

(1) No nuclear facilities may be built, tested, commissioned or otherwise used by nuclear facilities unless all consents or approvals have been issued under this Act.

(2) The holder of the use permit for a nuclear facility referred to in paragraph 1 of this Article shall be responsible for the nuclear safety of the installation referred to in paragraph 1 of this Article, including safety in the handling of radioactive substances, radioactive waste or spent nuclear fuels, which are in or from those facilities.

Using the drive experience

Article 39

(1) The authorisation holder shall ensure for the nuclear installation the implementation of the programme for the collection and analysis of the operational experiences of the nuclear installation.

(2) The conclusions of the programme referred to in paragraph 1 of this Article shall be taken into account by the authorisation holder for a nuclear facility when assessing, verifying and improving the nuclear safety of the installation.

(3) The Director of the Office shall determine for each nuclear facility the manner, scope and frequency of reporting on the implementation of the program of collecting and analyzing the operational experiences of nuclear facilities.

Periodic security review

Article 40

(1) The authorisation holder shall ensure for the nuclear installation a regular, complete and systematic assessment and verification of nuclear safety measures of the installation with periodic safety inspections.

(2) The frequency, content and scope, duration and manner of carrying out periodic safety inspections and the method of reporting on these inspections for the nuclear plant will be prescribed by the rulebook adopted by the Director of the Office.

Plant Plant Operation Reporting

Article 41

(1) The authorisation holder shall regularly report to the Office on the operation of the plant for the nuclear plant, in particular on:

– equipment failures, which may cause an emergency, and emergencies and measures to address the effects of failures or emergencies

– errors of workers during the plant operation that may cause an emergency

- Deviations from operating conditions and limitations

– any other events or operational circumstances affecting the nuclear safety of the installation.

(2) The content, scope, manner and frequency and reporting periods referred to in paragraph 1 of this Article shall be laid down by the rulebook adopted by the Director of the Office.

4. Authorised professional technical services and authorised nuclear security contractors

Authorized professional technical services

Article 42

(1) Radiological safety activities are performed by authorized professional technical services authorised by the Office by a solution.

(2) The Office shall revoke the authorisation of an authorised professional technical service if it is found that it does not meet the conditions under which the authorisation was issued.

(3) The list of radiological safety jobs, the conditions to be met by the certified professional technical services and the method of authorisation will be prescribed by the rulebook by the Director of the Office.

Authorised nuclear security executors

Article 43

(1) Authorised nuclear security operations shall be carried out by authorised nuclear security executors authorised by a solution by the Office for a specific area of nuclear security or for several areas for a period of no more than five years.

(2) The Office shall revoke the authorisation of the authorised nuclear security executor if it is found that the authorised executor does not meet the conditions under which the authorisation was issued.

(3) The conditions for obtaining the authorisation to perform certain nuclear security tasks, the records of authorised executors, the manner and scope of regular and extraordinary reporting and other conditions that must be met by authorised contractors for a particular area of nuclear safety, in connection with the nuclear safety assessment, shall be laid down by a rulebook adopted by the Director of the Office.

Foreign legal or natural persons

Article 44

(1) A foreign legal or natural person may be authorised to perform the activities of the professional technical service referred to in Article 42 of this Act and the nuclear security

enforcer referred to in Article 43 of this Act if the authorisation from the competent authority of the State in which it is registered is issued to him under the conditions at least equivalent to those laid down in this Act.

(2) The fulfilment of the conditions of foreign legal or natural persons referred to in paragraph 1 of this Article shall be determined by the Office.

5. Quality assurance

Article 45

(1) The authorisation holder and the beneficiary shall be obliged to establish and implement and regularly renew the quality assurance programme.

(2) The content of the quality programme referred to in paragraph 1 of this Article and the manner, scope and time limits of the quality check shall be prescribed by the rulebook adopted by the Director of the Office.

Article 46

(1) The authorisation holder shall plan and systematically carry out measures for the nuclear installation to meet quality requirements for components, systems for the management and monitoring of technological processes or structures, including computer software and maintenance.

(2) The authorisation holder referred to in paragraph 1 of this Article must establish and perform a quality assurance programme for quality assurance.

(3) Requirements related to the content and forms of quality assurance programs for a nuclear facility will be laid down by the ordinance adopted by the Director of the Office.

6. Professional qualifications

Article 47

(1) Workers handling sources of ionising radiation shall have specific professional education for handling sources of ionising radiation.

(2) Exposed workers and workers handling sources of ionising radiation shall have specific professional education on the application of radiological safety measures.

(3) The education referred to in paragraph 2 of this Article on the application of radiological safety measures shall be acquired by exposed workers and workers handling sources of ionising radiation during their regular education or through complementary education.

(4) Exposed workers and workers handling sources of ionising radiation shall periodically renew knowledge of the application of radiological safety measures.

(5) The supplementary education referred to in paragraph 3 of this Article and the renewal of knowledge referred to in paragraph 4 of this Article shall be organised and implemented by legal persons to whom the Office has issued a certificate of compliance with the prescribed conditions.

(6) The conditions, deadlines and manner of obtaining special professional education referred to in paragraph 1 of this Article, the special professional education referred to in paragraph 2 of this Article and the renewal of knowledge on the application of radiological safety measures and the conditions referred to in paragraph 5 of this Article shall be laid down by the rulebook adopted by the Director of the Office.

Article 48

(1) For all operational periods of a nuclear installation, the authorisation holder shall ensure a sufficient number of skilled workers with appropriate education, trained and additionally trained to carry out all activities carried out in a nuclear facility and to carry out nuclear safety measures.

(2) The tasks and tasks of managing the technological process in a nuclear facility referred to in paragraph 1 of this Article may be performed by workers who meet the conditions related to the professional qualifications prescribed by the regulations adopted by the Director of the Office.

(3) The authorisation holder shall ensure that the expertise of skilled workers is regularly restored for the nuclear installation and verify their qualifications.

V. RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL

Disposal of radioactive waste, used sources and spent nuclear fuel

Article 49

(1) Radioactive waste and spent nuclear fuel generated on the territory of the Republic of Croatia must be disposed of in a long-term sustainable manner on the territory of the Republic of Croatia.

(2) The provisions of paragraph 1 of this Article shall not apply in the following cases where:

– bilateral treaties concluded before the date of entry into force of this Act permit the disposal of radioactive waste and spent nuclear fuel on the territory of another State or

– the disposal of radioactive waste and spent nuclear fuel on the territory of another country guarantees equal or greater safety than that guaranteed by Croatian legislation and practice.

(3) The cause of radioactive waste, used sources, i.e. spent nuclear fuel must ensure that:

– radioactive waste, used sources, i.e. spent nuclear fuel is disposed of in the prescribed manner and

– avoids as far as possible the transfer of the burden of disposal of radioactive waste, used sources, i.e. spent nuclear fuel to future generations.

(4) The cause of radioactive waste, used sources, i.e. spent nuclear fuel must ensure that waste radioactive substances are generated in the smallest possible quantities.

(5) The cause of radioactive waste, used sources, i.e. spent nuclear fuel shall ensure and bear the costs of their disposal.

(6) In the event of the application of the provision of paragraph 2 of this Article, and before the disposal of radioactive waste and/or spent nuclear fuel on a foreign territory, the Republic of Croatia shall inform the European Commission of the content of the existing agreement and take all reasonable measures to ensure that:

– the state in which the disposal is foreseen has concluded an agreement with the European Commission covering radioactive waste and spent nuclear fuel or is a signatory to the Joint Convention on the Safety of spent fuel disposal and the safety of radioactive waste disposal ("Official Gazette - International Treaties", No. 111/2013). 3/99.),

– the state in which the disposal is foreseen shall have in force a programme for the management and disposal of radioactive waste with objectives that represent a high level of safety at least equivalent to that required by Croatian legislation.

(7) In the case of the application of the provision of paragraph 2 of this Article, the landfill in the country where the disposal is foreseen must be authorised to accept the radioactive waste intended to be sent, be active before the reception of the consignment of radioactive waste and must be managed in accordance with the requirements contained in the programme for the management and disposal of radioactive waste of the country in which the landfill is located.

(8) The conditions and manner of disposal of radioactive waste, used sources and spent nuclear fuel, as well as the obligation to keep records of them, their content, the manner of keeping them and the retention periods and the scope and manner of reporting will be laid down by a rulebook in cooperation with the Minister responsible for environmental and nature protection, and in the section concerning buildings and the Minister responsible for construction and zoning, Director of the Institute.

Authorisation to carry out radioactive waste disposal activities, used sources and spent nuclear fuel

Article 50

(1) The activity of the disposal of radioactive waste, used sources and spent nuclear fuel shall not be carried out before the Authorisation issuing the Office.

(2) The authorisation referred to in paragraph 1 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(3) The authorisation referred to in paragraph 1 of this Article shall be granted for a period of no more than 10 years.

(4) The list of activities for the disposal of radioactive waste, used sources and spent nuclear fuel, a list of documents proving in the authorisation procedure referred to in paragraph 1 of this Article that meets the conditions laid down in this Act and the conditions of performance of activities referred to in paragraph 1 of this Article will be laid down by the Regulation by the Director of the Office.

Disposal and storage based on bilateral commitments

Article 51

(1) The Government of the Republic of Croatia, on the proposal of the Office, will, by decision, designate a legal entity to perform the disposal activities.

(2) The Government of the Republic of Croatia, on the proposal of the Office, will, by decision, designate a legal entity that will carry out the activities of storing radioactive waste and spent nuclear fuel that did not originate on the territory of the Republic of Croatia, and whose obligation to dispose of arises from bilateral treaties concluded before the date of entry into force of this Act.

(3) The legal person referred to in paragraphs 1 and 2 of this Article shall be responsible for his work to the Government of the Republic of Croatia.

(4) The method of financing the legal entity referred to in paragraphs 1 and 2 of this Article will be prescribed by decree by the Government of the Republic of Croatia.

Financing the disposal of radioactive waste, used sources and spent nuclear fuel

Article 52

(1) The work of the legal person who will perform the disposal activities referred to in Article 51 of this Act will be financed from a dedicated fund established by the Act on the Fund for financing the decommissioning and disposal of radioactive waste and spent nuclear fuel of the Krško Nuclear Power Plant.

(2) The establishment of a central storage facility for radioactive waste and used sources generated on the territory of the Republic of Croatia will be financed from the state budget of the Republic of Croatia

(3) The amounts of fees for the disposal of radioactive waste and used sources originating in the territory of the Republic of Croatia will be prescribed by the rulebook by the Director of the Office.

Prohibition of imports of radioactive waste and spent nuclear fuel

Article 53

Imports of radioactive waste, used sources and spent nuclear fuel, which have not originated in the Republic of Croatia, are prohibited unless otherwise stipulated by international treaties.

Strategy for the management of radioactive waste, spent nuclear fuel, used closed radioactive sources and sources of ionising radiation that are not intended to be used further

Article 54

(1) The strategy for the disposal of radioactive waste, used sources and spent nuclear fuel is adopted by the Croatian Parliament on the proposal of the Government of the Republic of Croatia.

(2) The strategy referred to in paragraph 1 of this Article is proposed to the Government of the Republic of Croatia by the Office.

(3) The Office proposes and coordinates the regular renewals of the Strategy referred to in paragraph 1 of this Article taking into account the best technical and scientific achievements, recommendations and lessons learned in the past period, and supervises the

implementation of the Strategy referred to in paragraph 1 of this Article and reports to the Government of the Republic of Croatia on the implementation of the Strategy referred to in paragraph 1 of this Article.

Article 55

(1) The Office coordinates the preparation of the Strategy referred to in Article 54 of this Act

(2) The strategy referred to in Article 54 of this Act must contain at least the following:

– the formation of radioactive waste, used sources and spent nuclear fuel must be limited to a minimum of as far as reasonably achievable, in terms of volume, organisation of technology and disposal methods and decommissioning, including reuse of materials

– the dependence between the phases of the formation of radioactive waste, used sources and spent nuclear fuel and their disposal must be taken into account in terms of streamlining procedures and increasing efficiency and radiological and nuclear safety

– radioactive waste, used sources and spent nuclear fuel must be disposed of safely, including long-term passive radiological and nuclear safety measures

- the use of radiological and nuclear safety measures must be countermeasure to the risk of

– the cost of radioactive waste disposal, used sources and spent nuclear fuel shall be borne by the causes of radioactive waste, used sources and spent nuclear fuel

– the process of disposal of radioactive waste, used sources and spent nuclear fuel must be documented at all its stages

– a legal or natural person carrying out the activity referred to in Article 50(1) of this Act shall be responsible for the application of radiological and nuclear safety measures

– an effective legal framework with institutional infrastructure for the management of radioactive waste, used sources and spent nuclear fuel must be ensured in the long term

– the management of radiological and nuclear safety must be established in the facilities and over the installations involved in the performance of the activities referred to in Article 50(1) of this Act

– the performance of the activities referred to in Article 50(1) of this Act must be ensured in such a way that the long-term justification of the chosen way of carrying out the activity is demonstrated, based on the contribution to the common good

– Radiological and nuclear safety when carrying out the activities referred to in Article 50(1) of this Act shall be optimised in such a way as to ensure the highest level of radiological and nuclear safety as reasonably as possible

– the risk limit shall ensure that the irradiation of an individual or the burden on the environment due to the performance of the activities referred to in Article 50(1) of this Act is below the permitted limits of the

– it must be ensured that current and future generations are protected from the risks arising from the performance of the activities referred to in Article 50(1) of this Act

– every effort must be made to prevent emergencies that may arise as a result of the performance of the activities referred to in Article 50(1) of this Act

– arrangements must be put in place and maintained to respond in the event of an emergency

– Activities to protect and/or mitigate the consequences of an emergency must be justified and optimised in such a way as to ensure a contribution to the common good.

Article 56

The strategy referred to in Article 54 of this Act must unequivocally define for the institutional infrastructure for the management of radioactive waste, used sources and spent nuclear fuel as follows:

- distribution of responsibilities

- securing funds

– radiological, nuclear safety and physical security objectives

– minimising radioactive waste, used sources and spent nuclear fuel

– import/export of radioactive waste, used sources and spent nuclear fuel

– Management of radioactive waste, used sources and spent nuclear fuel

– management of natural radioactive substances whose properties have been altered by the use of technological procedures.

Article 57

The National Programme of implementation of the Strategy referred to in Article 54 of this Act is adopted by the Government of the Republic of Croatia on the proposal of the Office.

Article 58

(1) The Office shall coordinate the preparation of the National Programme referred to in Article 57 of this Act on the basis of the provisions contained in the Strategy referred to in Article 54 of this Act.

(2) The Office supervises the implementation of the National Programme referred to in Article 57 of this Act at all stages of the disposal of radioactive waste, used sources and spent nuclear fuel, from formation to final disposal, and reports on the implementation to the Government of the Republic of Croatia.

(3) The Office initiates and coordinates the regular renewals of the National Programme referred to in Article 57 of this Act, taking into account the best technical and scientific achievements, recommendations and lessons learned in the past period.

Article 59

The national programme referred to in Article 57 must contain at least the following:

– the overall objectives of the Radioactive Waste Management Strategy, used sources and spent nuclear fuel

– important milestones with the corresponding deadlines for their achievement in order to achieve the overall objective of the National Programme for the Implementation of the Strategy for the Management of Radioactive Waste, Used Sources and Spent Nuclear Fuel

– Inventory of radioactive waste, spent nuclear fuel, used sources including decommissioning and natural radioactive substances with properties altered by the use of technological processes, for the current situation and expected emergence in the future, by clearly discerning the associated locations with quantities of material classified according to the level of radiological hazard

– concepts, plans and technical solutions for the disposal of the Inventory referred to in subparagraph 3 of this Article from creation to final disposal

– Concepts or plans for the period after the closure of the landfill, including the period during which appropriate controls are to be carried out and what resources are needed to preserve knowledge of the facility in question in the long term

– description of the research and development activities necessary to demonstrate the justification of solutions for the management of radioactive waste, spent nuclear fuel, used sources including natural radioactive substances with properties altered by the use of technological processes

– basic steps that would serve to effectively monitor the implementation of certain parts of the National Programme referred to in Article 57 of this Act, with clear corresponding timeframes in which the steps must be achieved and the sharing of responsibilities for the application of

– basic performance indicators of the application of the National Programme referred to in Article 57 of this Act

– an estimate of the costs of applying the National Programme referred to in Article 57 of this Act, with clearly included assumptions and assessment hypotheses presented in the time profile of interest

- description of the financial scheme, which must include all costs with ensuring application according to the foreseen timetable

– a strategy of information and communication with the public to ensure that the necessary information on the disposal of spent nuclear fuel and radioactive waste is available to workers and the population in such a way that the Office will inform the public about events in its area of competence, with the exception of information that could potentially jeopardise safety interests. The strategy must also provide for a way of ensuring the effective participation of the interested public in the decision-making process on the disposal of spent nuclear fuel and radioactive waste

– an agreement or agreement on the disposal of spent nuclear fuel or radioactive waste, including the use of landfills, concluded(s) with a Member State of the European Union or a third country, if any/exists.

VI. RESPONSE TO AN EMERGENCY

Emergency protection plan and programme
Article 60

(1) In accordance with international regulations and recommendations, the Director of the Office, upon the previously obtained consent of the competent authority for protection and rescue, the Ministry responsible for health and the Ministry responsible for internal affairs,

proposes, and the Government of the Republic of Croatia adopts a regulation on measures to protect against ionizing radiation and intervention in the event of an emergency.

(2) The Office shall be in charge of monitoring the implementation of the regulation referred to in paragraph 1 of this Article and shall propose improvement measures where appropriate.

Obligations of the authorisation holder in the planning of the emergency response

Article 61

(1) The authorisation holder is obliged to draw up a Plan and Programme of Measures in the event of an emergency approved by the Office.

(2) The costs of implementing the Plan and programme referred to in paragraph 1 of this Article shall be provided and borne by the authorisation holder and by the holder of the use permit for the nuclear installation.

(3) The authorisation holder shall report to the public on the important facts referred to in the Plan and programme referred to in paragraph 1 of this Article.

(4) The scope and content of the Plan and Programme referred to in paragraph 1 of this Article, the obligation, frequency and deadlines for the verification of efficiency and the manner, scope and deadlines of reporting to the public and competent authorities shall be prescribed by the Regulation by the Director of the Office.

International reporting and cooperation

Article 62

(1) In the event of an emergency event, which is likely to cause harm to human health and on the territory of other states, the Office shall ensure reporting in accordance with international agreements.

(2) The Government of the Republic of Croatia decides on receiving assistance from other countries and the International Atomic Energy Agency and on providing assistance to other countries in case of emergencies.

Recovery

Article 63

(1) The authorisation holder and the user who, through his actions, cause radioactive contamination of the environment, premises, surfaces, objects and persons by radioactive substances above the limits set out in the regulations or due to the loss of control over the

source or other reason causes damage, is liable for the damage caused and is obliged to carry out the rehabilitation at his own expense without delay.

(2) The Ordinance referred to in paragraph 1 of this Article is adopted by the Director of the Office.

(3) The authorisation holder and the user shall inform the Office without delay of the danger or damage caused by the loss of control of the radioactive source or due to the radioactive pollution caused by its action.

(4) If the authorisation holder and the beneficiary fail to secure the resolution referred to in paragraph 1 of this Article, the Office shall order the implementation of the resolution at the expense of the authorisation holder, i.e. the beneficiary.

Subsidiary responsibility of the Republic of Croatia

Article 64

(1) If the authorisation holder or the beneficiary cannot ensure the implementation of the resolution due to bankruptcy, liquidation or other reasons, or if the authorisation holder or beneficiary cannot be determined or is not located on the territory of the Republic of Croatia, the Republic of Croatia must fully ensure that the resolution is carried out.

(2) The Republic of Croatia shall cover the resolution costs referred to in paragraph 1 of this Article if the financial guarantees provided by the authorisation holder or the beneficiary are not sufficient to cover those costs and does not have the means to cover those costs.

(3) If the reasons referred to in paragraphs 1 and 2 of this Article cease to apply, the Republic of Croatia shall require the party obliged to bear the costs to recover the costs for the implementation of the resolution referred to in paragraph 1 of this Article.

Remediation in the case of permanent exposure areas

Article 65

(1) The Government of the Republic of Croatia declares the permanently exposed area a vulnerable area and determines remediation for this area.

(2) If the permanently exposed area is the result of an emergency in another country, the Government of the Republic of Croatia, in addition to declaring the endangered area and determining the rehabilitation, identifies both the holders as well as the measures for the prevention of harmful effects on the territory of the Republic of Croatia.

VII. PHYSICAL INSURANCE OF THE SOURCE OF IONIZING RADIATION AND NUCLEAR FACILITIES

Article 66

(1) Authorisation holders for the performance of activities shall be responsible for carrying out the physical provision of ionising radiation sources and nuclear installations and shall bear the costs of their implementation.

(2) The method of carrying out physical insurance referred to in paragraph 1 of this Article shall be prescribed by the Rulebook by the Director of the Office, in cooperation with the Minister responsible for internal affairs.

VIII. NON-PROLIFERATION OF NUCLEAR WEAPONS

Licences and prohibition of the manufacture, possession and use of nuclear materials and special equipment

Article 67

(1) It is not permitted to use nuclear materials and special equipment for the construction of nuclear weapons or other explosive devices, or for the research and development of nuclear weapons or similar devices.

(2) For the manufacture, possession or use of special equipment that can be used for the research and development of nuclear weapons, it is necessary to obtain a permit from the Office.

(3) The licence referred to in paragraph 2 of this Article shall be granted or withheld by a decision against which no appeal is permitted, but an administrative dispute may be brought against that decision.

(4) The beneficiary of nuclear materials and special equipment shall allow inspection by representatives of international organisations if they carry it out in accordance with international agreements and cooperate with representatives of those organisations when reviewing them in accordance with international agreements.

(5) The list of special equipment referred to in paragraph 1 of this Article, the conditions of administration and the periods for validity of the licence referred to in paragraph 2 of this Article shall be prescribed by the Regulation by the Director of the Office.

IX. MONITORING THE STATE OF ENVIRONMENTAL RADIOACTIVITY

Article 68

Testing and monitoring of the type and activity of radioactive substances in the air, soil, sea, rivers, lakes, groundwater, solid and liquid precipitation, drinking water, food and general use items, residential and working premises, is carried out under conditions, in the manner and places and within the deadlines prescribed by the ordinance adopted by the Director of the Office.

X. REPORT AND SELF-ASSESSMENT OBLIGATION

Reporting Obligation

Article 69

(1) The Director of the Institute submits a report to the Government of the Republic of Croatia every two years, and if necessary more often, on protection against ionizing radiation and nuclear safety for the previous period.

(2) Upon acceptance in the Government of the Republic of Croatia, the report referred to in paragraph 1 of this Article shall be published by the Office in a way that ensures public availability.

(3) The Director of the Office is obliged to inform the European Commission of the implementation of Directive 2011/70/EURATOM, until 23 August 2015, and thereafter every three years.

Report Contents

Article 70

The report referred to in Article 69 of this Act contains information on:

– radiological safety situation, the state of safety of nuclear facilities, security measures and implementation of protection measures in the Republic of Croatia

– international cooperation in the field of radiological and nuclear security, in particular on accession to international treaties in this field

– assessment on preventing the proliferation of nuclear weapons and the unauthorised use of special equipment

– proposals to improve radiological and nuclear safety and

– other issues related to radiological and nuclear safety in the Republic of Croatia

– the work of the Institute.

Obligation and conduct of self-assessment

Article 71

(1) The Director of the Office shall be obliged to carry out at least every ten years a self-assessment of the domestic legislative framework and competent authorities and to provide an international overview of the essential segments of the domestic legislative framework and competent authorities in order to continuously improve radiological and nuclear security.

(2) The results of the self-assessment carried out and the available results of each international audit shall be public.

(3) The Director of the Office shall inform the Member States of the European Union and the European Commission about the results of the self-assessment carried out and the available results of each international audit.

XI. EYEWITNESSES

Obligation to keep and content of the logbook

Article 72

(1) The authorisation holder and the beneficiary, an authorised professional technical service and an authorised nuclear security executor shall keep logbooks.

(2) The Office is obliged to keep logbooks.

(3) The obligatory content of the logbooks referred to in paragraphs 1 and 2 of this Article, their content, management method and retention periods and the manner and deadlines of reporting shall be prescribed by the Director of the Office by regulations.

XII. FINANCIAL LIABILITIES

Article 73

The holder of the authorisation for the performance of the activity, i.e. the beneficiary, is obliged to bear the costs arising from the obligations under this Act.

Article 74

The amounts of fees, the types and amount of additional costs and the method of payment for the tasks performed by the Office will be prescribed by the rulebook by the Director of the Office.

Providing funding for the safety of a nuclear facility

Article 75

(1) The holder of the use permit for the nuclear installation shall have the financial resources provided in all operational periods of the installation for the performance of the prescribed nuclear safety measures.

(2) The financial resources referred to in paragraph 1 of this Article must also cover the payment of all costs of disposal of radioactive waste resulting from the operation of the installation, the disposal of spent fuel and the decommissioning of a nuclear facility.

(3) The financial resources referred to in paragraph 1 of this Article must provide the holder of the use permit for a nuclear facility in the amount of all plant and investment maintenance costs, including investment in technological renovation and nuclear safety measures.

(4) The method of securing financial resources, their heights and forms of guarantee and the means of carrying out the guarantee shall be determined by the Office for each nuclear installation, in the process of giving consent to the operation of the nuclear facility.

XIII. INSPECTION

Article 76

Inspection of the implementation of the provisions of this Act and bylaws adopted pursuant to this Act is carried out by inspectors and senior inspectors for radiological and nuclear safety of the Office (hereinafter: inspectors).

Inspectors

Article 77

(1) The tasks of inspectors in the Office may be performed by persons who have completed university graduate studies in the field of natural and technical sciences.

(2) The Inspectors of the Office are appointed by the Director of the Office.

(3) The tasks of the inspectors referred to in paragraph 1 of this Article are tasks with special working conditions.

(4) An appeal may be lodged against the first instance decision issued by the inspector to a special commission whose members are appointed by the Government of the Republic of Croatia, and an administrative dispute may be brought against the decision issued in the second instance.

(5) The panel referred to in paragraph 4 of this Article shall be composed of three members.

(6) The Commission referred to in paragraph 4 of this Article adopts the rules of procedure.

(7) Surveillance related to pressure vessels, fire protection and physical safety in nuclear and radiation-source facilities shall be carried out by radiological and nuclear safety inspectors in cooperation with the state administration bodies responsible for those operations.

Official ID card and badge

Article 78

(1) The inspector shall have an official card and a badge to prove his official property, identity and authority.

(2) The form and content of the form of the official card and the form and content of the badge, as well as the keeping of the register on issued official cards and badges referred to in paragraph 1 of this Article shall be prescribed by the Director of the Office.

The rights, obligations and powers of inspectors

Article 79

In carrying out inspections, the inspector is authorised to inspect all working and auxiliary premises and premises, documentation, prescribed logbooks, equipment, persons, objects of work and business that are subject to inspection, take statements of the responsible persons and witness statements, perform samplings, and, if necessary, use the services of prominent experts and legal entities.

Article 80

(1) The inspector shall carry out inspections without prior notice, but shall inform the responsible person of the supervised legal person and the natural person responsible of his or her presence before the start of the inspection, if available.

(2) In the absence of the persons referred to in paragraph 1 of this Article, the inspector shall inform the worker who has been found with a supervised legal or natural person of his presence.

(3) The inspector is authorised in the supervision procedure to request and review documents on the basis of which he establishes the identity of the person (identity card, passport, etc.), and persons subject to supervision are obliged to give him such a document at the request of the inspector.

Article 81

(1) The inspector shall draw up a record of the inspection carried out.

(2) One copy of the minutes referred to in paragraph 1 of this Article shall be submitted to the party with whom the inspection was carried out.

(3) On the inspections carried out, the inspector is obliged to keep a logbook.

Article 82

(1) Supervised legal and natural persons shall be obliged to enable the inspector to carry out inspections unhindered.

(2) The legal and natural persons referred to in paragraph 1 of this Article shall, at the request of the inspector, within the time limit set by him, provide the data and business documentation necessary for the performance of the inspection and possibly the further conduct of the procedure.

(3) The legal and natural persons referred to in paragraph 1 of this Article shall, at the request of the inspector, temporarily suspend the operation of the supervised facility at the time of the inspection, if the inspector could not otherwise carry out the inspection or establish the facts.

Article 83

If the inspector finds a breach of the regulations within the scope of another state administration body during the inspection, he or she is obliged to inform the other competent authority from whose scope the infringement was found without delay.

Article 84

(1) The inspector shall initiate an inspection procedure when he determines or learns that, in view of the current facts, the public interest is at risk, while obliging to take into account any petitions.

(2) The Inspector shall consider the petition of a legal or natural person relating to the supervision within his competence and inform the applicant in writing of the actions and measures taken.

(3) The information on the petitioner referred to in paragraph 2 of this Article shall be considered as secret information.

Article 85

(1) The inspector shall be authorised to temporarily confiscate cases which have been committed an offence or a criminal offence.

(2) A legal or natural person, from whom the cases are confiscated, shall be issued with a certificate with the items correctly indicated by type and quantity.

(3) The inspector shall, within eight days of the provisional confiscation of the case, submit an indictment for the purpose of initiating misdemeanor proceedings and to hand over the temporarily confiscated cases to the competent court, unless otherwise specified by the special regulation.

(4) With cases temporarily confiscated, until handed over to the competent court, the inspector cannot dispose (destroy, sell, donate, etc.), unless otherwise specified by a special regulation.

(5) The costs incurred by the confiscation referred to in paragraph 1 of this Article shall be borne by a supervised legal or natural person.

Article 86

(1) If the inspector finds in the performance of inspections that the Law or other regulation has been violated, he is obliged by a solution to order the elimination of the identified irregularity by setting a time limit within which the irregularity must be remedied, if the same can be achieved with the regular performance of the activity, at the expense of the supervised legal or natural person.

(2) In carrying out inspections, the inspector imposes a measure banning the use of working and ancillary premises, i.e. premises, facilities, appliances and equipment for carrying out activities, as well as prohibiting the operation of persons if not all the prescribed conditions have been met.

(3) If this Act or other regulation stipulates that an administrative measure applies to the established irregularity, the inspector shall impose that measure by a decision.

Article 87

(1) If an inspector finds a breach of the law or other regulations, he or she may issue a decision without hearing the party.

(2) The Inspector shall adopt the order referred to in paragraph 1 of this Article no later than eight days from the date of completion of the examination with established facts crucial for the adoption of the order. Failure to adopt a solution by that deadline does not preclude the obligation to adopt it.

Article 88

(1) In carrying out the inspection, the inspector shall be authorised by the supervised legal or natural person, until he has rectified the identified deficiencies, by oral order to temporarily prohibit the use of working and auxiliary premises, i.e. premises, facilities, appliances, accessories and equipment for the performance of activities, as well as the operation of persons and immediately approach the execution of the solution in accordance with the provision of Article 89(1) of this Act, without adopting a specific act allowing the execution of a solution in the following cases:

1. where there is a risk or suspicion of a danger to the health or life of people requiring that a particular measure of security be taken immediately, without delaying

2. where there is a risk or suspicion of the risk of concealment, substitution or destruction of evidence, if the security measure is not taken immediately

3. non-compliance with the prescribed conditions, which cannot be met with regular activity

4. gross flaws in the technological process.

(2) At the request of the party, a written rewrite of the oral order imposed will be issued within eight days from the date of the adoption of the oral order.

Article 89

(1) The executive order of an inspector subject to a non-monetary obligation and which, according to the nature of the obligation, can be carried out by direct coercion, shall be carried out by sealing premises, facilities, appliances and other equipment or otherwise suitable manner.

(2) If the solution cannot be enforced in accordance with paragraph 1 of this Article, the inspector shall compel the executor to fulfil the obligation with fines.

Article 90

(1) If an inspector finds that an infringement has committed an offence, he or she is obliged to submit an indictment to the competent court with established facts determined to take action to bring an indictment to the competent court for the purpose of initiating misdemeanor proceedings.

(2) The court to which the indictment has been lodged, in accordance with paragraph 1 of this Article, is obliged to inform the indictmentant of the outcome of the proceedings.

Article 91

The inspector shall be independent in carrying out inspections and shall conduct the procedure, adopt administrative acts and take measures within the framework of the rights, obligations and powers laid down in this Act and/or other regulations.

XIV. MISDEMEANOR PROVISIONS

Misdemeanors

Article 92

(1) A fine of between HRK 100,000.00 and HRK 500,000.00 will be punished for the offence by a legal person if:

1. carries out an activity without authorisation (Article 9(1), Article 13(1) and Article 50(1)

2. carries out activities without complying with the prescribed conditions (Article 9)

3. uses an unlicensed source of ionising radiation (Article 10(1)

4. do not announce to the Office the intention to carry out the activities referred to in Article 12 within the prescribed period (Article 12)

5. release the nuclear plant into test operation without the consent of the Office (Article 17(2)

6. start or cease the operation of the nuclear facility, commence or complete the decommissioning of the nuclear facility without the consent of the Office (Article 18(1)

7. do not ensure the implementation of radiological safety measures and nuclear security measures (Article 20)

8. imports, exports, transports and transports sources of ionising radiation, special equipment and radioactive waste, spent nuclear fuel, used sources without authorisation, i.e. permission from the Office (Article 21(1)

9. Employ persons under the age of 18 in jobs where they may be irradiated above the limit laid down in Article 24 of this Act (Article 25)

10. do not provide a pregnant woman with the working conditions laid down in this Act or do not allow a woman who is breastfeeding to work in a workplace where there is no possibility of radioactive contamination (Article 26)

11. Deliberately adds radioactive substances to general use items and imports and exports such goods (Article 37(1)

12. Builds, tests, commissions or otherwise uses a nuclear facility without the consent or authorisation issued under this Act (Article 38(1)

13. does not ensure the regular, complete and systematic evaluation and verification of nuclear safety measures of installations with periodic safety inspections (Article 40)

14. does not report regularly to the Office on the plant operation (Article 41(1)

15. performs professional tasks in the field of nuclear security without the authority of the Office or contrary to the provisions of this Act and regulations adopted under this Act (Article 43)

16. radioactive waste, used sources, i.e. spent nuclear fuel shall not be disposed of as prescribed (Article 49(1)

17. does not ensure that waste radioactive substances are produced in the smallest possible quantities (Article 49(4)

18. imports, radioactive waste, used source or spent nuclear fuel, which did not originate in the Republic of Croatia (Article 53)

19. Through its actions, it causes radioactive contamination of the environment, premises, surfaces, objects and persons by radioactive substances above the limits set by the rulebook or due to loss of control of the source or for some other reason causes damage and does not carry out remediation (Article 63(1)

20. does not carry out physical provision of sources of ionising radiation and nuclear facilities (Article 66(1)

21. Uses specific equipment for the construction of nuclear weapons or other explosive devices or for the research and development of nuclear weapons or similar devices (Article 67(1)

22. manufactures, possesses or uses special equipment without the permission of the Office (Article 67(2)

23. do not allow the review to representatives of international organisations, if they carry it out in accordance with international agreements and does not cooperate with representatives of those organisations when inspecting nuclear materials and special equipment in accordance with international agreements (Article 67(4).

(2) For the offence referred to in paragraph 1 of this Article, both the responsible person in the legal entity and the natural person will be punished with a fine of between HRK 20,000.00 and HRK 50,000.00.

Article 93

(1) A fine of between HRK 50,000.00 and HRK 100,000.00 will be punished for the offence by a legal person if:

1. uses the source of ionising radiation contrary to the principles of radiological safety (Article 23)

2. do not ensure that the irradiation of an individual resident, exposed worker, persons trained or educated to work with sources of ionising radiation is lower than the prescribed limit (Article 24)

3. Applies sources of ionising radiation for medicinal purposes contrary to the prescribed conditions (Article 27)

4. exposure is staffed by persons without prior medical examination or who do not meet specific health conditions (Article 29(1)

5. does not provide for regular medical examination of exposed workers and/or trainees or prohibit work in the field of exposure (Article 29(3), Article 31(1) and Article 33 subparagraph 1)

6. Carry out a health check on exposed workers, pupils and students and exposed trainees without the authorisation of the Minister responsible for health (Article 30)

7. register candidates who do not meet the prescribed conditions (Article 31(2)

8. do not ensure that the sources of ionising radiation and working conditions are tested and the prescribed parameters are measured (Article 33 subparagraph 5)

9. does not provide personal protective resources and equipment for exposed workers and check the correctness of those funds (Article 33 subparagraph 8)

10. does not ensure regular calibration and verification of the correctness of the measuring instruments (Article 33 subparagraph 9)

11. do not ensure that radioactive pollution of persons, objects, environment, premises and air is checked in the premises where activities are carried out or sources of ionising radiation are located (Article 33 subparagraph 10)

12. does not provide a quality assurance programme and/or its implementation (Article 33 subparagraph 6 and Article 46(2)

13. does not report to the Office in the prescribed manner and within the prescribed period (Article 34, Article 39(3), Article 40(2), Article 41(1), Article 63(3), Article 72(3))

14. Does not ensure that exposed workers carry out all prescribed and normal self-protection measures against ionising radiation, as well as protection of other persons, use protective equipment and personal irradiation measuring devices during their work, and use all other necessary measures to protect against ionising radiation (Article 35)

15. does not appoint the person responsible for protecting against ionising radiation from appropriate vocational education (Article 36)

16. ensure that the personal irradiation of exposed workers or trainees is measured (Article 28 and Article 33 subparagraph 2)

17. performs radiological safety activities without the authority of the Office or contrary to the provisions of this Act and regulations adopted under this Act (Article 42)

18. Sources of ionising radiation shall be handled by workers who do not have special professional education for handling sources of ionising radiation (Article 47(1)

19. Exposed workers do not have specific professional education on the application of radiological safety measures (Article 47(2) and Article 33 subparagraph 3)

20. Exposed workers do not periodically renew knowledge of the application of radiological safety measures (Article 47(4)

21. does not draw up an Emergency Plan and Programme of Measures (Article 61(1)

22. The important facts referred to in the Plan and Programme referred to in Article 61(1) of this Act shall not be reported to the public (Article 61(3)

23. does not keep the prescribed logbooks (Article 72(1)

24. does not carry out the ordered measures referred to in Article 86 of this Act.

(2) For the offence referred to in paragraph 1 of this Article, both the responsible person in the legal entity and the natural person will be punished with a fine of between HRK 10,000.00 and HRK 15,000.00.

Article 94

(1) A fine of between HRK 30,000.00 and HRK 80,000.00 will be punished for the offence by a legal person if:

1. uses working and living spaces and imports, exports or markets and uses water, food, animal feed and products contaminated with radionuclides above the prescribed limits (Article 37(2) and (3)

2. does not ensure the implementation of the programme of collection and analysis of the operational experiences of the nuclear installation (Article 39)

3. does not provide a sufficient number of skilled workers with adequate education, trained and additionally trained to carry out all nuclear activities carried out at the facility and to implement nuclear safety measures for all nuclear operation periods (Article 48(1)

4. the tasks and tasks of managing and supervising the technological process in a nuclear facility shall be carried out by workers who do not meet the prescribed conditions regarding professional qualifications, psychophysical characteristics and addictions to alcohol and drugs (Article 48(2))

5. do not ensure that the professional knowledge of skilled workers is regularly renewed and their qualifications, psychophysical characteristics and dependence on alcohol and drugs verified (Article 48(3)

6. hire a worker without a valid licence (Article 48(2)).

(2) For the offence referred to in paragraph 1 of this Article, both the responsible person in the legal entity and the natural person will be punished with a fine of between HRK 5,000.00 and HRK 8,000.00.

XV. TRANSITIONAL AND FINAL PROVISIONS

Article 95

(1) The Government of the Republic of Croatia shall, within 18 months from the date of entry into force of this Act, adopt the regulation referred to in Article 51(4) and Article 60(1) of this Act.

(2) By 1 August 2015, the Government of the Republic of Croatia will adopt the National Programme referred to in Article 57 of this Act.

(3) By 1 August 2014, the Croatian Parliament will adopt the Strategy referred to in Article 54 of this Act.

(4) Regulation on measures to protect against ionising radiation and emergency interventions ("Official Gazette", No. 111/2013). 102/12) shall remain in force until the adoption of the regulation referred to in Article 60 of this Act.

(5) Regulation on the conditions and manner of disposal of radioactive waste, used closed radioactive sources and sources of ionising radiation that are not intended to be used further ("Official Gazette", No. 111/2013). 44/08) shall remain in force until the adoption of the regulations referred to in Article 49(8) and the rulebook referred to in Article 50(4) of this Act.

Article 96

Regulations referred to in Article 9(3) and 5, Article 10(3), Article 11(1) 1 and 2, Article 13(3), Article 14(2), Article 15(3), Article 16(5), Article 17(5), Article 17(5), Article 18(2), Article 21(3) and 6, Article 22(2), Article 24, Article 27(2), Article 27(2), Article 28(2), Article 29(4), Article 32(2) and 3, Article 34, Article 37(2) and 3, Article 40(2), Article 40(2), Article 41(2), Article 42(3), Article 43(3), Article 45(2), Article 46(3), Article 47(6), Article 48(2), Article 49(8), Article 49(8), Article 46(3), Article 47(6), Article 48(2), Article 49(8), Article 49(8) Article 50(4), Article 52(3), Article 61(4), Article 63(2), Article 66(2), Article 66(2), Article 67(5), Article 68, Article 72(3), Article 74 and Article 78(2) of this Act and other acts for which this Act is authorised by this Act shall be adopted by the Director of the Office within two years from the date of entry into force of this Act.

Article 97

Until the entry into force of the regulations referred to in Article 96 of this Act, if they are not contrary to this Act, they shall remain in force:

1. Ordinance on the health conditions of exposed workers and persons who are trained to work with sources of ionizing radiation ("Official Gazette", No. 1011/2010). 80/13.)

2. Ordinance on education necessary for the handling of sources of ionizing radiation and the application of measures to protect against ionizing radiation ("Official Gazette", No. 111/2013). 63/11.)

3. Ordinance on the measurement of personal irradiation, examination of the sources of ionizing radiation and working conditions, and on reports and logbooks ("Official Gazette", No. 111/2013). 41/12 and 89/13)

4. Ordinance on conditions for the application of sources of ionizing radiation in medicine and dental medicine ("Official Gazette", No. 1000/2013). 89/13.)

5. Ordinance on irradiation limits ("Official Gazette", No. 111/2013). 59/13.)

6. Ordinance on the physical provision of radioactive sources, nuclear materials and nuclear facilities ("Official Gazette", No. 111/2013). 38/12.)

7. Ordinance on monitoring the state of radioactivity in the environment ("Official Gazette", No. 121/13.)

8. Ordinance on conditions and measures of protection against ionizing radiation for the performance of activities with electrical appliances that produce ionizing radiation ("Official Gazette", No. 111/2013). 41/13.)

9. Ordinance on conditions for the design, construction and removal of buildings housing sources of ionizing radiation or carrying out activities with sources of ionizing radiation ("Official Gazette", No. 111/2013). 99/08.)

10. Ordinance on authorisations and permits for the use and traffic of sources of ionizing radiation ("Official Gazette", No. 1011/2013). 71/12 and 89/13)

11. Ordinance on how to eliminate radioactive pollution, dispose of radioactive sources, i.e. take all other necessary measures to reduce harm to humans and the environment or eliminate further risks, dangers or harms ("Official Gazette", No. 111/ 2013). 53/08.)

12. Ordinance on the performance of nuclear activities ("Official Gazette", No. 12). 74/06.)

13. Ordinance on special conditions that must be fulfilled by professional organizations for the performance of certain tasks in the field of nuclear security ("Official Gazette", No. 1011/2010). 74/06.)

14. Ordinance on the conditions of nuclear safety and protection for the accommodation, design, construction, use and decommissioning of the facility in which the nuclear activity is carried out ("Official Gazette", No. 111/2010). 71/08.)

15. Ordinance on authorization of professional technical services for the performance of professional tasks of protection against ionizing radiation ("Official Gazette", No. 1011/2010). 72/11.)

16. Ordinance on the manner and procedure for supervision in the import or export of material which is reasonably suspected to be contaminated with radionuclides or contains radioactive sources ("Official Gazette", No. 111/2013). 114/07.)

17. The Rulebook on The Confidentiality of Data of the State Institute for Nuclear Security ("Official Gazette", No. 111/2013). 15/09.)

18. Ordinance on conditions and measures of protection against ionizing radiation for the performance of activities with radioactive sources ("Official Gazette", No. 1011/2013). 41/13.)

19. Ordinance on the amount of fees, the types and amount of additional costs and the method of payment for the tasks performed by the State Radiation Protection Institute ("Official Gazette", No. 1000/2013). 89/09.)

20. Ordinance on official card and badge of inspectors for radiological and nuclear safety ("Official Gazette", No. 1000/2013). 28/11.)

21. Ordinance on the scope and content of the Emergency Action Plan and Programme and reporting to the public and competent authorities ("Official Gazette", No. 111/2013). 123/12.)

22. Ordinance on the supervision and control of the cross-border transport of radioactive waste and spent fuel ("Official Gazette", No. 111/2013). 11/13.)

23. Ordinance on the conditions and manner of issuing and revoking the authorisation for packaging for the transport of radioactive and nuclear materials ("Official Gazette", No. 111/2013). 42/13.).

Article 98

Authorised professional technical organizations are obliged to align their work and business with the provisions of this Act within one year from the date of entry into force of this Act, otherwise procedures will be initiated to revoke the authorisation.

Article 99

Holders of authorisations for the performance of activities with sources of ionizing radiation, nuclear or radioactive waste disposal activities, used sources or spent nuclear fuel are obliged to align their work and operations with the provisions of this Act within one year from the date of entry into force of this Act, otherwise procedures will be initiated to revoke the authorisation.

Article 100

The Nuclear Security Council established under Article 25 of the Treaty on Human Rights Nuclear Security Act ("Official Gazette," No. 173/03) ceases to operate on the day of the establishment of the Radiological and Nuclear Safety Council under this Act.

Article 101

On the day of the entry into force of this Act, the Act on Radiological and Nuclear Security ceases to apply ("Official Gazette", No. 1000/ 111/2010). 28/10.).

Article 102

This Act enters into force on the eighth day from the date of publication in the "Official Gazette".

Class: 022-03/13-01/244
Zagreb, 15 November 2013

PARLIAMENT OF CROATIA

President
of the Croatian Parliament
Josip Leko,
Acting President of
the Croatian Parliament