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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted
and the President has proclaimed the following Law:

Law On Radiation Safety and Nuclear Safety

Chapter I General Provisions

Section 1. Terms used in this Law

The following terms are used in this Law:

1) **activities with sources of ionising radiation** – the activities of a person (the production, importation, exportation, transportation, sale, transfer, leasing, acquiring into ownership or use, storage, repairing of sources of ionising radiation and other similar activities, except in cases of irradiation emergencies), which may increase the irradiation of employees or inhabitants from artificial or natural sources of ionising radiation in those processes in which the radioactive, fission or nuclear transformation properties of radionuclides are used;

2) **ionising radiation** – energy flow in the form of particulates or electromagnetic waves (wave length is equal to 100 nanometres or less or the wave fluctuation frequency is equal to 3×10^{15} Hertz or more). It is gamma radiation, X-ray radiation, corpuscular radiation and any other radiation capable of creating ionisation in a direct or indirect form;

3) **sources of ionising radiation** – devices, radioactive substances, nuclear materials, radioactive waste or equipment able to generate ionising radiation or to create radioactive substances from non-radioactive materials, irradiating them with particulates or high energy gamma radiation, as well as the significant parts of technical equipment for generation of ionising radiation;

4) **nuclear equipment** – reactor, critical installation, equipment for processing nuclear materials and division of isotopes, as well as a place where a significant amount of nuclear materials is used (at least one effective kilogramme), or a storehouse for nuclear materials which is located outside the places of utilisation thereof;

5) **nuclear materials** – ores from which uranium or thorium can be acquired by chemical or physical processes, uranium which contains a mixture of isotopes occurring in nature, or depleted uranium, uranium 233, uranium enriched with uranium 233 or uranium 235, thorium in metallic form, in alloy form, in chemical compound or concentrate form,

¹ The Parliament of the Republic of Latvia

plutonium, except such mixture of plutonium isotopes in which the concentration of plutonium 238 exceeds 80 per cent, as well as other materials containing isotopes which may be split by interaction with neutrons and which create ionising radiation during the process of nuclear fission;

5¹) spent **nuclear fuel** – nuclear fuel which is in the active zone of an irradiated reactor and removed from the active zone;

6) **operator** – a natural person or legal person who has a special permit (licence) or permit to perform activities with sources of ionising radiation and who is responsible for the radiation safety and nuclear safety in the area controlled thereby;

6¹) **processing** – a process or activity, the aim of which is to acquire radioactive isotopes from spent nuclear fuel for further use or to transform radioactive waste into solid form according to the selected packaging in order to transport and dispose of them safely;

7) **radiation safety and nuclear safety** – a system of organisational and technical measures for the safe use of sources of ionising radiation and nuclear equipment, as well as for the protection of employees, inhabitants and the environment against ionising radiation;

8) **radioactive substance** – a substance which contains one or more radionuclides – isotopes which create ionising radiation with a common or specific radioactivity during the process of atom transformation, which exceeds the permissible sizes and from which protection of employees, inhabitants and the environment is necessary;

9) **radioactive waste** – materials, devices and items that may no longer be used and which contain or on the surface of which there are radioactive substances;

10) **ionising radiation objects of national significance** – nuclear equipment, undertakings for the disposal or management of radioactive waste and such objects in which activities with radioactive substances are performed, total radioactivity of which exceeds the limits specified by the Cabinet by more than one billion times, for which a special permit (licence) or permit is required.

[25 September 2008]

Section 2. Purpose and Scope of Application of this Law

(1) The purpose of this Law is to ensure the protection of people and the environment from the adverse effects of ionising radiation and to specify the duties and rights of State institutions, natural persons and legal persons in the field of radiation safety and nuclear safety.

(2) The Law prescribes the safety requirements for sources of ionising radiation and activities with these and proposes specific requirements for ionising radiation objects of national significance, and prescribes the division of duties among the State authorities in the field of radiation safety and nuclear safety.

Section 3. Basic Principles of Radiation Safety and Nuclear Safety

(1) Activities with sources of ionising radiation are permissible if the following basic principles are observed:

1) people and the environment may only receive such dose of ionising radiation that does not exceed the dose limits specified;

2) the positive result achieved exceeds the negative impact or losses created by activities with sources of ionising radiation;

3) taking into account the economic and social factors, as well as the options of technical resources, optimum radiation safety measures have been selected for the level of exposure to be reasonably low and not exceed the dose limits specified;

4) employees working with sources of ionising radiation are insured against accidents at work and occupational diseases, as well as civil liability insurance of operators has been performed against damages that may be caused to another person and the property thereof or to the environment; and

5) activities with sources of ionising radiation are performed after the receipt of a special permit (licence) or permit, except in cases provided for in Cabinet Regulations.

(2) The situating of ionising radiation objects of national significance in specially protected natural territories, specially protected natural objects or in the vicinity of populated areas shall not be permissible.

(3) Implementation of the basic principles of radiation safety and nuclear safety shall take place in accordance with Cabinet Regulations regarding protection against ionising radiation.

Chapter II

State Supervision and Control of Radiation Safety and Nuclear Safety

Section 4. Supervision and Control Authority

State supervision and control in the field of radiation safety and nuclear safety shall be performed by the Radiation Safety Centre of State administrative institution National Environment Service (hereinafter also – Centre).

[20 January 2005; 12 June 2009]

Section 5. Main Functions of the Radiation Safety Centre of the National Environment Service

The main functions of the Centre shall be as follows:

1) to prepare proposals regarding policy for the supervision and control of radiation safety and nuclear safety in the State;

2) to perform the supervision and control of radiation safety and nuclear safety;

3) to perform the supervision and ensure the control over the inspection and storage of special dosimetry apparatus and individual dosimeters;

4) to issue special permits (licences) and permits for activities with sources of ionising radiation;

5) to compile, analyse and provide information to the Radiation Safety Council regarding the situation in the State in the field of radiation safety, the main users of sources of ionising radiation and the control results;

6) to inform persons who perform work with sources of ionising radiation regarding the regulatory enactments regulating radiation safety and the recommendations for increasing the level of radiation safety;

7) to ensure the identification, research and evaluation of unknown sources of ionising radiation discovered in the State territory or undeclared sources of ionising radiation discovered on the State border, and to organise the disposal thereof, if it is not possible to determine the user or owner of the source of radiation;

8) to promote the introduction of new technologies in order to reduce the potential adverse effects arising from the use of sources of ionising radiation;

9) to co-ordinate technical assistance programmes in the field of radiation safety;

10) to prepare reports for international organisations, Convention and Agreement secretariats and the European Commission regarding matters in the competence of the Centre, to participate in the discussion of these matters at the relevant international organisations;

11) to evaluate the requirements of international institutions and the observation of recommendations in Latvia and to prepare proposals regarding amendments to the relevant regulatory enactments or regarding the development of new regulatory enactments;

12) in order to increase the level of radiation safety in the State, to organise and co-ordinate the training of such inspectors and work managers whose work is connected with radiation safety, as well as to promote the training of the performers of such work;

13) to create and update databases regarding irradiation of those employees whose work is connected with sources of ionising radiation, and irradiation of inhabitants;

14) to ensure the registration of sources of ionising radiation, to create and update databases regarding radioactive substances, nuclear materials, radioactive waste and other sources of ionising radiation;

15) to create and maintain a register regarding employees who perform activities with sources of ionising radiation or work in workplaces where there is increased natural radiation;

16) to ensure the 24-hour readiness for early notification of nuclear accidents and to perform the functions of a point of contact in accordance with the Convention on Early Notification of a Nuclear Accident; and

17) to perform the duties of the contact person of the Nuclear Suppliers Group, in order to promote the implementation of the Nuclear Non-proliferation Treaty and the associated treaties thereof.

[12 June 2009]

Section 6. Rights of the Radiation Safety Centre of the National Environment Service

(1) The Centre has the right to receive information without delay regarding any accidents and incidents, which may affect radiation safety and nuclear safety, as well as to request and receive from State institutions, authorities and operators the information regarding radiation safety and nuclear safety necessary for the fulfilment of the functions of the Centre free of charge.

(2) The Centre shall:

1) prohibit to perform activities with sources of ionising radiation if the standards of radiation safety and nuclear safety are being violated; and

2) also suspend such activities which do not require a special permit (licence) or a permit if threats arise to human health and life.

(3) The Centre has the right to co-operate with international organisations in resolving matters of radiation safety.

(4) The administrative provisions issued by the Centre, except for the decisions on issues regarding radiation safety control, and the actual action thereof may be contested at the Environment State Bureau. The decision of the Environment State Bureau may be appealed in court. Decisions on issues regarding radiation safety control issued by officials of the Centre may be contested with the Director General of the National Environment Service. The decision of the Director General of the National Environment Service may be appealed in court. Contesting or appeal of the administrative provisions issued by the Centre, as well as the decisions issued by officials of the Centre shall not suspend the execution thereof.

[12 June 2009]

Section 7. Rights of Inspectors of the Radiation Safety Centre of the National Environment Service

(1) Inspectors of the Centre have the right to inspect places where activities with sources of ionising radiation are performed and to take the necessary amount of samples for the purposes of supervision. The taking of such samples shall not be regarded as causing of losses.

(2) In order to control the implementation of the requirements of this Law and other regulatory enactments in the field of radiation safety and nuclear safety, the inspectors of the Centre have the following rights:

1) to take decisions and provide opinions regarding the situation in the field of radiation safety and nuclear safety;

2) to issue administrative acts to managers and operators whose work is connected with sources of ionising radiation, in order to avoid or prevent violations of the radiation safety and nuclear safety requirements and to increase the level of radiation safety;

3) to prepare reports (acts) regarding the inspection results; and

4) to examine materials regarding violations of the regulatory enactments of radiation safety and nuclear safety and, if necessary, to hold the responsible persons administratively liable or perform other activities provided for in laws and regulatory enactments.

[12 June 2009]

Section 8. Radiation Safety Council

(1) The Radiation Safety Council (hereinafter – Council) is a consultative institution. The by-law of the Council shall be approved by the Cabinet. Activities of the Council shall be organised by the Ministry of Environment.

(2) The purpose of the Council activities is to consult State and local government institutions and authorities, as well as other institutions and authorities regarding matters that are connected with radiation safety and nuclear safety, and to promote the co-operation of different institutions in strengthening of radiation safety. Decisions of the Council shall be of a recommendatory nature and the opinions thereof shall be available to any interested person.

(3) Before submitting the relevant proposal to the Ministry of Environment or other ministries, the Centre shall consult with the Council on how to improve radiation safety and nuclear safety in the State.

(4) The 10 members of the Council and the Chairperson thereof proposed by the Minister for Environment shall be approved by the Cabinet for four years. There shall be not less than three radiation safety and nuclear safety specialists in the composition of the Council.

Section 9. Division of Duties Among the Institutions Involved in Inspections

(1) The Ministry of Health and the authorities subordinate thereto shall ensure mandatory health examinations for employees working with sources of ionising radiation and shall perform State technical supervision of ionising radiation equipment.

(2) The State Border Guard in co-operation with customs authorities, the Food and Veterinary Service and the Centre shall, in accordance with the procedures specified by the Cabinet, perform inspections on the State border of the Republic of Latvia (which is concurrently the external border of the European Economic Area) in order to ensure that only consignments in which the amount of radioactive substances does not exceed the permissible levels are transported across the border and that undeclared sources of ionising radiation are not being imported or exported.

(3) The Centre, in co-operation with authorised institutions of the Ministry of the Interior, shall inspect the provision of physical protection and readiness for potential emergencies in places where activities with sources of ionising radiation are performed.

(4) The Cabinet shall specify requirements in relation to:

1) the physical protection of sources of ionising radiation; and

2) the readiness for radiological emergency and actions in the event of such emergency.

[26 September 2002; 20 January 2005]

Section 10. Radiation Monitoring

The Ministry of Environment and the authorities subordinate thereto shall ensure the activities of the radiation monitoring station within the scope of their competence and the exchange of information in accordance with the requirements of international agreements in the field of radiation safety and nuclear safety, as well as participate in radio-ecological research.

[20 January 2005]

Chapter III Licensing and Issuing of Permits

Section 11. Issuing of Special Permits (Licences) and Permits for Activities with Sources of Ionising Radiation

(1) Any commercial activities with sources of ionising radiation shall require a special permit (licence), but an activity which is not a commercial activity – a permit to commence and perform such activities for a specified period of time, taking into account the restrictions of activities specified in the special permit (licence) or permit.

(2) The Cabinet shall determine:

1) the criteria which shall be observed when requesting a special permit (licence) or a permit for activities with sources of ionising radiation;

2) the procedures for the issuance of a special permit (licence) and permit; and

3) the activities with sources of ionising radiation not requiring a special permit (licence) or a permit because it is not possible to influence such activities by human actions or the potential dose of ionising radiation and the adverse effects of the irradiation are so small that it need not be taken into account from the viewpoint of radiation safety.

(3) Special permits (licences) and permits for activities with sources of ionising radiation shall be issued by the Centre on the basis of the regulatory enactments governing radiation safety and nuclear safety. The Centre shall specify in the special permit (licence) and permit which activities are allowed for a natural person or a legal person.

(4) *[12 June 2009]*.

(5) A State fee shall be paid for the issuance of a special permit (licence) and permit, which shall be transferred to the State basic budget. The amount of the State fee and procedures for payment thereof shall be determined by the Cabinet.

(6) The Centre may cancel or suspend a special permit (licence) or permit if the requirements of this Law or other regulatory enactments in relation to radiation safety and nuclear safety, as well as the requirements specified in the special permit (licence) or permit are not fulfilled.

(7) After taking of the relevant decision the Centre shall not issue a special permit (licence) or permit to a person who has repeatedly violated the requirements for radiation safety and nuclear safety specified by regulatory enactments.

[20 January 2005; 25 September 2008; 12 June 2009]

Section 12. Procedures for Harmonisation of the Creation of Ionising Radiation Objects of National Significance or the Performance of Essential Changes Therein

(1) If in accordance with the Law On Environmental Impact Assessment, an environmental impact assessment has been performed for the creation of an ionising radiation object of national significance or the performance of essential changes therein, a decision to accept activities shall be taken by the Cabinet by issuing an order for each time. The Centre shall:

1) inform the public that a special permit (licence) has been requested for the creation of an ionising radiation object of national significance or the performance of essential changes therein, by publishing a notification in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia], and consult with the Council regarding the usefulness of the creation of such objects, analyse the potential impact of the planned changes on radiation safety and nuclear safety, and evaluate whether the positive result to be achieved by the operator will exceed the overall negative impact; and

2) issue a special permit (licence) for the creation of an ionising radiation object of national significance or the performance of essential changes therein.

(2) The Cabinet shall determine the procedures for public discussion of the creation of ionising radiation objects of national significance or the performance of essential changes therein.

(3) The time period for taking a decision regarding the receipt of a special permit (licence) shall not be longer than 60 days.

[20 January 2005]

Chapter IV

Duties of Operator and Work Manager when Working with Sources of Ionising Radiation

Section 13. Basic Duties of an Operator

(1) Before activities with sources of ionising radiation are commenced, a natural person or legal person shall assign a work manager and authorise him or her to prepare and submit an application for the receipt of a special permit (licence) or permit in accordance with the procedures specified by law. After receipt of a special permit (licence) or permit, the applicant shall be recognised as an operator and shall be responsible for radiation safety and nuclear safety in the area controlled thereby.

(2) The operator shall ensure that those sources of ionising radiation, which are not necessary for further activities or the safety of which no longer conforms to the requirements specified by regulatory enactments, are rendered harmless.

(3) The operator shall ensure that employees who work with sources of ionising radiation (permanently employed workers and guest workers who perform the relevant activities temporarily) are protected against the effects of ionising radiation in the area controlled thereby.

(4) The procedures for control and registration of the irradiation of employees shall be determined by the Cabinet, ensuring that information regarding irradiation of guest workers could also be used in his or her country of residence.

(5) In order to protect employees against ionising radiation, the operator shall ensure them with individual and collective means of protection.

(6) Each year by 31 January, the operator shall send information to the Centre regarding changes that are connected with sources of ionising radiation and activities involving them, as well as regarding changes to personnel and other changes which have affected radiation safety and nuclear safety in the previous calendar year.

[20 January 2005]

Section 14. Basic Duties of a Work Manager

(1) Work with sources of ionising radiation shall be led by a work manager authorised by an operator, who has the relevant level of knowledge in order to perform physical, technical or

radiochemical measurements, to evaluate doses of ionising radiation and effectively protect employees and inhabitants against ionising radiation, using means of protection properly.

(2) A work manager shall:

1) ensure the registration of radioactive substances, nuclear materials and other sources of ionising radiation;

2) perform safety measures in order to protect employees, inhabitants and the environment from the adverse effects of ionising radiation and to prevent incidents of nuclear equipment and other radiological incidents;

3) inform the operator and the Centre without delay regarding any incidents and accidents that may affect radiation safety and nuclear safety;

4) ensure that all radioactive waste is collected, isolated, stored, processed and, if necessary, disposed of, without creating a risk to employees, inhabitants and the environment;

5) ensure that employees, who perform activities with sources of ionising radiation, are sufficiently trained in the performance of protective measures, have sufficient knowledge of conditions and the requirements of regulatory enactments, as well as are informed regarding the potential risks connected with this work;

6) in accordance with the requirements of radiation safety, monitor and maintain measuring instruments and protective means against ionising radiation in workplaces and in other areas affected by sources of ionising radiation in an appropriate condition and perform the relevant accounting and registration; and

7) ensure that only those employees work with sources of ionising radiation who are allowed to work with these after the mandatory health examination.

Section 15. Provision of Information

(1) An operator and a work manager shall be responsible that the Centre, as well as employees of other State and local government institutions, the competence of which includes matters of radiation safety and nuclear safety, receive information regarding measures of radiation safety and nuclear safety in the relevant object.

(2) A work manager shall inform the population directly or by means of mass media resources regarding measures of radiation safety and nuclear safety performed or planned in the relevant object.

(3) A work manager shall inform State and local government institutions and also the population directly or by means of mass media resources regarding potential accidents, incidents and measures necessary for the protection of the population in cases of incidents.

Section 16. Information regarding Accidents

(1) A work manager shall, without delay, inform an operator, the Centre and the State Fire-fighting and Rescue Service regarding all incidents and accidents that have occurred when performing activities with sources of ionising radiation.

(2) If the performance of activities with sources of ionising radiation results in an incident or another accident and an injury caused to an employee, the employee shall inform the work manager thereof without delay. The work manager shall inform the operator, the Centre and the State Labour Inspectorate thereof without delay.

Chapter V

Requirements for Employees, when Working with Sources of Ionising Radiation

Section 17. Basic Duties of Employees

(1) If the doses of ionising radiation can exceed any of the dose limits specified by the Cabinet in relation to inhabitants, work with sources of ionising radiation may only be performed by specially trained employees who have reached the age of 18 years and:

- 1) who have been instructed regarding the adverse affects of ionising radiation;
- 2) who do not have medical contra-indications specified by the Cabinet for work with sources of ionising radiation; and
- 3) who are allowed to work with sources of ionising radiation in accordance with the results of the mandatory health examination.

(2) An employee who works with sources of ionising radiation:

- 1) has a duty to use control and safety means and perform all measures in order to protect himself or herself, other employees, inhabitants and the environment from the adverse affects of ionising radiation, perform the necessary measurements and register them;
- 2) is prohibited to perform activities with sources of ionising radiation if all possible measures have not been performed to avoid emergency situations, which might cause additional irradiation or pollution of the environment.

(3) If the state of health of an employee who works with sources of ionising radiation deteriorates and it is, possibly, connected with the effects of ionising radiation, the duty of this employee is to:

- 1) inform the work manager of this fact without delay; and
- 2) suspend the fulfilment of work connected with ionising radiation and perform an extraordinary health examination.

Section 18. Employment of Minors, Pregnant Women and Breastfeeding Mothers

(1) Persons aged from 16 to 18 years may only be involved in activities with sources of ionising radiation for the purposes of teaching, and the effective dose of ionising radiation for these apprentices or students may not exceed 6 millisievert per year.

(2) Pregnant women shall not be employed in work connected with ionising radiation throughout the period of their pregnancy. After an employee has informed her employer regarding pregnancy, the pregnant woman shall be transferred to work which is not connected with ionising radiation, if the employer is unable to ensure such working conditions where the irradiation dose which may be absorbed by the embryo throughout the period of pregnancy does not exceed the effective dose limit specified in relation to inhabitants – 1 millisievert, thus ensuring the prevention of the adverse effects of ionising radiation to the safety and health of the pregnant woman.

(3) It is prohibited to involve breastfeeding mothers in work which is connected with open sources of radiation.

Section 19. Partially Dangerous Activities

If a person who does not work with sources of ionising radiation needs to be in the area controlled by an operator, the work manager has a duty to ensure that the total dose of ionising radiation of this person does not exceed the dose limit specified in relation to the population – 1 millisievert per year. If this requirement cannot be fulfilled, the work manager may allow the performance of the work of the relevant person only to such an employee who has the right to work with sources of ionising radiation.

Section 20. Protection of Visitors

If it is likely that visitors will regularly visit the area controlled by an operator, the work manager shall co-ordinate with the Centre a plan of measures for the protection of these persons against ionising radiation.

Chapter VI Radiation Safety Means and Measures

Section 21. Additional Inspections

Any natural person or legal person has the right to request that the Centre additionally inspects the situation of radiation safety and nuclear safety in any area controlled by an operator. The costs of sample-taking and research shall be covered by the requester of the additional inspections.

Section 22. Physical Protection of Sources of Ionising Radiation

- (1) The physical protection of sources of ionising radiation shall be ensured by an operator in accordance with the procedures specified by regulatory enactments.
- (2) The Security Police shall co-ordinate measures for the recovery of nuclear materials and the necessary activities in case of an unauthorised relocation, use or transformation of nuclear materials, or in case if justified threats that unauthorised activities with nuclear materials will be performed have arisen.
- (3) The Centre and the Security Police shall perform the control of the physical protection of sources of ionising radiation.

Section 23. Provisions for the Packaging, Labelling and Delivery of Sources of Ionising Radiation

- (1) A merchant which manufactures, imports, exports or leases radioactive substances or other sources of ionising radiation shall:
 - 1) be responsible for the durability and safety of the packaging of radioactive substances or sources of ionising radiation;
 - 2) ensure that a radiation warning sign is present on the container, body and packaging of a source of ionising radiation and a description in Latvian regarding the content thereof (especially information that is necessary for the protection against ionising radiation). If this information is in a foreign language, translation in Latvian shall be attached thereto;
 - 3) ensure that two copies of the safety data sheets are attached to the accompanying documents of sources of ionising radiation, one of which should be sent with the consignment and the other – by post. The content of the safety data sheets shall be determined in accordance with the requirements of Section 24 of this Law; and
 - 4) ensure that a source of ionising radiation is delivered in a set with the necessary equipment which protects employees, the population and the environment from the adverse effects of ionising radiation.
- (2) The procedures for packaging and labelling of radioactive substances and sources of ionising radiation shall be determined by the Cabinet.

Section 24. Content of the Safety Data Sheet

(1) The Cabinet shall approve a sample of the safety data sheet and determine the procedures for the completion and sending of the safety data sheet.

(2) Information corresponding to the radioactive substance or source of ionising radiation shall be included in the safety data sheet:

1) identification of the radioactive substance or source of ionising radiation and information regarding the manufacturer, importer or other person who delivers the radioactive substance or source of ionising radiation;

2) a characterisation of the hazard of the radioactive substance or source of ionising radiation;

3) a description of the first aid measures;

4) a description of measures to be performed in case of an incident;

5) requirements for storage and use;

6) requirements for work safety measures;

7) requirements for safe transportation;

8) information regarding the main regulatory enactments governing activities with the relevant radioactive substance or source of ionising radiation; and

9) other information significant from the point of view of safety and the protection of the life and health of people or the environment.

Section 25. Installation and Repair of Sources of Ionising Radiation

A merchant who installs or repairs equipment that is connected with sources of ionising radiation, may only install them if protective equipment is ensured and other measures have been performed for the protection against ionising radiation, as well as the provisions for labour protection are observed.

Section 26. Procedures for the Registration and Control of Nuclear Materials

The procedures for the performance of activities with nuclear materials, materials and equipment connected thereto, as well as the procedures for the maintenance of the registration and control system of nuclear materials shall be determined by the Cabinet.

Chapter VII

Radioactive Waste and Non-usable Sources of Ionising Radiation

Section 27. Radioactive Waste

(1) Importation of radioactive waste from other countries into the Republic of Latvia shall not be permissible, except in cases when:

1) the radioactive waste that has been created by processing the radioactive waste exported from the Republic of Latvia is re-imported; or

2) it is not possible to separate the radioactive waste that has been created in foreign countries during processing of the radioactive waste, which has been imported from the Republic of Latvia; in such case the equivalent amount of other radioactive waste shall be imported.

(2) Before the issuance of a special permit (licence) or permit for the commencement of such activities, which may result in creation of radioactive waste, the Centre shall request information from the operator regarding the foreseeable amount of radioactive waste and measures that will be performed with this radioactive waste.

- (3) The requirements for activities with radioactive waste and the materials associated thereto shall be determined by the Cabinet.
- (4) The Cabinet shall approve the criteria and principles for the determination of the equivalence different radioactive waste.
- (5) If such radioactive substances are imported into the Republic of Latvia, following the use of which radioactive waste is created which need to be disposed of in Latvia, the natural resources tax shall be paid for the importation of these substances.

Section 27¹. Spent Nuclear Fuel

- (1) Spent nuclear fuel may be processed as an eligible resource or intended for complete disposal without the further use thereof and treated as radioactive waste. The use of spent nuclear fuel shall not be permissible in the Republic of Latvia.
 - (2) Importation of spent nuclear fuel into the Republic of Latvia from other countries shall not be permissible.
- [25 September 2008]

Section 28. Termination of the Use of Ionising Radiation Equipment not Containing Radioactive Substances

- (1) If equipment is in the ownership or possession of an operator, which is capable of generating ionising radiation but does not contain radioactive substances and is not needed for further activities or if also the safety thereof no longer conforms with the requirements specified by the Republic of Latvia, the operator shall render this equipment harmless and inform the Centre thereof.
- (2) The Cabinet shall determine the procedures for the liquidation of ionising radiation equipment which does not contain radioactive substances.

Chapter VIII Liability for Violations

Section 29. Compensation of Losses and Nuclear Damages

- (1) An operator who has violated the requirements specified in regulatory enactments shall compensate any person injured for the losses caused to the health and property of the person, as well as the environment as a result of activities connected with sources of ionising radiation. The operator has the right to raise a subrogation action against a person who is guilty of causing losses.
- (2) If, when performing activities with sources of ionising radiation, the environment, buildings, equipment or vehicles have been polluted, an operator shall ensure the decontamination of the environment, buildings, equipment and vehicles so that the pollution would no longer pose a threat to the environment, the life, health or property of employees and inhabitants, the life and health of animals, as well as shall cover all the expenditure necessary for sample-taking and research.
- (3) An operator shall not compensate losses if they have been caused due to *force majeure*, with the intent of the injured person himself or herself, or due to his or her gross negligence. It shall not apply to cases which, in accordance with regulatory enactments, should have been foreseen by the operator, in order to perform the appropriate protective measures.
- (4) Only the operator of nuclear equipment shall be responsible for the nuclear damages caused by this equipment. The liability of the Republic of Latvia as an operator shall be limited to 80 million lats for any individual nuclear damages. In other cases the operator shall

compensate all losses caused by accidents. The minimum amount of civil legal liability insurance shall be determined by the Cabinet.

Section 30. Requirements for the Management of Unlawfully Used Sources of Ionising Radiation

(1) Sources of ionising radiation which are used, by violating the requirements of this Law and other regulatory enactments, together with protective equipment which is directly connected with sources of ionising radiation, shall be transferred by an operator to an undertaking of radioactive waste disposal or administration, ensuring that people and the environment are not at risk.

(2) Sources of ionising radiation, the user or owner of which is not known, shall be transferred to an undertaking of radioactive waste disposal or administration, observing the requirements of radiation safety, by the authority, which discovered such sources of ionising radiation.

Transitional Provisions

1. The Cabinet Regulations that are issued in accordance with Sections 4, 6, 7, 9, 23, 25 and 27 of the Law On Radiation Safety and Nuclear Safety (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs* 1995, No.3; 1997, No.11) are in force until the date of coming into force of new Cabinet Regulations, but not longer than 12 months after coming into force of this Law.

2. Within 12 months after coming into force of this Law, the Cabinet shall issue regulations that are necessary for implementation of the norms specified in Section 1, Section 3, Paragraphs one and three, Section 4, Paragraph three, Section 8, Paragraphs one and four, Section 9, Paragraphs two and four, Section 11, Paragraph two, Section 12, Paragraphs one and two, Section 13, Paragraph four, Section 17, Paragraph one, Section 23, Paragraph two, Section 24, Paragraph one, Section 26, Section 27, Paragraphs three and four, Section 28, Paragraph two and Section 29, Paragraph four of this Law.

2.¹ Until the date of coming into force of new Cabinet Regulations, but not later than by 1 April 2005, Cabinet Regulation No. 260 of 25 June 2002, Procedures for Performance of Radiometric Control of Goods and Vehicles on the State Border and Uncovering of Non-declared Sources of Ionising Radiation, shall be applicable, insofar as they are not in contradiction with this Law.

[20 January 2005]

2.² By 1 March 2009 the Cabinet shall issue the regulations referred to in Section 11, Paragraph five of this Law. Until the date of the coming into force of these Regulations, but not later than by 1 March 2009, Cabinet Regulation No. 289 of 3 July 2001, Regulations Regarding State Fees for Issuance of Special Permits (Licences) or Permits for Activities with Sources of Ionising Radiation, shall be applicable.

[25 February 2008]

3. The special permits (licences) and permits issued before the date of coming into force of this Law shall be valid until the end of the expiry date specified therein.

4. With the coming into force of this Law, the Law On Radiation Safety and Nuclear Safety (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No.3; 1997, No.11) is repealed.

Informative Reference to European Union Directives

[20 January 2005; 25 September 2008]

This Law contains legal norms arising from:

1) Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency;

2) Council Directive 90/641/Euratom of 4 December 1990 on the operational protection of outside workers exposed to the risk of ionizing radiation during their activities in controlled areas;

3) [25 September 2008];

4) Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation;

5) Council Directive 97/43/Euratom of 30 June 1997 on health protection of individuals against the dangers of ionizing radiation in relation to medical exposure, and repealing Directive 84/466/Euratom;

6) Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC;

7) Council Directive 2003/122/Euratom of 22 December 2003 on the control of high-activity sealed radioactive sources and orphan sources; and

8) Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel.

This Law was adopted by the *Saeima* on 26 October 2000.

President
Riga, 7 November 2000

V. Vīķe-Freiberga