

**REPUBLIC OF LITHUANIA
LAW**

ON NUCLEAR ENERGY

14 November 1996, No. I-1613

Vilnius

(as amended by 26 October 2004, No IX-2505)

**CHAPTER ONE
GENERAL PROVISIONS**

Article 1. Objectives of the Law

1. This Law shall regulate public relations arising during the use of nuclear energy for generation of electricity and heat. It shall provide a legal basis for the activities of natural and legal persons in the sphere of nuclear energy. The objective of the Law is to ensure nuclear safety when nuclear energy is used to meet peaceful needs, and to prevent proliferation of nuclear arms by illegal disposal of nuclear materials (including nuclear fuel and nuclear waste). The provisions of this Law are in conformity with the obligations of the Republic of Lithuania under the Nuclear Safety Convention and ensure protection of man and the environment from the harmful effects of radiation.

2. This Law shall establish:

- 1) the basis for the management of nuclear energy;
- 2) the principles of state regulation of nuclear safety and radiation protection in the sphere of nuclear energy;
- 3) basic conditions for licensing in the sphere of nuclear energy;
- 4) special conditions for the design and construction of nuclear facilities;
- 5) basic conditions for operation of nuclear facilities;
- 6) basic conditions for export and import of nuclear materials and equipment;
- 7) basic conditions for transportation and storage of nuclear and radioactive materials used in the sphere of nuclear energy;

8) basic requirements for the physical protection of nuclear facilities and nuclear materials;

9) basic requirements for the prevention of and response to nuclear and radiological accidents;

10) the principles of liability in the sphere of nuclear energy;

11) the basic economic and financial conditions in the sphere of nuclear activities;

12) the specific features of labour relations in the sphere of nuclear energy.

3. The provisions of Chapter IX of this Law shall also apply to other spheres of activities involving nuclear material.

Article 2. Definitions

1. **Nuclear plant** - a complex of equipment and buildings intended for generation of electricity and heat by using nuclear fuel.

2. **Nuclear accident** - failure in the control and management of the chain reaction of nuclear fission in the core of the reactor; formation of a critical mass during the loading, reloading, transportation and storage of nuclear fuel; disruptions of heat exchange resulting in the damage to nuclear elements and/or exposure of the personnel to radiation exceeding the prescribed levels;

3. **Nuclear energy** - a branch of energy where nuclear energy is used for generation of electricity and heat.

4. **Nuclear safety** - a property of a nuclear facility to limit, within the prescribed requirements, the effect of radiation on human beings and the environment both during the course of its normal operation and during nuclear accidents.

5. **Nuclear damage** - death or injury of a human being, loss of or damage to property, a harmful effect on the environment due to radiation related to the operation of a nuclear facility or a nuclear (radiation) accident.

6. **Nuclear facility** - a nuclear power plant, a nuclear reactor, a storage facility for nuclear materials and radioactive waste, and their processing facility.

7. **Operation of a nuclear facility** - a variety of activities aimed at realising the purposes set for the facility, including generation of energy, loading of fuel, commissioning of the reactor, its shut-down, testing, technical maintenance, repair, inspection and other operations related to its activity.

8. **The operator of a nuclear facility** - an economic entity possessing a licence and material and financial resources for the operation of a nuclear facility, and responsible for its safety.

9. **Physical protection of a nuclear facility** - an aggregate of organisational, legal, technical and special measures aimed at protecting nuclear equipment and nuclear as well as radioactive materials from being taken into illegal possession or from seizure, and from an unauthorised entry of persons into the territory of a nuclear facility.

10. **Reconstruction of a nuclear facility** - major engineering modification of the facility (expansion, replacement of supporting structures, application of new technologies or mounting of a new type of a reactor etc.) which may affect the safety of the nuclear facility.

11. **Decommissioning of a nuclear facility** - implementation of legal, organisational and technical measures with the aim of managing a nuclear facility after a decision has been adopted that the facility will be permanently taken out of operation.

12. **Nuclear materials** - plutonium, uranium (natural, enriched with isotopes of uranium 235 or uranium 233 and depleted) and thorium found in the form of a metal alloy, chemical compound or concentrate, or in a mixture with other materials.

13. **Nuclear commodities** - nuclear materials, non-nuclear materials used in nuclear energy, nuclear equipment and technologies used in the sphere of nuclear energy, also dual-purpose commodities, i.e. commodities that can be used in the sphere of both nuclear and non-nuclear activities.

14. **Nuclear equipment** - constituent parts (components) of a technical construction that can be used in nuclear technology.

15. **Nuclear incident** - any malfunction (failure), violation of operational conditions and limits that might have caused a nuclear accident..

16. **Nuclear installation** - any technical device (a mechanism, a machine etc.) in which nuclear materials may be formed or may be processed, used or stored.

17. **Nuclear fuel** - nuclear materials used for generating nuclear energy.

18. **Nuclear reactor** - an installation in which a controlled spontaneous nuclear fission chain reaction can take place.

19. **Accounting of nuclear materials** - an activity aimed at establishing the amount of nuclear materials and continuous recording of any changes of the amount.

20. **Repository of nuclear materials** - an installation or a structure for storage of nuclear materials.

21. **Source of ionising radiation** - an installation, equipment or a radioactive material emitting ionising radiation within the prescribed limits.

22. **Permit** - a written authorisation of a competent public authority to perform specified work.

23. **Licence** - an official document issued by a public authority authorising the applicant to perform specified activities in the field of nuclear energy in conformity with the prescribed conditions and requirements.

24. **Radiation accident** - failure in the functioning of a nuclear facility which causes a harmful effect on people and/or the environment due to an increased radiation.

25. **Radiation protection** - a sum of legal, technical, technological, construction and hygienic norms, rules and measures guaranteeing the protection of people and the environment from nuclear harm.

26. **Radioactive waste** - spent nuclear fuel and other radioactive materials the further technological use whereof is either not advisable or not possible.

27. **Radioactive materials** - materials whose spontaneous radioactivity exceeds the prescribed level.

28. **Radioactive waste storage facility** - a stationary facility (structure) intended for a temporary or permanent storage of radioactive waste.

29. **Radioactive waste management** - activities related to collection, sorting, treatment, processing, transportation, storage and disposal of radioactive waste.

30. **Sanitary protection zone** - a special territory or a site of radioactive contamination where the irradiation level may exceed the prescribed norms under the normal operational conditions of a nuclear facility.

31. **Monitoring zone** - a special territory where, without exceeding the prescribed norms, an impact of a nuclear facility on the environment is possible due to radioactive effluents or emission.

32. **Design basis threat** - a complex of attributes and characteristics of potential insider and/or external adversaries who might attempt unauthorised control or seizure of the nuclear facility and/or nuclear material or to commit a terrorist act. A system of physical protection shall be designed to prevent such actions.

Article 3. Legal Principles of Activities in the Sphere of Nuclear Energy

1. Nuclear activities in the Republic of Lithuania shall be permitted only subject to a licence issued by a state government institution. If nuclear activities are conducted without a licence or in contravention of the laws of the Republic of Lithuania or its international obligations, they shall be held illegal and shall incur legal responsibility as provided by the laws of the Republic of Lithuania.

2. The operator of a nuclear facility shall be responsible for conducting nuclear activities in compliance with the provisions of this Law and regulatory acts of the Republic of Lithuania.

3. A competent authority issuing licences for a specified activity in the sphere of nuclear energy must develop a system of requirements guaranteeing:

- 1) nuclear safety;
- 2) non-proliferation of nuclear arms;
- 3) only a lawful use of nuclear materials and waste management.

Article 4. Guarantees of Nuclear Safety

1. Nuclear safety in the Republic of Lithuania shall be guaranteed by the State.

2. The safe operation of individual nuclear facilities shall be the responsibility of their operators.

3. Standards and rules of nuclear safety and radiation protection approved by the Government or by the authorised institutions shall be mandatory for all central and local government institutions, enterprises, agencies, organisations, their associations, for the officials and other persons whose activities are related to the operation of nuclear facilities and to the use and management of nuclear and radioactive materials therein. Safety guarantees in nuclear energy shall be based on the requirements of the laws and secondary legislation of the Republic

of Lithuania, on the requirements of the international treaties to which the Republic of Lithuania is a party, also on the recommendations of the IAEA and other international organisations and institutions.

Article 5. Ownership of Nuclear Facilities and Nuclear Material

1. Nuclear facilities shall belong by the right of ownership to the State and/or to legal persons holding licences provided for by this Law.

2. Nuclear and radioactive materials may belong by the right of ownership to the State and/or to legal persons having licences provided for by this Law.

CHAPTER II MANAGEMENT OF NUCLEAR ENERGY

Article 6. Competence of the Seimas of the Republic of Lithuania

In exercising state powers in the sphere of nuclear energy the Seimas of the Republic of Lithuania shall:

- 1) formulate state policy in the sphere of nuclear energy;
- 2) solve the principal issues of development of nuclear energy in Lithuania;
- 3) by the advice of the Government, adopt a law on the construction of a new nuclear plant and its site or on the mounting of a new nuclear reactor, also on the decommissioning of a nuclear facility. The law shall establish the principal requirements for a nuclear plant or a nuclear reactor and for the zones of sanitary protection and monitoring.

Article 7. State Management of Nuclear Energy

State management of nuclear energy shall be effected, within the scope of their respective competence, by:

- 1) The Government of the Republic of Lithuania;
- 2) The Ministry of Economy of the Republic of Lithuania;
- 3) local authorities in the territories under their jurisdiction which are within the sanitary protection or monitoring zones of a nuclear facility.

Article 8. Competence of the Government of the Republic of Lithuania

1. The Government of the Republic of Lithuania shall:

- 1) in the manner prescribed by law, adopt decisions on the construction of individual nuclear facilities;
- 2) form a commission for the commissioning of a nuclear facility;
- 3) formulate the regulatory system of nuclear safety and radiation protection and the mechanism of its functioning;
- 4) establish nuclear energy control and supervision institutions and approve their regulations;
- 5) approve regulatory acts for the acquisition, storage, transport and disposal of nuclear and radioactive materials and submit them to the ministries referred to Articles 14, 15, 16 and the Government institutions for approval in cases specified in the above articles;
- 6) establish the procedure of licensing of nuclear activities';
- 7) establish the specific conditions and requirements for the zones of sanitary protection and monitoring and the course of their development;
- 8) co-ordinate the activities of ministries and other state institutions in drafting nuclear accident prevention and management plans;

2. In adopting a decision on the construction of a specific nuclear facility, the Government of the Republic of Lithuania shall take into consideration:

- 1) the economic and public needs;
- 2) the principal characteristics of the use of natural resources and their impact on the environment;
- 3) nuclear safety and radiation protection guarantees;
- 4) the opinion of the local authority on whose territory the intended facility will be sited.

Article 9. Competence of the Ministry of Economy

The Ministry of Economy shall:

- 1) exercise the rights and duties of a participant of the operators of nuclear facilities;
- 2) implement state policy in the sphere of nuclear energy;
- 3) organise bilateral and multilateral international co-operation in the sphere of nuclear energy;

4) organise nuclear accident prevention, accident management, investigation and countermeasures in the nuclear facilities under its control;

5) within the scope of its competence represent the Republic of Lithuania in international nuclear energy organisations and at conferences;

6) organise the drafting of a special project for the choice of the site for a new nuclear power plant or other state nuclear facilities, exploring several alternative sites;

7) after the approval of a detailed site plan, proceed in an established manner with the legal formalities of the acquisition for the public needs of the site for the construction of a nuclear power plant or other state nuclear facilities;

8) organise the development of the nuclear energy infrastructure in the Republic of Lithuania; establish institutions of design, science and technology (together with the Ministry of Education and Science) to meet the needs of the operators of nuclear facilities;

9) perform other functions established by this Law or those assigned by the Government.

Article 10. Competence of Local Authorities

Local authorities in the territories under their jurisdiction which are within the sanitary protection or monitoring zones of a nuclear facility, within the scope of their competence, shall:

1) take part in controlling the activities of nuclear power plants, nuclear reactors and other nuclear energy installations for which sanitary protection zones have been established;

2) control the compliance with the landscape and architectural requirements of a nuclear facility, also with the sanitary, hygienic and nature protection requirements of a nuclear facility and its territory;

3) take part in decision-making about the construction, reconstruction or decommissioning of nuclear facilities in their territory;

4) obtain information from the facility operator about the failure, shut-down, release of radioactive materials and other incidents;

5) prepare the population protection plans, and implement them in the event of nuclear accidents;

6) Inform the population about the radiological situation in the area where nuclear plants and other nuclear facilities are sited and about the radiation protection measures which are being implemented.

CHAPTER III

STATE REGULATION OF NUCLEAR SAFETY, RADIATION PROTECTION, ACCOUNTING AND CONTROL OF NUCLEAR MATERIALS

Article 11. Objectives of Regulation

1. The principal objectives of state regulation of nuclear energy safety shall be:

- 1) to establish the conditions and criteria for the safe use of nuclear energy;
- 2) to control and supervise the procedure of compliance with these conditions and criteria;
- 3) to establish sanctions for persons who violate the requirements for nuclear safety, radiation protection, accounting and control of nuclear materials.

2. The activities in the sphere of nuclear energy, energy facilities and the sources of ionising radiation shall be controlled by the state regulatory authorities.

Article 12. Control and Supervision Bodies

The functions of safety and control of nuclear facilities, also the supervision of accounting of nuclear materials shall be performed by the State Nuclear Safety Inspectorate of the Republic of Lithuania (VATESI). The supervision and control of nuclear facilities shall also be carried out, within the scope of their respective competence, by other state institutions referred to in this Law, as well as by local authorities within the territories of their jurisdiction.

Article 13. Principles of the Activities of State Control and Supervision Bodies

1. State control and supervision bodies shall act in accordance with the laws, subordinate legislation, the norms and rules of the Republic of Lithuania, regulating the procedure of operations in the sphere of nuclear energy. In accordance with the procedure and time limits established in statutory acts, the

bodies exercising state control and supervision shall inspect the state of nuclear safety, radiation protection and physical safety of nuclear facilities, and, within the scope of their competence, shall take all necessary measures for the elimination of the identified defects.

2. Decisions taken by officers of state control and supervision bodies within the scope of their competence shall be binding on all natural and legal entities and shall be implemented strictly within the established time limits and in accordance with the prescribed procedure.

Article 14. Competence of the State Atomic Energy Safety Inspectorate (VATESI)

1. In implementing state regulation of nuclear safety, radiation protection, accounting for and control of nuclear materials in the sphere of nuclear energy, VATESI shall:

1) together with the Ministry of the Environment approve technical regulations of the design and construction of nuclear facilities;

2) approve standards and rules of operation of nuclear facilities, standards and rules of storage of radioactive materials used in nuclear energy and disposal of their waste and establish the procedure for drafting of standards and rules;

3) control the compliance with the requirements stipulated in licences, safety regulations and standards;

4) carry out state supervision of the accounting for and control of nuclear materials;

5) repealed as of 1 May 2004;

6) repealed as of 1 May 2004

7) inform the mass media about the radiation and safety situation in nuclear facilities;

8) prepare surveys on the safety of nuclear facilities and submit them to the Government, local authorities and other bodies concerned;

9) organise and support research into and expert analysis of nuclear safety and radiation protection, independently carry out the analysis of incidents and occurrences at nuclear facilities

10) co-ordinate and control preventive measures for the staff and the population in the event of a nuclear facility accident, monitor the state of nuclear accident preparedness of the facility;

11) impose sanctions established in statutory acts on violators of safety rules;

12) organise bilateral and multilateral international co-operation in the sphere of nuclear safety and radiation protection.

2. In performing its functions VATESI shall act independently, in accordance with laws, its own regulations and other legal acts. To prevent a possible nuclear accident, VATESI may resort to any preventive measures within its competence, a temporary shut-down of a nuclear facility included.

Article 15 . Competence of the Ministry of Health

1. The Ministry of Health shall:

1) draft and approve regulatory acts and rules on the health of the personnel of nuclear facilities and the residents of the monitored zones of the facility and control compliance thereof;

2) undertake environmental health studies of radiation impact on people and their environment and establish health protection requirements;

3) co-ordinate the siting of nuclear facilities and undertake state environmental health analysis of their construction;

4) take part in the acceptance of the constructed or reconstructed nuclear facilities, issue the environmental health passport for work with radioactive materials and other sources of ionising radiation;

5) establish the standards for medical examination of the personnel working with radioactive materials and the sources of ionising radiation, periodic reviews of health, contraindications and control of compliance;

6) undertake health surveillance of the nuclear facility personnel and the residents of the monitored zone of the facility;

7) ensure the preparedness of medical institutions to use countermeasures;

8) establish the radiation protection norms for the population and control compliance with them;

9) organise medical examination of the forces of response to a nuclear accident and/or mitigation of its consequences and hygiene control of the

population affected by radiation exposure and submit proposals for the reduction of radiation exposure;

10) determine occupational diseases for the personnel working in the field of nuclear energy and study the causes of the diseases;

11) educate the population about radiation protection.

Article 16. Competence of the Ministry of the Environment

The Ministry of Environment shall:

1) after co-ordination with the Ministry of Health, establish the limits of radioactive emissions into the environment and the permitted pollution norms, monitor compliance with them, and establish the procedure of emission licensing

2) jointly with the Ministry of Health establish radiation protection standards and monitor compliance with them;

3) co-ordinate in the manner prescribed by law assessment of the impact on the environment;

4) together with VATESI approve technical regulations for the design and construction of nuclear facilities;

5) co-ordinate the projects for siting, reconstruction and expansion of nuclear facilities and facilities related to their operation;

6) take part in state monitoring of design and construction of nuclear facilities (structures) in the manner prescribed by the Government of the Republic of Lithuania;

7) issue licences for the use of natural resources, organise state radio-ecological monitoring, co-ordinate and control radiological monitoring nuclear facilities;

8) organise and co-ordinate scientific research of the impact of nuclear facilities on the environment;

9) prepare and approve methodology of assessment of radiation damage to the environment and its compensation;

10) periodically inform the public, national and local authorities about the radiation situation in the country and in the environment of nuclear facilities;

11) on the recommendation of the institutions exercising state control and supervision of construction of nuclear facilities or at its own initiative shall cancel

the authorisation to construct or reconstruct a nuclear facility when it is discovered that the authorisation was issued unlawfully.

Article 17. Competence of the Ministry of Social Security and Labour

1. The Ministry of Social Security and Labour shall coordinate the supervision of potentially dangerous technical installations carried out by the authorised technical supervision services in accordance with the procedure established in the Law on the Supervision of Potential Dangerous Installations with the exception of those under the control of VATESI.

2. The State Labour Inspectorate under the Ministry of Social Security and Labour shall control compliance with the requirements of labour, labour protection and related statutory acts.

Article 18. Competence of the Ministry of Transport and Communications

The Ministry of Transport and Communications shall:

- 1) take part in drafting laws and subordinate legislation regulating transportation of nuclear and radioactive materials;
- 2) participate in training and certification of the personnel involved in transportation of nuclear and radioactive materials;
- 3) organise railway transport for the evacuation of the population from the danger zone in the event of a nuclear accident.

Article 19.(Repealed)

Article 20. Competence of the Ministry of National Defence

1. The Ministry of National Defence shall:

- 1) take part in drafting and implementing co-ordinated interdepartmental anti-terrorist and anti-penetration protection plans of the nuclear power plant and other nuclear facilities;
- 2) ensure the security of transportation of nuclear and radioactive material cargoes across the territory of the country;

Article 21. Competence of the Ministry of the Interior

The Ministry of the Interior shall:

1) ensure fire protection of the nuclear power plant and other nuclear facilities, conduct the state fire protection examination of their construction and reconstruction designs, co-ordinate the fire protection systems of those facilities;

2) lay down fire protection requirements for nuclear facilities, exercise compliance with them and apply sanctions laid down in statutory acts for violators of fire protection regulations;

3) promptly extinguish fires breaking out at nuclear facilities, participate in the management of a nuclear accident and its consequences, organise radiation monitoring of a contaminated area;

4) exercise and ensure physical safety of a nuclear power plant;

5) draft, co-ordinate and implement interdepartmental anti-terrorist and anti-penetration action plans;

6) analyse and control the crime situation in the regions with nuclear facilities;

7) investigate the cases of theft and illegal possession of nuclear and radioactive materials, also of other dual-purpose goods;

8) provide assistance in ensuring the safety of transportation of nuclear and radioactive materials in the territory of the country;

2. The Fire-prevention and Rescue Department under the Ministry of the Interior shall:

1) draw up a population radiation protection plan in the event of a nuclear accident which shall be a model for other institutions authorised in the prescribed manner in preparing their respective plans of nuclear accident prevention, accident management and countermeasures;

2) within the scope of its competence implement the measures for the response to the accident and mitigation of its consequences;

3) jointly with other state institutions organise training sessions of population protection in the event of nuclear accidents.

Article 22. Competence of the State Security Department

The State Security Department shall:

1) exercise prevention of terrorist acts as well as other criminal acts aimed at damaging the interests of state security at nuclear facilities, in their environment, and on transportation routes of nuclear and radioactive materials;

2) in keeping with the state security interests, undertake operations and pre-trial investigation to detect and investigate actions constituting a threat to nuclear facilities, nuclear installations, equipment and technologies

3) scrutinise the credibility of persons who are being admitted to work or who are working at nuclear facilities or those who are assigned to transport nuclear and radioactive materials;

4) control the effectiveness of physical safety and emergency preparedness of the nuclear power plant and other nuclear facilities;

5) take part in drafting and implementing interdepartmental anti-terrorist and anti-subversive co-ordinated action plans of the nuclear power plant and other nuclear facilities.

Article 23. Competence of the Governmental Emergencies Commission

The Governmental Emergencies Commission shall:

1) direct the activities of management of a nuclear accident and elimination of its consequences;

2) mobilise material and other resources necessary for the response to a nuclear accident;

3) perform other tasks and functions provided in its regulations;

Article 24. County Governor

Governor of the county on the territory whereof the construction of a nuclear facility is planned or has already started, in exercising supervision and control of the facility, shall act within the limits of the powers delegated to him by the Law on the County Government, this Law and other laws and subordinate legislation of the Republic of Lithuania.

CHAPTER IV

BASIC LICENSING CONDITIONS IN NUCLEAR ENERGY

Article 25. Types of Activities Subject to Licensing

Without a licence issued by the Government of the Republic of Lithuania in a prescribed manner, it shall be prohibited:

- 1) to design, construct and reconstruct nuclear facilities, installations and equipment;
- 2) to operate nuclear facilities;
- 3) to store nuclear and radioactive materials and their waste;
- 4) to retire a nuclear facility from service;
- 5) to bury nuclear and radioactive materials and their waste;
- 6) to acquire, possess and transport nuclear materials;
- 7) to acquire, possess and transport radioactive materials;
- 8) to export, import and carry in transit in the territory of Lithuania nuclear, radioactive and other materials used in the nuclear energy sector, nuclear equipment, and dual purpose items that may be used in nuclear technologies.

Article 26. Licensing Institutions

1. Licences for the activities referred to in subparagraph 1, Article 25 shall be issued by VATESI after co-ordination with the Ministry of the Environment or an institution authorised by it, the Radiation Protection Centre and the director of administration of the municipality whose territory or its part is within the sanitary protection zone of a nuclear facility.

2. Licences for the activities referred to in subparagraphs 2-5, Article 25 shall be issued by VATESI after co-ordination with the Ministry of the Environment or an institution authorised by it and the Radiation Protection Centre, and licences for the activities referred to in subparagraph 6 shall be issued by VATESI upon agreement with the Radiation Protection Centre .

3. Licences for the activities referred to in subparagraph 7, Article 25 shall be issued by the Radiation Protection Centre after co-ordination with VATESI.

4. Licences for the activities referred to in subparagraph 8, Article 25 shall be issued by the Ministry of Economy after co-ordination with VATESI.

Article 27. Basic Principles of the Activities of the Licensing Authority

1. The institutions referred to in Article 26, issuing licences for a certain type of activity in the nuclear energy sector, are obliged to ensure that enterprises which have been issued licences shall guarantee:

- 1) adequate standards of nuclear safety for the licensed activity;
- 2) responsibility for nuclear safety;

3) the system of internal control that would ensure only the licensed use of nuclear materials and wastes and would guarantee the implementation of the provisions of the Treaty on the Non - Proliferation of Nuclear Weapons.

4) high professional qualifications of the executive personnel engaged in the licensed activity.

2. Without prejudice to the principal provisions of this Law and its separate parts, the licensing institution may establish additional requirements for the licensed activity.

Article 28. Licensing

1. Licences for the activities listed in Article 25 of this Law shall be issued in the manner established by the laws and other statutory acts of the Republic of Lithuania.

2. The licensing institution shall have the right to establish at a later date additional conditions and requirements for the safe operation of a facility and in the event of their disregard to suspend the licence and to prohibit any further operation of the facility until all the established shortcomings have been rectified. The licensing institution may at any time cancel the validity of the licence when it establishes that the nuclear safety conditions have been breached.

3. The procedure for applying new safety standards and rules at the operating facilities shall be established by the competent licensing public authority.

4. The refusal to issue a licence, its suspension, cancellation or prohibition of the activity of a facility may be appealed against in court.

CHAPTER V

SPECIAL CONDITIONS FOR THE DESIGN AND CONSTRUCTION

OF NUCLEAR FACILITIES

Article 29. Legal Prerequisites for the Design of Nuclear Facilities

1. A nuclear power plant or a nuclear reactor may be designed only subject to a resolution adopted by the Government of the Republic of Lithuania on the basis of the law on the construction of such a power plant or a nuclear reactor.

2. Other nuclear facilities may be designed, and the nuclear power plant may be reconstructed subject to a resolution adopted by the Government of the Republic of Lithuania on the recommendation of the Ministry of Economy.

3. A concrete design of a nuclear facility shall be prepared subject to:

1) the drafting and approval of a special site selection scheme after consideration of several alternative construction sites in a manner prescribed by the Law on Territorial Planning;

2) the approval of a detailed plan of the territory;

3) legally effected in a prescribed manner taking over of the land intended for the construction site for public needs.

Article 30. Design Co-ordination Procedure

In the manner prescribed by the Government of the Republic of Lithuania, the construction or reconstruction design of a nuclear facility shall be co-ordinated with the following state institutions:

1) the Ministry of the Environment;

2) the Ministry of Economy;

3) the Ministry of National Defence;

4) the Ministry of Social Security and Labour;

5) the Ministry of Economy;

6) the Ministry of the Interior;

7) the State Security Department;

8) the State Atomic Energy Safety Inspectorate (VATESI);

9) the local authority whose territory or its part is within the sanitary protection zone of the facility.

Article 31. Design Evaluation

1. Designs for the construction or reconstruction, upgrading, expansion, dismantling and decommissioning of nuclear facilities shall be subject to a comprehensive state expert evaluation. The expert evaluation shall be organised by the Ministry of the Environment upon receiving the design submitted by the client.

2. The construction designs of nuclear power plants and nuclear reactors may be submitted for additional international expert evaluation organised by the client. The findings of the expert evaluation shall be incorporated into the comprehensive state expert evaluation findings. The evaluation expenses shall be borne by the client.

3. Repealed as of 23 July 2003.

Article 32. State Control and Supervision of the Construction of Nuclear Facilities

1. An authorisation for the construction or reconstruction of a nuclear facility shall be issued by the Government or an institution authorised by it.

2. The builder/client seeking to obtain an authorisation to construct or reconstruct a nuclear facility, must submit to the Government or an institution authorised by it :

- 1) an application of the prescribed form;
- 2) a licence issued by VATESI to construct a nuclear facility;
- 3) a document certifying the builder's/client's title or other rights to the plot of land;
- 4) the design of the nuclear facility with the prior official approval following the established procedure;
- 5) findings of expert examination of the nuclear facility design performed according to the procedure set forth in Article 31 of this Law;
- 6) a decision of a competent institution that the intended economic activity is permitted on the chosen site from the point of view of environmental impact;
- 7) a document on the appointment of the chief technical supervision officer of the construction of the nuclear facility;
- 8) a certificate of cadastral measurements of the nuclear facility and its formal registration (in the event of reconstruction of the nuclear facility).

3. An authorisation for construction or reconstruction of a nuclear facility shall be issued by the Government or an institution authorised by it within 20 days after the day of filing of the documents indicated in paragraph 2 of this Article, at the latest, after examining them and ascertaining that construction of the nuclear facility conforms to the requirements of the regime of the building site as laid down by the document of territorial planning.

4. Where an authorisation for the construction or reconstruction of a nuclear facility is not issued, the Government or an institution authorised by it within the time period referred to in paragraph 3 of this Article shall inform the builder/client about it in writing, by giving a reasoned justification for refusal to issue an authorisation.

5. An authorisation for construction or reconstruction of a nuclear facility shall become invalid:

1) by a court decision;

2) by a decision of the Ministry of the Environment when it is discovered that it was issued unlawfully;

3) where, within 10 years after the date of issue of the authorisation the nuclear facility was not commissioned.

6. The rules for issuing authorisations for construction or reconstruction of a nuclear facility shall be defined by the Government.

7. Records of issue of authorisations for the construction or reconstruction of nuclear facilities, their list and statistical reports shall be managed by the Government or an institution authorised by it.

8. State control and supervision of the construction of nuclear facilities shall be exercised during all the major stages of work - design and construction, commissioning, operation and decommissioning.

9. During all the stages of work, compliance with the conditions and requirements set forth in the nuclear safety, radiation protection regulations and other statutory acts shall be controlled and supervised by the following institutions within the framework of their competence: VATESI, the Ministry of Health, the Ministry of the Environment, the State Labour Inspectorate under the Ministry of Social Security and Labour, the Ministry of the Interior, the State Security Department, the Radiation Protection Centre and the county governor.

Article 33. Sanitary Protection and Monitoring Zones

1. Sanitary protection and monitoring zones shall be established around nuclear facilities. The size of their area shall depend on the purpose of the facility and the requirements of operation safety rules and standards. The boundaries of the sanitary and monitoring zones shall be fixed in the documentation of the facility construction design.

2. Prior to the commissioning of the facility, all the population shall be resettled from the sanitary protection zone in the manner prescribed by the Government. Activities as well as construction of installations and buildings unrelated to the operation or service of the facility shall be prohibited therein. Land, woods and water bodies in the territory of the sanitary protection zone may be used for economic purposes only subject to an approval of the facility operator and authorisations from the Ministry of the Environment and the Ministry of Health.

3. The Ministry of the Environment, the Ministry of Health and the operator of the facility shall monitor radioactive pollution of the environment, conduct other research in the sanitary protection and monitoring zones.

4. Measures for accident prevention, the programme for the decommissioning of the nuclear power plant shall be planned and implemented in the sanitary protection and monitoring zones, appropriate conditions for the communication of information and the evacuation will be provided. Privileges may be provided to the residents of those zones in the manner prescribed by the Government, and assistance funds may be formed for the municipalities whose territory, in full or in part, falls within the monitoring zone of the nuclear facility.

5. The basic requirements for the sanitary protection and monitoring zones of a nuclear power plant or a nuclear reactor, and the conditions for their decommissioning shall be stipulated by the law on a nuclear power plant or on a nuclear reactor.

Article 34. Commissioning of the Facility

After the completion of construction or reconstruction, the commissioning of a nuclear facility shall be executed by an act signed by a special commission appointed by the Government which together with the other documents shall be the basis for obtaining a licence from VATESI for the operation of the facility .

CHAPTER VI

OPERATION OF NUCLEAR FACILITIES

Article 35. Commencement of Operation

1. Operation of a nuclear power plant or any other nuclear facility may start only subject to the approval act from a commissioning authority and a licence issued by the State Nuclear Energy Safety Inspectorate (VATESI).

2. During the testing of a nuclear reactor, VATESI after co-ordination with the Ministry of the Environment or an institution authorised by it and the Radiation Protection Centre shall issue authorisations for each of the following:

- 1) shipping of nuclear fuel to the site of the facility;
- 2) the first loading of nuclear fuel into the reactor;
- 3) the commissioning of the reactor.

Article 36. Basic Duties of the Operator of the Facility

1. A nuclear facility must be used only for the purpose it has been intended.

2. The operator of the nuclear facility shall be fully responsible for the adequate and safe operation of the facility in accordance with the requirements stipulated in the laws and subordinate legislation of the Republic of Lithuania, in the norms and regulations of nuclear safety and radiation protection, also in the regulations of the facility operator, the rules of labour discipline and organisation, and in the operation licence.

3. The operator of the facility is obliged :

1) to manage the accounting for nuclear materials belonging to the facility and exercise their control in accordance with the requirements laid down in the safeguards agreement with the IAEA;

2) to analyse nuclear accidents and incidents in the manner prescribed by statutory acts;

3) to notify VATESI and other interested bodies about all the violations of conditions and requirements of operational safety and all failures of the facility safety systems and their components;

4) to ensure preparedness for the elimination of the consequences of a radiological accident.

4. At the request of VATESI, the operator of the facility is obliged to submit detailed information about the technical condition of the facility or its parts.

Article 37. Decommissioning

1. The law on decommissioning of the nuclear power plant shall be implemented by the Government of the Republic of Lithuania and institutions subordinate to it.

2. Other nuclear facilities may be decommissioned by the decision of the Government. The manner of their decommissioning shall be established by VATESI after co-ordination with the Ministry of Economy, the Ministry of Health, the Ministry of the Environment and the Ministry of Social Security and Labour.

3. Temporary termination of the nuclear facility operation may be effected by the decision of the Government of the Republic of Lithuania, VATESI or the facility operator in the manner prescribed by VATESI.

Article 38. Obligations of the Nuclear Power Plant Operator in Preparation for the Decommissioning

1. If, following the procedure prescribed by law, a decision is made to decommission the nuclear power plant or one of its units it is obligatory, five years in advance, to submit to VATESI a decommissioning programme after co-ordinating it with the Ministry of Economy, the Ministry of the Environment, the Ministry of Health, the Ministry of Social Security and Labour, the county governor and the local authority of the territory which, in its entirety or in part, is within the facility sanitary protection zone. The programme must provide for the dismantling of the equipment, its conservation, management of radioactive materials and the subsequent control and supervision of the facility.

2. Not later than three years prior to the decommissioning, the operator of the nuclear power plant must obtain from VATESI a licence for the decommissioning.

3. The facility operator shall be held responsible for an accident during the decommissioning and the harmful impact of radiation on people and the environment in the manner prescribed by the laws of the Republic of Lithuania.

4. The Government or an authorised body shall co-ordinate the activities related to the decommissioning of the nuclear power plant, form the necessary structures, mobilise the research and technical resources, and shall establish the means for accumulating funds necessary for the decommissioning.

CHAPTER VII

EXPORT AND IMPORT OF NUCLEAR AND RADIOACTIVE MATERIALS AND EQUIPMENT

Article 39. Legal Basis for the Export and Import of Nuclear and Radioactive Materials and Equipment

1. The procedure for export, import and transit of nuclear and radioactive materials used in the nuclear energy sector shall be set by the Government of the Republic of Lithuania or an authorised body. The materials and equipment of this category may be exported, imported and transported in transit in conformity with the laws of the Republic of Lithuania and the international obligations laid down in the 1970 Treaty on the Non - Proliferation of Nuclear Weapons and other international agreements and conventions to which the Republic of Lithuania is a party.

2. Special requirements may be prescribed for the export and import of dual-purpose goods by the Government of the Republic of Lithuania.

Article 40. Restrictions on the Export of Nuclear Materials, Equipment and Technologies

It shall be prohibited to export nuclear materials, equipment and technologies to the countries which:

1) have not acceded to the 1970 Treaty on the Non - Proliferation of Nuclear Weapons and have not assumed obligations to apply the system of safeguards of nuclear materials approved by the IAEA;

2) do not guarantee physical protection of these materials and equipment;

3) have not assumed an obligation in a prescribed manner to prohibit the re-export of these materials, equipment and technologies to the countries referred to in subparagraphs 1 and 2 of this Article.

Article 41. Radiation Protection and Physical Safety of Nuclear and Radioactive Materials, Equipment and Technologies in the Process of Export and Import

1. Radiation protection and physical safety as well as the consequences of the accident in the process of export and import of nuclear and radioactive materials, equipment and technologies shall be the responsibility of:

1) in the process of import to Lithuania - the exporting country until the responsibility for their radiation protection and physical safety is assumed by the consignee of these materials and equipment in Lithuania;

2) in the process of export from Lithuania - the exporter until the responsibility for their radiation protection and physical safety is assumed by the consignee of the importing country.

2. The procedure of delivery of nuclear and radioactive materials, equipment and technologies as well as the time and place of such a delivery shall be established in the purchase-sale contracts.

Article 42. Prohibition on Import of Radioactive Wastes

It shall be prohibited to import radioactive wastes into the territory of the Republic of Lithuania.

**CHAPTER VIII
TRANSPORTATION AND STORAGE
OF NUCLEAR AND RADIOACTIVE MATERIALS**

Article 43. Principal Conditions of Transportation of Nuclear and Radioactive Materials

In the process of transportation of nuclear and radioactive materials, the procedure and requirements established by the laws and regulations of the Republic of Lithuania, the rules and standards of transportation and radiation protection must be strictly complied with.

Article 44. Licensing Conditions for Transportation of Nuclear and Radioactive Materials

1. In order to obtain a licence for transportation of nuclear materials, the carrier must file with VATESI:

1) a plan for transportation of nuclear materials covering their physical protection;

2) certificates confirming that the means of transport and the container for carrying these materials are in conformity with the requirements of safe transportation;

3) a document confirming that the persons conducting transportation operations have been subjected to performance evaluation in accordance with the safety requirements of transportation of nuclear and radioactive materials;

4) an insurance policy or any other document guaranteeing compensation for damage in the event of a nuclear or radiological accident;

5) a document (the accident card) prescribing the actions of the cargo accompanying personnel in the event of an accident ;

2. Licences for transportation of radioactive materials shall be issued by the Radiation Protection Centre in accordance with the requirements specified in paragraph 1. Of this Article.

Article 45. Transit of Nuclear and Radioactive Materials

The procedure for transit of nuclear and radioactive materials in the territory of Lithuania shall be established by the international agreements to which the Republic of Lithuania is a party, the laws and regulations of the Republic of Lithuania as well as the rules of carrying hazardous materials in the territory of Lithuania drafted on the basis of the above legal acts and approved in a prescribed manner.

Article 46. Storage of Nuclear and Radioactive Materials

The operator of the facility must ensure that all the nuclear and radioactive materials belonging to it, wastes included, should be stored in specially designed containers and facilities ensuring nuclear safety and physical and radiological protection. The technical specifications of the containers and other repositories

also of the storage facilities as well as storing conditions must conform to the standards established for such facilities.

Article 47. Disposal of Radioactive Waste

Radioactive waste may be disposed in the territory of Lithuania only by the decision of the Government of Lithuania in places specially set aside for this purpose and in conformity with the procedure prescribed by the laws and regulations of the Republic of Lithuania, licences and international agreements to which the Republic of Lithuania is a party.

CHAPTER IX PHYSICAL PROTECTION OF NUCLEAR ENERGY FACILITIES AND NUCLEAR MATERIAL

Article 48. Objectives of Physical Protection

Physical protection of nuclear energy facilities and nuclear material shall be a constituent part of ensuring nuclear safety. Physical protection shall have the following objectives:

- 1) to protect a nuclear facility or nuclear materials from any kind of action which might directly or indirectly endanger human health and protection from radioactive irradiation as well as to prevent the disruption of a normal operation of nuclear facilities;
- 2) to prevent taking control or seizure of nuclear equipment and nuclear and radioactive material.

Article 49. Protection Zones of the Nuclear Facility

For the purpose of implementing the objectives of physical protection of nuclear facilities, the Government of the Republic of Lithuania or an institution authorised by it shall define protection zones of the territory of nuclear facilities and the conditions of protection. Special restrictions and requirements shall be imposed in these zones, special technical equipment shall be installed to ensure these restrictions and requirements are complied with, and responsible officers shall be appointed.

Article 50. Organisational and Legal Basis of Physical Protection

1. The measures for the physical protection of nuclear material in use, transportation and storage must take into account the category of nuclear material, and the physical protection of all nuclear facilities must be ensured.

2. The operator of a nuclear facility jointly with the Ministry of the Interior as well as other enterprises having nuclear materials in lawful possession, in accordance with the legislation and other regulatory acts of the Republic of Lithuania, and taking into account the established design basis threat, shall organise and ensure the physical protection of the nuclear facility and radioactive material.

3. The categories of nuclear material and general requirements for the physical protection of nuclear facilities and nuclear material shall be defined and their implementation shall be supervised by VATESI.

4. The design basis threat of nuclear facilities shall be defined and reviewed, at least once a year, by the State Security Department of the Republic of Lithuania, with the participation of the Ministry of National Defence, the Ministry of the Interior, VATESI and the operator of a nuclear facility.

Article 51. Preventive Measures for the Physical Protection of the Nuclear Facility

1. To ensure the physical protection of a nuclear facility, it shall be prohibited for people and means of transportation to enter the protected territory of the facility without an authorisation of the operator of the facility, to bring in or take away shipments, to take photos or to film the equipment and installations therein. The unauthorised persons who penetrate the territory of the facility shall be subject to sanctions prescribed by law. The operator shall ensure that an IAEA inspector for Lithuania and the staff of VATESI and other institutions exercising state control and supervision could enter the protected territory of the facility without delay and be provided adequate conditions for the performance of their duties.

2. Means of transportation and persons (the facility personnel included) in the territory of the facility or the sanitary protection zone may be searched and checked, following the procedure prescribed by the Government of the Republic of Lithuania, against possible possession of arms, ammunition, radioactive materials or other things that could be used for the purpose of terrorist acts or any other criminal purposes.

3. All types of aeroplanes and other aircraft shall be prohibited from flying over the nuclear power plant and its sanitary protection zone, with the exception of cases when flights are necessary for the operation of the power plant or for the mitigation of a nuclear accident or incident.

CHAPTER X

PREVENTION OF NUCLEAR ACCIDENTS

RESPONSE TO ACCIDENTS AND MITIGATION OF THEIR CONSEQUENCES

Article 52. Classification of Nuclear Accidents

1. With the purpose of communicating information, all malfunctions of nuclear facilities and their safety systems shall be classified according to the International Nuclear Events Scale (INES) approved by the IAEA.

2. The causes and circumstances of every nuclear or radiological accident or a nuclear incident must be examined by a special commission formed for this purpose.

Article 53. Authorities Responsible for Prevention of a Nuclear Accident and Response to the Accident and Mitigation of its Consequences

1. Prevention of a nuclear accident, response to it and mitigation of its consequences shall be the responsibility, within the scope of their competence, of the operator of the nuclear facility, the Government of the Republic of Lithuania and other state authorities, also local authorities of the territory where nuclear facilities are sited or where there is a possibility of a harmful impact of a potential accident.

2. The Government of the Republic of Lithuania shall be responsible for the nuclear accident preparedness on a national scale.

Article 54. Response to a Nuclear Accident

1. Response to a nuclear accident and mitigation of its consequences shall be conducted in accordance with the plan of protection of the population of the Republic of Lithuania in the event of a nuclear accident, analogous plans of other departments and the facility personnel protection plan and instructions.

2. Institutions of all forms of ownership and response forces which must act in the event of a nuclear accident and in the mitigation of its consequences shall act in accordance with their own plans for nuclear accident prevention and mitigation of its consequences and shall implement the measures provided therein.

Article 55. Activities of the Governmental Emergency Commission in the Event of a Nuclear Accident

In the event of a nuclear accident, the Governmental Emergency Commission, in accordance with the laws of the Republic of Lithuania and its own regulations as well as the plan for the protection of the population of the Republic of Lithuania in the event of an accident at the nuclear power plant shall perform the following functions:

- 1) organise the response effort to the accident and mitigation of its consequences;
- 2) co-ordinate the activities of all the bodies and forces taking part in the response to the nuclear accident and mitigation of its consequences;
- 3) periodically report to the President of the Republic, the Seimas and the Government about the course of the response to the nuclear accident and mitigation of its consequences;
- 4) implement the decisions adopted by the Government and instructions given in that situation;
- 5) organise evacuation of the population from the endangered area;
- 6) notify the relevant organisations, mass media and the public about the course of the response to the accident and mitigation of its consequences, the

danger of ionising radiation and instruct the population about protection from radiation.

Article 56. Competence of the Facility Operator in the Event of a Nuclear Accident

1. The principal rights, duties and functions of the nuclear facility operator in the event of a nuclear accident shall be set out in the incorporation documents and the facility operation licence. The implementing measures shall be established and specified in the plan of a nuclear accident prevention and of the response to the accident and mitigation of its consequences drafted by the operator and approved by VATESI. Among other things, the plan shall indicate:

1) the notification procedure of the Governmental Emergency Commission and other competent authorities about the occurrence of the nuclear accident and the progress of response to it;

2) the organisational and technical measures for checking or reducing emission of radioactive materials into the environment;

3) procedure of co-ordination of actions with other institutions and services participating in the response to the accident and mitigation of its consequences.

Article 57. Notification of Foreign Countries about the Nuclear Accident

Information about a nuclear accident in the Republic of Lithuania or about the increased radiation shall be communicated to foreign countries and international organisations in the manner and scope as stipulated by the 1986 Convention on Early Notification of a Nuclear Accident and other international agreements to which the Republic of Lithuania is a party. Communication of this type of information abroad shall be in conformity with the International Nuclear Events Scale (INES).

CHAPTER XI

CIVIL LIABILITY IN THE SECTOR OF NUCLEAR ENERGY

Article 58. Civil Liability of the Facility Operator

The operator of the facility shall be liable for the damage caused by radioactive effluent discharges from the facility to the natural and legal persons, their property or to the natural environment.

Article 59. Appraisal of Damage

1. The scope of nuclear damage shall be appraised in accordance with the Civil Code of the Republic of Lithuania and the Vienna Convention on Civil Liability for Nuclear Damage of May 21, 1963 (hereinafter referred to as the Vienna Convention) and Law of the Republic of Lithuania adopted on its basis "On the Entry into Force of the Vienna Convention on Civil Liability for Nuclear Damage of May 21, 1963 and the Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention".

2. The scope of material liability of the facility operator for nuclear damage shall be limited to the amount in Litas equivalent to the minimum amount set in Article V of the Vienna Convention. It shall be calculated in accordance with the official Litas and US dollar exchange rate on the day when the damage was inflicted.

3. Disputes arising on account of appraisal of the damage or the manner of compensation for it shall be settled in court.

Article 60. Consequential Damages for the Harm Caused by the Nuclear Facility

If the nuclear damage caused by the nuclear facility is also accompanied by other losses the cause of the origin whereof may not be clearly distinguished from the damage caused by the nuclear facility, they shall be compensated for pursuant to the principle laid down in Article 59 of this Law.

Article 61. Guarantees of Compensation for Damage

1. The operator of the nuclear facility must insure the facility it is operating or procure in some other way the funds necessary for the compensation of the nuclear damage.

2. If the insurance and other funds are not sufficient for the compensation of the damage, the payment of the balance shall be guaranteed by the Government pursuant to the obligations assumed by the Republic of Lithuania according to the Vienna Convention.

Article 62. Social Guarantees for the Participants in the Response to a Nuclear Accident or Mitigation of its Consequences

Persons who participated in the response to a nuclear accident or the mitigation of its consequences and who suffered from radiation shall be eligible for social guarantees in accordance with the provisions of social guarantees laid down in the laws of the Republic of Lithuania.

Article 63. Limitation of Actions

Damages for the harm caused by radiation from a nuclear facility or from the radioactive materials in the course of transportation may be enforced if an action is brought to court or arbitration within ten years from the date of the moment of harm.

**CHAPTER XII
ECONOMIC AND FINANCIAL CONDITIONS FOR THE
ACTIVITIES OF NUCLEAR FACILITIES**

Article 64. Financing the Activities

1. The operator of a nuclear facility must have necessary material and financial resources for the purpose of performing its functions.
2. Implementation of the state regulatory objectives of nuclear energy safety and radiation protection and the activities of the control and supervision bodies shall be financed from the national budget.
3. The State shall support and finance the implementation of the science and technology research programmes in the sphere of nuclear safety and radiation protection.

Article 65. The Decommissioning Fund

1. Pursuant to Law on the Construction of a Nuclear Power Plant or a Nuclear Reactor, a decommissioning fund shall be set up.

2. The fund shall be made up of the deductions from the income received from the sale of the electricity generated by the nuclear plant. The amount and procedure of the deductions shall be established by the Government. These funds shall be included in the electricity production costs.

3. The decommissioning fund may be used only for the purpose of financing the measures laid down in the decommissioning programme of the power plant and, as necessary, for compensation for nuclear damage.

4. The regulations of the decommissioning fund shall be approved by the Government.

Article 66. Assistance Fund

In a manner prescribed by the Government, an assistance fund shall be established for the local authorities the territory whereof, in its entirety or in part, is within the monitoring zone of the nuclear power plant. Every month the power plant shall make deductions to the fund for the local authorities.

Article 67. Prices and Tariffs

The prices and tariffs of electricity generated at the nuclear power plant shall be set in a manner prescribed by the Law on Energy of the Republic of Lithuania. In setting the electricity tariffs, account shall be taken of the fuel, maintenance, development, and reconstruction expenses as well as the tax-related expenses and deductions for various funds prescribed by law.

Article 68. Foreign Investment

The share of foreign investment in the nuclear facilities under construction or reconstruction shall be established by the Government of the Republic of Lithuania. The procedure for investment into the sector of nuclear energy of the Republic of Lithuania shall be regulated by the Law on the Construction of a Nuclear Power Plant or a Nuclear Reactor and the Law on Investment in the Republic of Lithuania.

CHAPTER XIII

LABOUR RELATIONS IN THE SPHERE OF NUCLEAR ENERGY

Article 69. Legal Basis of Labour Relations

Labour relations in nuclear facilities shall be regulated by labour legislation of the Republic of Lithuania, this Law, secondary legislation also labour regulations and disciplinary statutes applicable in nuclear facilities.

Article 70. Restrictions on the Employment Contract

1. Only nationals of the Republic of Lithuania may work as the management personnel of the operator of a nuclear facility . Director of the nuclear facility shall be appointed by a decree of the Government

2. The Deputy Director for Safety of the operator of the nuclear facility shall be appointed and dismissed by the Director of this organisation on the recommendation of the State Security Department.

3. The following persons may not be employed at nuclear facilities:

1) attested in a prescribed manner as alcohol, drug and toxic substances abusers;

2) suffering from diseases the list whereof shall be approved by the Ministry of Health;

3) under the age of 18 years;

4) foreign nationals and stateless persons who have no visas of the Republic of Lithuania or permits for permanent residence in Lithuania;

5) having previous convictions for wilful crimes.

4. Recruitment of staff for nuclear facilities shall be subject to the clearance of the State Security Department.

5. Persons whose work involves the use and protection of information constituting a state secret of the Republic of Lithuania may not be employed in nuclear facilities if they do not have a permit, issued in accordance with the Law on State Secrets of the Republic of Lithuania and their Protection, to work with the information constituting a state secret. If such a permit is cancelled in a manner prescribed by the Law on State Secrets of the Republic of Lithuania and their Protection the person shall be dismissed from work/position.

Article 71. Labour Relations of Foreign Nationals and Stateless Persons

1. Foreign nationals and stateless persons having a visa of the Republic of Lithuania or a permit for permanent residence in the Republic of Lithuania shall be employed in nuclear facilities subject to the approval of the Ministry of Energy of the Republic of Lithuania and the vetting by the State Security Department.

2. Exceptions shall be allowed only in the event of management of nuclear accidents on the basis of a separate decree of the Government of the Republic of Lithuania and with the approval of the State Security Department.

Article 72. Social Security

The nuclear facility staff whose work is related to a possible radiological impact on health and life (a list of such jobs shall be approved by the Ministry of Health and the Ministry of Social Security and Labour) may be eligible for supplementary health insurance and accident-at-work insurance from the funds set aside for this purpose by the operator of the facility. The funds shall be included in the production costs of electricity.

Article 73. Restrictions on Industrial Action

1. The staff of a nuclear facility shall be prohibited to go on a strike.

2. It shall be prohibited to hold rallies, demonstrations, protests and disobedience actions on the territory and the sanitary protection zone of the nuclear facility.

3. Persons who do not comply with the provisions of this Article shall be sued in accordance with the procedure prescribed by the laws of the Republic of Lithuania.

CHAPTER XIV INTERNATIONAL RELATIONS ENTRY INTO FORCE OF THE LAW

Article 74. Principles of International Agreements

1. International agreements regulating relations in the sphere of nuclear energy in Lithuania shall be concluded in conformity with the principles and norms

of international law and the laws of the Republic of Lithuania which prescribe the procedure for concluding international agreements.

2. During the drafting and concluding of international agreements relating to the production or use of nuclear energy, participation of authorised persons from the Ministry of Energy, and during the drafting and concluding of international agreements relating to nuclear safety and radiation protection - participation of authorised representatives of VATESI shall be mandatory.

Article 75. Conditions for Entry of Foreign Nuclear Ships into the Territorial Waters of the Republic of Lithuania

1. Foreign ships with nuclear engines or carrying a cargo of nuclear materials may enter the territorial sea of the Republic of Lithuania only subject to a permit of the Government of Lithuania.

2. When issuing an entry permit the Government of the Republic of Lithuania lays down the conditions for the presence of a foreign nuclear ship or a ship carrying nuclear materials in the territorial waters or a port of the Republic of Lithuania.

Article 76. Entry into Force

This Law shall enter into force on January 1, 1997.

I promulgate this Law passed by the Seimas of the Republic of Lithuania

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS