

THE STATUTE of the Nuclear Regulatory Authority of the Slovak Republic

Article 1 Basic Provisions

(1) The Statute of the Nuclear Regulatory Authority of the Slovak Republic (hereinafter only as the “Statute“) under the laws and other generally binding legal regulations defines in detail the scope and the roles of the Nuclear Regulatory Authority of the Slovak Republic (hereinafter only as the “Authority“), establishes the principles of activities and of the internal organization of the Authority and its relations to the ministries and other central government authorities and other bodies and organizations.

(2) Roles and principles of operation of the Authority referred to in the Statute are binding on the issue of Organizational Rules of the authority.

Article 2 Position of the Authority

(1) The Authority is the central body of public administration for nuclear regulation.¹⁾

(2) The Authority is a service office for civil service of civil servants, an employer for employees performing work in public interest and in other labour relations of the Authority.²⁾

(3) The Authority is a budgetary organization, whose income and expenditures are linked to the state budget of the Slovak Republic.³⁾

(4) The Authority is a legal entity, in legal relations it acts on its own behalf.

(5) The headquarters is in Bratislava. The Authority has its offices in Trnava and site inspectors in Jaslovske Bohunice and in Mochovce.

Article 3 The scope of Competence of the Authority

(1) The Authority operates under the Act no. 575/2001 Coll. on the organization of activities of the government and the central public administration as amended (hereinafter only as the "Act") and the Act No. 541/2004 Coll. on peaceful use of nuclear energy (hereinafter only as the “Atomic Act“) and on amendments to certain laws as amended, and other generally binding legal regulations and this Statute.

(2) The Authority

- a) performs state regulation of nuclear safety of nuclear installations,
- b) performs state regulation in the field of nuclear energy use, in the physical protection and in emergency planning,

¹⁾ Section 29 par. 1 of the Act No. 575/2001 Coll. on the organization of activities of the government and organizations of the central public administration as amended.

²⁾ Act No. 400/2009 Coll. on civil service and on amendments to certain laws as amended, Act No. 552/2003 Coll. on performance of work in public interest as amended and Act No. 311/2001 Coll. the Labour Code as amended.

³⁾ Act No. 523/2004 Coll. on budgetary rules for public administration and on amendments to certain laws as amended.

- c) controls fulfilment of obligations under this Act,
- d) issues authorizations or licenses to natural persons or legal entities for the use of nuclear energy, checks compliance with the conditions of the authorization or license and revokes authorization or license,
- e) for emergency planning approves the size of the emergency planning zone or of a common emergency planning zone around the nuclear installation,
- f) provides for international cooperation in the field covered by the Atomic Act, including compliance with Slovakia's obligation under international treaties, by which the Slovak Republic is bound, as well as acting as a contact point and within its scope of competence it fulfils other notification obligations under Section 4 par. 1 sub-par. f) of the Atomic Act,
- g) informs the neighbouring states, the International Atomic Energy Agency and the European Commission, possibly other services of the European Union, on unlawful taking of nuclear materials, radioactive sources, incidents and accidents at the nuclear installations within the Slovak Republic (hereinafter only as "within the Slovak Republic") and on events in transport of radioactive materials in Slovakia,
- h) once a year, always as at 30th April, submits report on the status of nuclear safety of nuclear installations within the Slovak Republic and about its activities for the past year to the government of the Slovak Republic and subsequently to the National Council of the Slovak Republic,
- i) informs the public about
 1. incidents and accidents of nuclear installations in Slovakia,
 2. accidents outside of Slovakia,
 3. material deficiencies identified by the Authority at nuclear installations and the actions adopted to eliminate these,
 4. events during transport of radioactive materials,
 5. other matters related to nuclear safety of nuclear installations within SR,
- j) exercises a scope of building office in cases specified in a special regulation,⁴⁾
- k) maintains a national system of records of nuclear materials, special materials and equipment.

Article 4

Main Roles of the Authority

(1) The Authority participates in the development and implementation of a unified state policy in the field of nuclear regulation, implements this policy, within its competence exercises public administration and performs other tasks provided for in the statutes, laws and other generally binding legal regulations.

(2) The Authority, within its specified scope is responsible also for the tasks of defence and creates conditions for the implementation of requirements for ensuring preparations for defence and protection.

(3) The Authority develops the concept of national policy in the field of nuclear regulation and in cooperation with the ministries and other central authorities implements this policy.

(4) The Authority, within its scope of powers, ensures also the tasks related to the negotiations and implementation of international treaties, the development of international

⁴⁾ Section 121 par. 2 sub-par. e) of the Act No. 50/1976 Coll. on spatial planning and the building code (Building Act) as amended.

relations and international cooperation including the tasks arising for the Slovak Republic from the international treaties, as well as from the membership in the international organizations.

(5) The Authority in exercising state regulation in the field of its competence fulfils the following tasks, in particular:

- a) Approves
 1. The types of transport facilities for the transport of radioactive materials,
 2. Documentation of the quality system of applicants for license and license holders,
 3. Quality requirements for nuclear installations, categorization of classified equipment into safety classes and quality requirements for classified equipment,
 4. The system of training of staff of license holders,
 4. The program of training of selected staff,
 5. Preliminary plan of physical protection and the plan of physical protection,
 6. Preliminary internal emergency plans and internal emergency plans,
 7. Preliminary limits and conditions of safe operation and limits and conditions of safe operation,
 8. Limits and conditions for safe decommissioning,
 10. Program for commissioning of nuclear installations broken down to phases,
 11. The boundaries of the nuclear facility and changes thereto,
 12. The size of the emergency planning zone or a common emergency planning zone of a nuclear facility and changes thereto,
 13. Implementation of changes affecting nuclear safety,
- b) Imposes to
 1. Reduce the power or to suspend operation or decommissioning of a nuclear installation, or its construction,
 2. Suspend management of nuclear materials, radioactive waste or spent fuel,
 3. Sanctions,
- c) Determines
 1. The new license holder for management of nuclear materials and radioactive waste, for which the producer is not known or the producer is not unable to manage nuclear materials or radioactive waste in a safe manner,
 2. The obligation to another holder of relevant authorization to enter into the rights and obligations relating to the safe management of nuclear materials or radioactive waste of that holder of authorization, whose authorization has expired, including the possibility of partial or total withdrawal of nuclear materials or radioactive waste to such authorization holder,
- d) Verifies
 1. the special professional competence of staff of license holders and issues, withdraws or revokes certificates of special professional competence,
 2. professional competence of staff of license holders for training of staff of license holders, who perform theoretical training and practical training on the simulator for selected staff, and issues, withdraws or revokes certificates of professional competence,
- e) Assesses
 1. Public protection plans for regions within the emergency planning zones,
 2. Emergency transport schedules,
 3. Documentation, which is needed for different types of authorizations or licenses, and which is not approved by it according to the Atomic Act,
 4. Training program for professionally competent staff,
 5. Technical equipment of specialized facility,

- f) Issues consent to
 1. Siting of the project of nuclear installation,
 2. Implementation of modifications affecting nuclear safety,
 3. Excluding nuclear installation from the operation of the Atomic Act,
 4. Dilution and consumption of nuclear materials,
 5. Individual stages of commissioning of nuclear installation,
 6. Trial operation of nuclear installation,
 7. Use of the new type of nuclear fuel,
- g) Decides,
 1. Whether it is a nuclear facility,
 2. Whether these are modifications on nuclear facilities under Section 2 sub-par. u) or v) of the Atomic Act,
 3. Whether it is nuclear material, special nuclear material or a facility,
- h) Issues other decisions according to special regulations.⁵⁾

Article 5

Other Roles of the Authority

(1) The Authority, in performance of its tasks, is governed by the Constitution of the Slovak Republic, the constitutional laws, laws and other generally binding legal regulations, government resolutions, this Statute and the organizational rules of the Authority, internal normative and operational management acts of the Authority, the inspection plan of the Authority and the plan of the main tasks of the Authority, which builds on the work program of the Government of the Slovak Republic and the legislative program of the Slovak Republic's Government.

(2) In its activities the Authority applies organizational principles of public administration and such forms and methods of work that seek to rationalize and increase efficiency by:

- a) providing professional approach to problem solving, as well as systematic control of task performance,
- b) closely cooperating with the ministries and other central government bodies, with which it exchanges the necessary information and documentation and discusses the measures relating to them,
- c) using incentives and experiences of the local government bodies,
- d) utilizing knowledge of scientific institutions and research institutes, engaging them in particular into works, relating to the science and research support for the exercise of regulatory activities in the nuclear energy,
- e) purposeful use of computer technology and the forms of team work,
- f) establishing and reinforcing the internal quality assurance system.

(3) To ensure the fulfilment of necessary tasks of the Authority the Chairperson establishes an operational briefing of the Chairperson and can establish also other permanent or temporary advisory bodies. Advisory bodies discuss important issues relating to the activities of the Authority.

⁵⁾ E.g. Section 16 of the Act of NC SR No. 127/1994 Coll. on environmental impacts assessment as amended, Act No. 50/1976 Coll. as amended.

(4) The detailed definition of the tasks referred to in paragraphs 1 and 2 is governed by the Organizational Rules of the Authority, which are issued by the Authority Chairperson.

Article 6

Relations between the Authority and the Central Government Bodies

Further the Authority fulfils the tasks and cooperates in particular with:

- a) the Ministry of Finance of the Slovak Republic in relation to the state budget,³⁾ in management of state property,⁶⁾ in the area of control activities and internal audit,⁷⁾ and in the field of fulfilment of tasks of the public information system,¹²⁾
- b) The Government Office of the Slovak Republic in the field of control activity,⁸⁾
- c) The Ministry of Defence of the Slovak Republic in the field of defence and the Ministry of Interior of the Slovak Republic in the field of protection of the public,⁹⁾
- d) The National Security Office of the Slovak Republic in the field of protection of classified information,¹⁰⁾
- e) The Ministry of Foreign Affairs of the Slovak Republic and the Government Office of the Slovak Republic in the field of international relations, including relations of the Slovak Republic as a member of the European Union,¹¹⁾
- f) The Ministry of Transport, Posts and Telecom of the Slovak Republic in oversight over transport of radioactive materials according to Section 15 of the Atomic Act,
- g) The Ministry of Education of the Slovak Republic in preparation of medium-term concepts of the national science and technology policy, government research and development programs and government orders,¹³⁾
- h) The Ministry of Health of the Slovak Republic in the field of protection against the effects of ionizing radiation,¹⁴⁾
- i) Ministry of Labour, Social Affairs and Family of the Slovak Republic in the field of regulatory activities in the nuclear energy,¹⁵⁾ and in the field of civil service relations,²⁾
- j) Ministry of Construction and Regional Development of the Slovak Republic in the field of spatial planning and building code,⁴⁾
- k) The Ministry of Environment of the Slovak Republic in the field of environmental impacts assessment,¹⁶⁾
- l) The Ministry of Economy of the Slovak Republic in the field of Energy Policy of the Slovak Republic with regard to nuclear safety of nuclear installations and in economic mobilization and coordination of emergency plans,
- m) The Regulatory Office for Network Industries in issuing license for electricity generation using nuclear fuel,¹⁷⁾

⁶⁾ Act of NC SR No. 278/1993 Coll. on administration of state property as amended.

⁷⁾ Act No. 502/2001 Coll. on financial control and internal audit and on amendments to certain laws.

¹²⁾ Act of NC SR No. 261/1995 Coll. on the public information system.

⁸⁾ Act of NC SR No. 10/1996 Coll. on control of public administration as amended.

⁹⁾ Act No. 42/1994 Coll. on civil protection of the population as amended.

¹⁰⁾ Act No. 215/2004 Coll. on protection of classified information and on amendments to certain laws.

¹¹⁾ Section 35 par. 4 of the Act No. 575/2001 Coll.

¹³⁾ Section 6 par. 1 of the Act No. 132/2002 Coll. on science and technology

¹⁴⁾ Act of NC SR No. 272/1994 Coll. on the protection of human health as amended,

¹⁵⁾ Section 4 par. 4 of the Atomic Act and Section 5 par. 3 sub-par. f) and Section 16a of the Act No. 95/2000 Coll. on labour inspection as amended.

¹⁶⁾ Act No. 127/1994 Coll. on environmental impacts assessment as amended.

¹⁷⁾ Section 6 par. 3 of the Act No. 656/2004 Coll. on the energy sector.

- n) The Public Procurement Office in the field of methodical guidance in the procurement of goods, services and works,¹⁸⁾
- o) The Government Office of the Slovak Republic and other ministries and central government authorities in drafting laws and other generally binding legal regulations.

Article 7

Organization and Organizational Structure of the Authority

(1) The Chairman of the Authority manages the Authority and is responsible for its activities. The Chairman is appointed and dismissed by the Government of the Slovak Republic.

(2) In his absence the Chairman of the Authority is represented by the Vice-chairman within the scope of her rights and obligations. The Vice-chairman of the Authority is appointed and dismissed by the Government of the Slovak Republic upon the proposal of the Chairman of the Authority.

(3) The head of the service office (hereinafter only as the "Head of the Office) is authorized to act in the matters of civil service relations and labour relations. The Head of the Office is appointed and dismissed by the Government of the Slovak Republic upon proposal from the Chairman of the Authority.

(4) The Authority, from the organizational point of view, is divided into sections, departments, units, Office of the Authority and the personnel office. The sections are consisting of departments.

(5) The management levels at the Authority are as follows

- a) Chairman,
- b) Vice-chairman,
- c) Head of the Service Office,
- d) Director General of the section,
- e) Department director.

(6) The internal organizational structure of the Authority, the scope of powers and the interrelations of the organizational units of the Authority, the scope of authorizations and responsibilities of the managerial staff are governed by the Organizational Rules of the Authority issued by the Chairman of the Authority.

(7) The rights and the obligations of the personnel of the Authority established by the Acts No. 400/2009 Coll. on civil service and on amendments to certain laws as amended, 552/2003 Coll. on performance of work in public interest as amended, and Act No. 311/2001 Coll., the Labour Code as amended, are specified in more details by the Working Order of the Authority issued in accordance with Section 82 of the Labour Code.

Article 8

Final Provisions

Any change in the Status is approved by the Government of the Slovak Republic, where

- a) There have been significant changes to the scope or the tasks of the Authority through:
 - 1. Repealing laws or other governing acts, under which the Authority fulfils its tasks,
 - 2. Issuance of new legislation or other governing acts, containing tasks for the Authority,

¹⁸⁾ Act No. 523/2003 Coll. on public procurement and on amendments to the Act No. 575/2001 Coll. on organization of the activities of the Government and organizations of central government administration as amended

3. Transfer of competencies of the Authority to another office or other central government body, or local government body or local self-government,
- b) There are going to be significant changes in the principles of activities or the principles in the organization of the Authority beyond the rules laid down by this Statute.

Article 9 **Repealing Provisions**

The Statute of the Nuclear Regulatory Authority of the Slovak Republic is repealed as approved by the Government Resolution No. 595/1998 dated 3 September 1998.

Article 10 **Effectiveness**

This Statute was approved by the Government of the Slovak Republic by Resolution No. 341/2005 dated 4 May 2005, and it comes into force on the date of its approval.