**IONISING RADIATION PROTECTION AND NUCLEAR SAFETY ACT**

**UNOFFICIAL TRANSLATION**

*Prepared by the Slovenian Nuclear Safety Administration in May 2019.*

*The official text of the Act is located on the pages of* [*the Legal Information System*](http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7385)*.*

*This unofficial text includes:*

* *Ionising Radiation Protection and Nuclear Safety Act (Official Gazette RS, No.76/17; ZVISJV-1) and*
* *Ionising Radiation Protection and Nuclear Safety Act (Official Gazette RS, No. 26/19 – ZVISJV-1A).*

***WARNING****: The unofficial text of this Act is just an informative work tool, for which the Slovenian Nuclear Safety Administration does not guarantee.*

**IONISING RADIATION PROTECTION AND NUCLEAR SAFETY ACT**

# 1. GENERAL PROVISIONS Article 1

**(Purpose and content of this Act)**

1. This Act regulates ionising radiation protection for the purposes of reducing, to the maximum possible level, damage to human health due to ionising radiation exposure and radiation contamination of the living environment and at the same time allows the development, production and use of radiation sources and the performance of activities involving radiation. This Act regulates the execution of nuclear and radiation safety measures for radiation sources intended for production of nuclear energy and execution of special protective measures in cases where nuclear materials are used.
2. This Act defines the responsibilities of the authority competent for nuclear safety, the authority competent for radiation protection, the ministry competent for internal affairs and the inspectorate responsible for internal affairs regarding the execution of the provisions and supervision under this Act, including the powers of inspectors responsible for the supervision of the implementation of this Act.
3. This Act transposes into Slovenian law the Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ L 13, 17.1.2014, p. 1), last amended with the Corrigendum to Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ L 72, 17.3.2016, p. 69), (hereinafter: Directive 2013/59/Euratom), the Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations (OJ L 172, 2.7.2009, p. 18), last amended with the Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations (OJ L 219, 25.6.2014, p. 42; hereinafter: Directive 2014/87/Euratom), (hereinafter: Directive 2009/71/Euratom), the Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste (OJ L 119, 2.8.2011, p. 48; hereinafter: Directive 2011/70/Euratom) and the Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control shipments of radioactive waste and spent nuclear fuel (OJ L 337, 5.12.2006, p. 21, hereinafter: Directive 2006/117/Euratom).

# Article 2 (Exclusion of validity)

1. The provisions of this Act which apply to the content of radioactive substances shall not apply to foodstuffs and their ingredients, the contents of which are laid down by regulations on health suitability of foodstuffs.
2. The provisions of this Act shall not apply to importation from Member States of the European Union (hereinafter: EU) and exportation to EU Member States, the import and export of medicinal products, which is governed by regulations on the handling of medicinal products and medical devices.
3. The provisions of this Act shall, regarding to the protection of people against ionising radiation, not apply to:
	* exposure to natural radiation such as radiation due to radionuclides contained in the human body and exposure to cosmic radiation on the surface of the earth’s crust;
	* the exposure of members of the public or workers other than air or space crew to cosmic radiation in flight or in space;
	* aboveground exposure to radionuclides presents in the undisturbed earth's crust.

# Article 3 (Definitions)

(1) The terms used in this Act shall have the following meaning:

1. **Activity** isthe activity of a given number of radionuclide in a particular energy state at a given time and is determined by the quotient of A = dN / dt where dN is the expectation value of the number of nuclear transitions from that energy state in the time interval dt. The unit of activity is the Becquerel.
2. **Overexposure** is overexposure to ionising radiation, resulting in the exceeding of dose limits for individuals or activity limits and activity concentrations for air, water, soil, foodstuff, feeding stuff and other products or materials.
3. **Decontamination** is the reduction or removal of radioactive material from particular parts of the living environment, people, clothes, equipment and objects.
4. **Diagnostic reference levels** are levels in dosimetry quantities of ionising radiation or in practices on radio-pharmaceutical doses in standard radio-diagnostic or interventional radiology procedures for groups of standard-sized patients or standard phantoms, and for broadly defined individual groups of radiological equipment.
5. **Licence** is a decision by which the competent authority, in accordance with the requirements of this Act, permits and prescribes conditions for carrying out a radiation practice, for the use of a radiation source, for the operation or decommissioning of nuclear or radiation facilities, for any disposal of spent fuel or radioactive waste, for the closure of a disposal facility under this Actor for any other practice under this Act.
6. **Dose** is a measure for amount of energy of ionising radiation or damage to health. Doses are absorbed, equivalent or effective. An absorbed dose is expressed as absorbed energy per unit mass. An equivalent dose denotes various effects that a specific type of ionising radiation has on a particular tissue or organ and the effective dose denotes the level of detriment to people's health arising due to exposure to ionising radiation and is calculated as a sum of all equivalent doses, weighted for specific tissue or organ.
7. **Dose constraint** is the maximum variable for a pre-set radiation dose which an individual receives because of a particular radiation source in the process of planned radiation practice for which exposure needs to be optimised.
8. **Physically supervised area** is an area or facility under constant physical and technical supervision and surrounded by a mechanical barrier with a limited number of entries under appropriate supervision.
9. **Physical protection** are measures of physical and technical protection at a facility or at a device involving nuclear or radioactive substances and transport of nuclear substances through which criminal acts are prevented, and a plan of measures in case of such acts.
10. **Building material** is any building product intended for permanent incorporation in a building or parts thereof whose properties affect the exposure of an individual to ionising radiation in the building.
11. **Ionising radiation** (hereinafter: radiation) is the transfer of energy in the form of particles or electromagnetic waves with the wave length of 100 nanometres or less or with the frequency of 3x1015 Hz or more capable of producing ions directly or indirectly.
12. **Exposed worker is** a person who, either for an employer or as self-employed, performs work in a radiation practice in which he or she may be exposed to radiation and receive a dose exceeding the prescribed limits for the population. The exposed worker performs work based on an employment contract or on any other basis.
13. **Ionising radiation exposure** (hereinafter: exposure)is the act of being exposed to ionising radiation. The exposure may be external if the source of radiation is outside the body, or internal where the source of radiation is inside the body.
14. **Exposure of the providers of protective measures** is the exposure of a provider of protective measures in an emergency because of their work.
15. **Exposure in an emergency (accidental exposure)** is the exposure caused by emergency. This exposure does not include the exposure of providers of protective measures.
16. **Occupational exposure** is theionising radiation exposure of workers, apprentices and students incurred during their work.
17. **Exposure of members of the public** is the exposure of individuals excluding any occupational or medical exposure.
18. **Radon exposure** is radon progeny exposure.
19. **Medical exposure** is the exposure incurred by patients or asymptomatic individuals as part of their own diagnosis or treatment, intended to benefit their health, as well as exposure incurred by carers and volunteers in medical or biomedical research.
20. **Non-medical imaging exposure** is any deliberate exposure of humans for imaging purposes where the primary intention of the exposure is not to bring a health benefit to the individual being exposed.
21. **Spent fuel** is nuclear fuel which has been irradiated in the reactor core and permanently removed from it. Spent fuel may be treated as a useful substance that can be processed or as radioactive waste that must be disposed.
22. **Emergency** is a situation or an event which is not usual and in which radiation or nuclear safety is reduced. Because of the emergency, it is necessary to immediately implement measures to prevent or remedy the consequences for the health and safety of people and their quality of life, to prevent effects on property and on the environment and to prevent risks leading to such serious consequences.
23. **Provider of protective measures** is a person taking actions in accordance with its role in emergencies and who might be exposed to radiation by doing so.
24. **Provider of a radiation procedure** is a person who in radiological procedure operates radiological devices. Except in special situations prescribed by this Act or its implementing regulations, a provider of a radiological procedure is a radiological engineer or a practitioner.
25. **Operator carrying out an activity involving radiation** is a natural or legal person who must, under the provisions of this Act, be registered or obtain an approval for carrying out an activity involving radiation.
26. **Export** is every exit of radioactive substances or nuclear goods out of the customs territory of the EU in accordance with customs regulations.
27. **Nuclear safety** aretechnical and organisational measures which result in the safe operation of a nuclear facility, the prevention of emergencies or mitigation of the consequences of emergency, and which contribute in the protection of exposed workers, the population and the environment against ionising radiation.
28. **Nuclear materials** areores, source materials or special fissile materials, defined in Article 197 of the Treaty establishing the European Atomic Energy Community (Official Gazette C, No. 84, 30.3.2010, p. 1).
29. **Nuclear facility** is a facility for processing or enrichment of nuclear materials or the production of nuclear fuel, a nuclear reactor in critical or sub-critical assembly, a research reactor, a nuclear power-plant and heating plant, a facility for storing, processing, treating or disposing nuclear fuel or high-radioactive waste, and a facility for storing, processing or disposing low or medium radioactive waste. A nuclear facility also means several of nuclear facilities when they are functionally linked in the same geographically confined territory and are managed by the same person.
30. **Nuclear goods** are nuclear materials, equipment and technology which are designed and prepared for the production or use of nuclear materials.
31. **Nuclear protection** are measures which include the prevention, detection and response to theft, sabotage, unauthorized access, unauthorized transfer or other criminal acts involving nuclear or radioactive substances and therewith connected facilities or activities.
32. **Clinical responsibility for radiological procedure** is responsibility of a practitioner in relation to the justification and optimisation of ionising radiation exposure levels for patients undergoing a radiological procedure. In relation to this, a practitioner shall be responsible for: the clinical assessment of the outcome of the procedure; cooperation with other specialists or health personnel with regard to appropriate radiological practices; obtaining information on previous procedures; the conveying of existing information or documentation on radiological procedures to the referrer or other practitioners; suitable informing of patients and other affected individuals about the risks of procedure or ionising radiation.
33. **Clinical responsibility** is the systematic review of performance and results of the radiological procedures with the aim of raising the quality and results of patient care. It is based on a comparison of the procedures and results of interventions with the agreed standards of a good radiological practice and leads to changes in procedures or harmonization with modern standards, where necessary and appropriate.
34. **Controlled area** is an area on the outer edge of the protected area. A place within the facility or a facility, which is under temporary physical and permanent technical control, can also be controlled.
35. **Security culture** is a sum of characteristics, inclinations and behaviours of individuals in organisations or institutions, the objective of which is the support, improvement and sustainable approach to nuclear protection.
36. **Less important radiation facility** is a facility where radiation sources are used which could, without adequately planned protection of the facility, cause exposure to ionising radiation of workers or other persons at the facility above the prescribed dose limits.
37. **Dose limit** is the maximum value of the effective dose (where applicable, the committed effective dose) or the maximum value of the equivalent dose in a specified time period which may not be exceeded for an individual.
38. **Limit values of radioactive contamination** are the values of specific activity which are derived on the basis of models of annual intake of radionuclides into the human organism by ingestion or inhalation, on the basis of the models of external exposure to ionising radiation and on the basis of conversion coefficients – the so-called dose factors – which are determined for specific radionuclides or types of radionuclides on surfaces and in substances, as well as for individuals or for a reference group of the population.
39. **Radioactivity environmental monitoring** are the measurement of dose rates due to radioactive substances in the environment or the measurement of concentrations of radionuclides in the environment.
40. **Protection and rescue plan** i**s** a document prepared by the operator of a nuclear or radiation facility in accordance with regulations on protection against natural and other disasters and in accordance with this Act. It describes measures used in planning a suitable response in an emergency exposure situation. Such a response is based on planned situations and scenarios.
41. **Planned exposure** is the exposure that arises from the planned use of a radiation source or planned human practice which alters transfer pathways connected to the exposure. Planned exposure causes or may cause the exposure of people or environment. It includes planned and potential exposure.
42. **Supervised area** is an area subject to special rules to ensure adequate ionising radiation protection or to prevent the spread of radioactive contamination, and to which access is supervised.
43. **Referrer** is a medical doctor or dentist, who is entitled to refer individuals for medical radiological procedures.
44. **Natural radiation source** is a source of ionising radiation of natural, terrestrial or cosmic origin.
45. **Instructions for action in case of an emergency** is a document, prepared by the provider of a radiation practice, which does not require a protection and rescue plan. It describes measures used in planning a suitable response in an emergency exposure situation. Such a response is based on planned situations and scenarios.
46. **Unintended or incidental exposure** is the medical exposure that is significantly different from the anticipated medical exposure during a chosen intervention.
47. **Areas with more radon** are areas which are recognised as such because, from the composition and geological structure of the ground, it can be expected that the average radon concentration indoors exceeds the reference level.
48. **Material balance area** is an area within a nuclear facility or outside it, in which it is always possible to take an inventory of the nuclear materials which are transferred in or out of this area, and to determine their quantity.
49. **Operating lifetime of a facility** is the period during which the facility is used for its intended purpose. Where this is a disposal facility, the period starts with the first disposal of waste or spent fuel at the facility and ends with the closure of the disposal facility.
50. **Existing exposure situation** is an exposure that already exists when a decision on its control must be adopted. Because of existing exposure, it is not necessary or is no longer necessary for urgent measures to be taken.
51. **Quality control** are all operations (programming, coordinating and implementing) intended to maintain or to improve quality. It includes the supervision, evaluation and maintenance at required levels of all properties of the performance of equipment that can be defined, measured and supervised.
52. **Assessment of radiation protection** is the document by which an assessment is made as to the nature and the magnitude of radiation risk and exposure of workers and the population due to a radiation practice; it defines measures on radiation protection and the method of optimising the ionising radiation protection in situations and working conditions which are important from the radiation protection point of view.
53. **Responsible radiation protection person** is an individual who has the knowledge, qualifications and experience in radiation protection for certain types of radiation practices to inspect and implement radiation protective measures.
54. **Disposal of radioactive waste** is the disposal of radioactive waste at disposal facilities or in another area without the intention of retrieval. Disposal of radioactive waste also includes where the competent authority authorized the discharge of radioactive waste into the environment which are subsequently diluted.
55. **Open (or unsealed) radiation source** is a source of radiation whose form and structure do not fulfil the requirements for radiation protection that apply to a sealed radiation source, thus allowing dispersion of radioactive substances into the environment.
56. **Monitored area** is an area around a radiation source which is being appropriately monitored to ensure radiation protection.
57. **Authorized medical physics expert** is an individual, authorized by the competent authority, with the education, knowledge, qualifications and experience to act or give advice on matters relating to medical physics, on the optimisation of radiological procedures, on the measurements and assessments of patient’s exposure, and to carry out and manage quality of radiological procedures, and provide advice in the field of medical physics.
58. **Authorized radiation protection expert** is a legal or natural person who has obtained an approval from the competent authority and has the required knowledge, qualifications, experience and equipment needed to advise on radiation protective measures, examine working conditions and radiation conditions in controlled and monitored areas, examine radiation sources and personal protective equipment and provide training in radiation protection.
59. **Authorized radiation and nuclear safety expert** is a legal person, authorized by the competent authority, who has the required knowledge and is qualified to assess nuclear and radiation safety.
60. **Authorized provider of dosimetry service** is a legal person, authorized by the competent authority, with appropriate measurement methods, and staff who are trained experts for assessing personal doses, including the ability to calibrate, read and interpret readings from the instruments for measuring personal doses and for measuring radioactivity in the human body or in biological samples.
61. **Authorized practitioners** are practitioners authorized to carry out medical surveillance of exposed workers, apprentices and students.
62. **Member of the public** is an individual who may, as a member of the public, be exposed to ionising radiation.
63. **Particle accelerator** is an equipment or an installation in which particles are accelerated, emitting ionising radiation with energy higher than 1 mega-electron volt.
64. **Potential exposure** is the exposure that is not expected with certainty but may be a consequence of a situation or a sequence of situations, including equipment failures and operating errors.
65. **Polluter of radioactive waste or spent fuel** is a physical or legal person, who during pursuing its practices, own operation or provision of services to others, continuously or occasionally causes the generation of radioactive waste or spent fuel, as well as any person who processes radioactive waste or spent fuel by changing its properties and composition.
66. **Apprentice** is a person who is in training or learning to perform special expert tasks at a legal or a natural person who carries out an activity involving radiation within their sphere of activity.
67. **Reprocessing** means the chemical or physical processing of radioactive materials, including the extraction, conversion, enrichment of fissile or fertilized nuclear material, and the reprocessing of spent fuel.
68. **Consumer product** is a device or an item into which one or more radionuclides have deliberately been incorporated or were produced by activation, or a device or an item which generates ionising radiation. Such an item is sold or made available to members of the public without special supervision or regulatory control during or after sale.
69. **Expected exposure** is the exposure of people because of carrying out a radiation practice (including maintenance, inspection and decommissioning) in their usual, planned circumstances including minor incidents that can be kept under control.
70. **Notification of intention** is a submission of information to the competent authority to notify the intention to carry out an activity involving radiation or to use a radiation source.
71. **Programme of radiological procedures** is a programme on the planning, referring, authorizing and performing radiological procedures.
72. **Project designs of a facility** define its required capacity for managing certain scope of situations when considering prescribed requirements on radiation and nuclear protection. Project designs are the first condition to ensure the prevention of consequences of planned operational or project situation or, if prevention is not possible, to mitigate its consequences.
73. **Radioactive contamination** is thepollution of air, water, soil, materials, products, surfaces in living or working environments or of an individual containing radionuclides and is expressed as a specific activity per unit of volume, mass or area. Radioactive contamination of the human body is the external skin contamination and internal radioactive contamination of organs due to the intake of radioactive substances.
74. **Radioactive material** is material incorporating radioactive substances.
75. **Radioactive waste** is radioactive material in gaseous, liquid or solid form for which no further use is foreseen or considered likely and which is under the control of the competent authority under this Act.
76. **Radioactive source** is a source of radiation which contains radioactive material for utilising its radioactivity.
77. **Radioactive substance** is any substance containing one or more radionuclide whose activity or specific activity cannot be disregarded according to the criteria on radiation protection.
78. **Radiological engineer** is a health care worker with education in the field of radiological technology.
79. **Radiological equipment** are devices and radiation sources which are used in carrying out a radiological procedure.
80. **Radiological procedure** is any procedure involving the exposure of patients or other persons to ionising radiation in health care. Radiological procedure is used to designate radio diagnostic, radiotherapeutic and intervention procedures or other use of ionizing radiation for the planning, management and monitoring of treatment.
81. **Radon** is the radionuclide Rn-222 and its progeny, as appropriate.
82. **Management of radioactive waste and spent fuel** are all the organisational and physical practices that are performed for the storage, transfer, processing, depositing and disposing of radioactive waste and spent fuel.
83. **Exemption levels** areactivities or specific activities determined by the competent authority or set out in regulations in which the radiation source is at or below such a level that there is no need to notify this activity nor to obtain a licence under this Act.
84. **Clearance levels** are activities in which radioactive substances or materials arising from carrying out a radioactive practice are below the level and are no longer under the provisions of this Act.
85. **Decommissioning of facility** are all measures for the cessation of control of nuclear or radiation facilities under the provisions of this Act. Decommissioning of facilities includes decontamination processes and the removal of the facilities or disassembling processes and the removal of radioactive waste and spent fuel from the facility.
86. **Extended design bases of facility** define the facility’s capacity to prevent unacceptable radiological consequences due to accidents, more serious than situations which are the basis of design bases, or which also include terminations as presumed in the design bases. The extended design bases are prepared based on an engineering assessment and the deterministic and probability methods with the intention to identify additional scenarios of disasters and to plan practical solutions for their preventions or for mitigating their consequences.
87. **Representative person** is an individual receiving a dose that is representative of more exposed individuals in the population, excluding those individuals with extreme or rare habits.
88. **Reference level** is the effective dose or equivalent dose, or a specific activity used in an emergency or existing exposure situation. Reference levels do not apply to limits that may not be exceeded. Despite this, only in certain situations may the effective and equivalent dose and specific activity above the reference levels be permitted.
89. **Registration** is a simplified procedure by which the competent authority allows the carrying out of a radiation practice or the use of a radiation source in accordance with prescribed conditions.
90. **Rehabilitation of a contaminated area** is the removal of radiation sources or the reduction of its activity or quantity, or the termination of the exposure or reduction of its impact, for the purposes of avoiding doses that might otherwise be received because of the existing exposure.
91. **Radiation practice** is any human practice that can increase the exposure of individuals to ionising radiation from a radiation source and such exposure is managed as a planned exposure.Radiation practice does not include protective measures and practices by which an individual is exposed to radon indoors.
92. **Radiation safety** are measures through which safe use of radiation source or the operation of a facility prevent emergency situations or mitigate their consequences and thereby contribute to the provision of environmental protection and radiation protection.
93. **Radiation facility** is:
	* a facility with one or more radiation sources, intended for irradiation with ionising radiation and for which it is likely they cause an overexposure of members of the public;
	* a facility with one or more open radioactive sources which are likely to cause an overexposure of members of the public due to a release of radioactive substances into the environment;
	* a facility intended for the extraction and processing of nuclear mineral raw materials; and
	* a disposal facility of mine tailings and hydro-metallurgical tailings, produced in the extraction of nuclear raw materials.

A radiation facility may consist of several radiation facilities when these are functionally linked in the same geographically confined territory and are managed by the same person.

1. **Sievert (Sv)** is the name for the unit of equivalent and effective dose. One Sievert is equal to one joule per kilogram: 1 Sv = 1 J/kg.
2. **Management system** is a set of interrelated and interfaced elements that provide smooth and efficient functioning of an organisation. They establish policy and objectives and enable the objectives to be efficiently and effectively achieved. A management system integrates all requirements for safety, health, environment, physical protection, quality and economy.
3. **Collective dose** is a sum of doses received or that would be received by individuals of a particular human population because of the exposure to the radiation source. The unit for collective dose is a Sievert man.
4. **Medical physics specialist** is a person with a master’s degree in medical physics who had completed the specialisation and specialisation examination in one of the areas of medical physics.
5. **Danger level** is the emergency level according to the condition of a facility or device. Condition means the operational capacity of systems, the exceeded level of operating parameters etc. Any announcement of the threat level initiates measures which the facility operator or the operator of a radiation activity has previously planned.
6. **Health detriment to people** are clinically determinable detrimental effects of ionising radiation including health risks and the risk of reducing life expectancy, which may appear immediately or with a delay. In the effects that occur with delay, the damage is expressed with the probability of occurrence of these effects and not with the certainty of their occurrence.
7. **Student** is a person who does not work but is exposed to ionizing radiation in an educational institution or at the other practitioner of the radiation practice in the educational process.
8. **Thoron** is the radionuclide Rn-220 and its progeny, as appropriate.
9. **Transit** is any transfer of radioactive substances or nuclear goods through the territory of the Republic of Slovenia.
10. **Operator** is a person operating a facility who has a decision on test operation or a licence to operate the facility. In cases of mining works, the operator may also have a mining right according to the laws governing mining.
11. **Import** is any entry from third countries into the customs area of the EU except transit.
12. **Safety analysis** are analysis of the safety of a nuclear or radiation facility carried out based on deterministic or probabilistic methods. The purpose of safety analysis is to examine project designs and modifications of a nuclear or radiation facility regarding nuclear and radiation safety and establish whether the nuclear or radiation facility has been designed in such a way as to ensure the fulfilment of requirements relating to dose limits for exposure to ionising radiation and in relation to limitations for the discharge of waste radioactive substances into the environment during every stage of the nuclear or radiation facility.
13. **Safety culture** are characteristics and behaviours in an organisation or by individuals which give safety and security greater attention and priority according to their importance. In the radiation or nuclear field, safety culture refers to personal commitment and responsibility of everyone involved in any activity that affects the functioning and safety of a radiation or nuclear facility. Key for safety culture is open exchange of information which includes unlimited consideration of safety and therewith related issues, prevention of self-sufficiency, dedication to completeness, personal and group responsibility, and the increase of radiation or nuclear safety level.
14. **Security concern** is the establishment of a security vetting that expresses doubts about the reliability and loyalty of the person who is supposed to obtain a licence to enter a controlled facility or space, a physically supervised or vital area, physically supervised or vital space or perform work in the transport of nuclear materials.
15. **Security vetting of a person** is an inquiry carried out by an employer, a carrier or a transport organizer prior to the issuance of a permit to enter a controlled facility or space, physically supervised or vital area, physically supervised or vital space of before the commencement of the transport of nuclear materials, and the purpose of collecting the data about possible security concerns.
16. **Protected area** may encompass a controlled area, a controlled facility, a controlled place, a physically controlled area, physically supervised facility, a vital area and a vital facility.
17. **Radiation protection** are measures put in place to ensure the protection of people against ionising radiation.
18. **Spacecraft** is a vehicle holding one or more individuals designed to operate at an altitude higher than 100 km above sea level.
19. **Radiation source** is a source that may cause exposure by emitting ionising radiation or by releasing radioactive substances.
20. **Orphan radiation source** is a radioactive source which is neither exempted from control or under the control of a competent authority because it has never been a control of a competent authority, or was abandoned, lost, misplaced, stolen or otherwise transferred without a proper licence.
21. **High-activity radiation source** is a sealed radiation source containing radionuclides whose activity is equal to or exceeds the activity prescribed in the regulation referred to in the fourth paragraph of Article 21 of this Act.
22. **Vital area and vital facility** are within a physically supervised area under constant physical and technical control.
23. **Quality assurance** are all planned and systematically performed practices carried out to provide the acceptable level of confidence in a certain procedure, the organisation of a measure or the equipment used in ionising radiation protection or in nuclear safety, or any constituent part thereof, are being carried out satisfactorily and in accordance with the agreed standards. Quality assurance is one of the elements of the management system and must also include quality control operations.
24. **Sealed radiation source** is a radioactive source in which the radioactive material is permanently sealed in a capsule or incorporated in a solid form to prevent any dispersion of radioactive materials under planned conditions of use.
25. **Closure of disposal facility** is the completion of all measures needed to ensure long-term safety of the disposal facility.
26. **Closed disposal facility** is a closed disposal facility for radioactive waste, spent fuel, mining or hydro-metallurgical tailings for which long-term control and maintenance need to be provided under this Act.
27. **Protective measures** are measures which are taken to prevent or reduce doses which would otherwise be present in emergency or existing exposure situation. During emergency situations, the term protective measure has the same meaning as in the law regulating the protection against natural and other disasters. Protective measures do not include rehabilitation measures.
28. **Outside worker** is any exposed worker who is not employed by the operator carrying out a radiation practice, who is responsible for monitored and supervised areas, but who performs practices in those areas. An outside worker may be an apprentice or student.
29. **External operator** is a legal or natural person, who has the obligations of an outside worker under this Act. An external operator may also be the employer of the outside worker, in case of students this is the educational institution. Outside workers, who are self-employed, must comply with requirements under this Act which refer to external operator.

\* Expressions for individuals used in this Act are written in male general form and are used neutrally for male and female.

# Article 4(The principles of the Act)

1. The State shall, in adopting regulations, issuing consents and licences, deciding on other administrative matters, carrying out surveillance and performing other tasks within its competencies, provide all possible appropriate and reasonable measures aimed at preventing health detriment to people and radioactive contamination of the living environment (**the principle of integrity**).
2. A decision on introducing a radiation practice is justified when the benefit for an individual or the society due to such radiation practice is greater than the detriment to health resulting from it. The decision to introduce or alter an exposure pathway for existing and emergency exposure situations is justified when it leads to more benefit than harm (**the** **principle of justification**).
3. Radiation protection of individuals in public or occupational exposure shall be optimised with the aim of keeping as low as is reasonably achievable the magnitude of individual doses, the probability of exposure and the number of individuals exposed, considering the current state of technical knowledge and economic and societal factors. The protection of individuals from medical exposure shall be optimised by the magnitude of individual doses where the optimisation must be consistent with the medical purpose of the exposure. This principle shall apply not only to effective doses but also, where appropriate, in terms of equivalent doses, as a precautionary measure to allow for uncertainties to health detriment below the limit above which effects on tissue are known (**the** **principle of optimisation of radiation safety**). The principle of optimisation of radiation safety also applies to the design of protective measures by comparing the exposure at the implementation of the protection measure with the benefits of this measure, namely by reducing the damage caused by an emergency.
4. In planned exposure situations, the sum of doses received by an individual shall be lower or equal to the dose limit prescribed for workers and the public. Dose limits shall not apply to medical exposures (**the** **principle of threshold doses)**.
5. Radiation and nuclear facilities shall be designed, sited, built, tested, operated and decommissioned in a manner that attempts to prevent disasters and, if disasters occur, the mitigation of their consequences should take place to prevent early discharge of radioactivity that would require quick protective measures in the surrounding areas and large discharge of radioactivity which would affect wider areas and last for a long time **(the principle of preventing disasters**).
6. Nuclear goods shall be used in such a way as to fulfil the obligations stated in international agreements on the prevention of proliferation of nuclear weapons and to prevent unauthorized possession of nuclear goods, including spent fuel (**the principle of peaceful use**).
7. A provider of a radiation practice, including the operator of a radiation or nuclear facility, shall be responsible for radiation protection and radiation safety, the operator of a nuclear facility is responsible also for the nuclear safety. The operator of the facility may not transfer its liability to another person. The operator of the facility shall also be responsible for all activities of contract providers and sub-contractors whose activities could affect nuclear or radiation safety (**the principle of primary liability**).
8. The provider of a radiation practice shall cover all costs related to protective measures to ensure the radiation safety under this Act, the preparedness for emergency situations and protective measures, as well as the costs of mitigation of the consequences of emergency situations (**the principle of polluter**).
9. The operator of a radiation facility and the operator of a nuclear facility must be ready to implement protective measures in case of emergencies (**the principle of preparedness**).
10. If the mitigation of consequences of emergency situations and the costs for their mitigation cannot be assigned to a specific or determinable polluter, or when it is disputed who the polluter is, or if the consequences cannot be reduced in any other way, the resources for the mitigation of the consequences of an emergency shall be provided by the State (**the principle of subsidiary intervention**).
11. Information on radioactivity in the environment, on the exposure of members of the public and on procedures and activities of State authorities, providers of public services and holders of authorizations relating to radiation protection and nuclear safety, shall be public (**the publicity principle**).
12. When considering nuclear and radiation safety, issuing of licences, inspections and other administrative matters shall be examined according to their safety significance and possible exposure due to the carrying out of a radiation practice in a way that the major issues are given more attention than less important issues **(the principle of graded approach**).
13. The operators of radiation or nuclear facilities and the providers of radiation practices shall continuously search and introduce possibilities for improving radiation or nuclear safety (**the principle of continuous improvement**).

# Article 5(International cooperation)

1. The competent authority referred to in the second paragraph of Article 1 of this Act are the point of contact for communication with the European Commission and other bodies in other Member States within their areas of competence.
2. The competent authorities referred to in the preceding paragraph, for the purposes of complying with the obligations of the Republic of Slovenia in international treaties in the field of peaceful uses of nuclear energy and to promote cooperation in accordance with the act governing foreign affairs, may enter into arrangements for exchanging information with neighbouring countries, other interested countries and international organizations operating in this field.
3. The administrative authority competent for nuclear safety shall ensure international missions are carried out for the purposes of fulfilling the obligations of the Republic of Slovenia in international treaties in the field of peaceful uses of nuclear energy. If the mission is the inspection of nuclear or radiation facility, the operator shall allow such inspection.
4. In accordance with Directive 2009/71/Euratom, Directive 2014/87/Euratom and Directive 2011/70/Euratom, the competent authorities referred to in the preceding paragraph shall conduct self-assessment at least every ten years which shall include compliance of its own organization and domestic legislation with internationally established standards in the field covered by this Act and the regulations issued thereunder and other regulations in the field of peaceful use of nuclear energy.
5. Based on the self-assessment, the Government of the Republic of Slovenia (hereinafter: Government) shall enable international expert review of the relevant parts of the field of radiation protection and nuclear safety, management of radioactive waste and spent fuel and other areas of peaceful uses of nuclear energy and authorities referred to in the first paragraph of this Article to ensure and provide permanent and continuous improvement of nuclear safety.
6. The authority competent for nuclear safety:
	* in agreement with other EU member states, ensures that assessment of individual important questions related to nuclear safety of nuclear facilities in the Republic of Slovenia takes place at least every 6 years;
	* allows EU Member States and the European Commission, as the international observers, to conduct expert review of the assessment under the preceding indent;
	* ensure the performance of appropriate further measures arising from the findings of the international expert review referred to in the preceding indent.
7. The operator of a nuclear facility shall:
	* prepare the assessment on nuclear safety referred to in indent 1 of the preceding paragraph for its facility and obtain the opinion of an authorized expert for radiation and nuclear safety on it;
	* report to the authority competent for nuclear safety on the results of the assessment;
	* carry out measures prescribed by the authority competent for nuclear safety and which arise from the findings of the international expert review referred to in indent 2 of the preceding paragraph.
8. In case of disaster, when it would be necessary to carry out protective measures outside the area of the nuclear facility or protective measures for the population, the Government shall allow an immediate international expert review.
9. The authority competent for nuclear safety shall ensure that the reports and the most important results of every expert review under this Article are conveyed to the EU Member States and the European Commission.

# Article 6(Expert councils)

1. The minister competent for health and the minister competent for the environment shall appoint the following two expert councils to provide expert help to the ministry competent for the environment and the ministry competent for health, as well as to competent authorities and inspectors as determined by this Act:
	* an expert council on issues relating to radiation and nuclear safety, the protection of nuclear goods, the radioactivity in the environment, radiation protection of the environment, protective measures, mitigation of the consequences of emergency situations, and the use of radiation sources other than those used in health and veterinary care;
	* an expert council on issues relating to the radiation protection of people, radiological procedures and the use of radiation sources in health and veterinary care.
2. Each of the two expert councils from the preceding paragraph shall consist of five members who are experts in individual fields referred to in the preceding paragraph.
3. The initial mandate of two members of the expert council shall be two years and for the other three members four years, and subsequently the mandate of all the council members shall expire every six years.

# Article 7

**(Tasks of the expert councils)**

1. The expert councils mentioned in the preceding Article shall have the following duties:
	* giving opinions and suggestions in the preparation of regulations under this Act and guidelines in accordance with Article 104 of this Act;
	* giving opinions to the annual report on radiation and nuclear safety in Article 168 of this Act;
	* giving opinions on the annual work plan of the administrative authorities and inspectors competent under this Act;
	* giving opinions and proposals on other issues relating to the topics they are experts which were requested by authorities competent for administrative and supervision decision- making in accordance with this Act.
2. The expert councils shall prepare annual reports on their work and send it to the authority competent for nuclear safety and the authority competent for radiation safety by 28 February of the current year for the past year.
3. The authority competent for nuclear safety shall include the reports referred to in the preceding paragraph in the report referred to in Article 168 of this Act.
4. Covering material costs and expert-administrative work of the expert councils shall be provided by the authority competent for nuclear safety and the authority competent for radiation safety.
5. The minister competent for the environment and the minister competent for health shall prescribe the method of the functioning of the expert councils, the frequency of their meetings, the deadlines for preparing opinions and other matters which are important for the functioning of the expert councils, including the method on ensuring independence of its members.

# Article 8(Publicity of information)

1. Information on eligibility, performance and types of radiation practices, the use of radiation sources, radiation protective measures, information related to the nuclear and radiation safety of nuclear and radiation facilities, information on the handling of spent fuel and radioactive waste, and the result of radioactivity monitoring shall be public and available to providers of radiation practices, workers, patients and other persons who are radiated for medical purposes and to the general public except when provided otherwise by this Act for the purposes of protecting nuclear material, physical protection and the security of radiation sources or by the Act governing access to public information.
2. The data related to nuclear or radiation safety of facilities referred to in the preceding paragraph shall include the information about the conditions on the usual operation of the facility and current information on emergency situations in the facility. The data and information shall be available to workers at the facility and to the general public, in particular to local communities, residents and other stakeholders in the vicinity of the nuclear or radiation facility.
3. The data referred to paragraphs 1 and 2 of this Article shall be provided by competent authorities referred to in the second paragraph of Article 1 of this Act, each for their area of competence, and the data referred to in the preceding paragraph shall also be provided by the operator of a nuclear or radiation facility.
4. The provisions of the law governing access to public information shall apply to accessing public information under this Act. The provisions of Article 134 and 135 of this Act shall apply for accessing the information related to emergency situations.

# Article 9

**(Protection and storage of documentary material)**

1. An operator carrying out an activity involving radiation shall store documentary material and maintain records on its radiation practice.
2. An operator of a radiation or nuclear facility shall, in accordance with its management system, protect, store and make available the documentary material on the nuclear or radiation facility which are important for nuclear and radiation safety.
3. The operator of a radiation or nuclear facility who closes a disposal facility for radioactive waste, mining or hydro-metallurgical tailings for which long-term surveillance and maintenance must be provided in accordance with this Act shall, from the day the decision referred to in the first paragraph of Article 123 of this Act becomes final, deliver documentary material important for establishing long-term surveillance and maintenance under this Act, to the provider of the commercial public service of radioactive waste management.
4. Details as to the type and scope of documentation, and the method and duration of protection and storage of documentary material referred to in paragraph 1 of this Article shall be specified by the minister competent for the environment and the minister competent for health, while the documentation referred to in the second and third paragraphs of this Article shall be specified by the minister competent for the environment.

# Article 10(Carrying out an activity involving radiation or the use of radiation sources without a licence or registration)

1. It is prohibited to carry out a radiation practice or to use a radiation source without a licence or registration under this Act.
2. The management of a radiation source, radioactive waste or spent fuel contrary to the provisions of this Act or regulations issued on its basis or the abandonment of prescribed practices is prohibited.
3. The management of nuclear or radiation facility or the use of a radiation source without a licence or registration under this Act shall not deprive the natural or legal person of its primary responsibility for radiation protection and nuclear and radiation safety and the implementation of all prescribed radiation protective measures and nuclear and radiation safety.
4. If it has been established that a radiation practice has been carried out or a radiation source has been used without a licence or registration, or the procedures prescribed for the management of radiation source, radioactive waste or spent fuel were omitted, the authority competent under this Act must take all the measures within its competency to stop the infringement of the provisions of this Act and prevent the possibility of uncontrolled exposure.

# Article 11(Strike)

1. The right to strike of workers who perform tasks and duties on the management of the technological process in a nuclear or radiological facility and control over the management and whose tasks and duties are further defined in a regulation, issued under Article 92 of this Act, is limited.
2. The restrictions on strike referred to the preceding paragraph commits also workers who carry out the transport of nuclear materials, physical protection of nuclear and radioactive materials and nuclear and radiation facilities and whose tasks and duties are further defined in a regulation, issued under Article 146 of this Act.
3. Workers referred to in paragraphs 1 and 2 of this Article must, during a strike, ensure smooth and safe operation or condition of a radiation or nuclear facility and safe transport of nuclear materials in accordance with the provisions of this Act and regulations, issued thereunder and the standards and recommendations in the field of nuclear and radiation safety.

# Article 12 (Special work conditions)

1. For employment relationships and salaries of civil servants of the authority competent for nuclear safety, the authority competent for radiation protection and inspectorate competent for internal affairs, regulations governing employment relationships and salaries of civil servants shall apply, unless this Act provides otherwise.
2. Due to the constant assurance of nuclear safety and radiation protection in the State, the act of the systemisation of employment posts shall determine in which workplace are civil servants in permanent readiness at home.
3. Civil servants, appointed by a director and who are in permanent readiness at home, shall carry with them technical devices to be informed of risks or events referred to in paragraph 5 of this Article. Carrying technical devices at the time of permanent readiness at home is mandatory.
4. Permanent readiness at home does not include in weekly or monthly work obligation. If a civil servant must work while in permanent readiness, these hours are included in the worker’s weekly or monthly work obligation or as overtime work.
5. Overtime work may be, in addition to the examples set by the general regulations, ordered due to:
	* imminent threat of an emergency under this Act,
	* emergency under this Act,
	* nuclear or radiological disaster in other countries,
	* exercises for cases mentioned in the preceding indent of this paragraph.
6. Work referred to in the preceding paragraph shall be ordered in writing. If due to the urgency of the tasks this is not possible, it can be ordered orally. In such case, a written confirmation shall be served to the civil servant by the end of the week after the work was ordered.
7. A civil servant shall, based on the decision of director, continue with work if during regular work time there is a danger, or an event referred to in paragraph 5 of this Article occurred and intervention or other measures has not been completed by the end of working hours while applying time limits established by general laws.
8. Hours of work performed in such situation shall be regarded as overtime work. Civil servants shall be entitled to a supplement for overtime work and for permanent readiness at home.
9. The provisions of this Article shall inter alia apply to employees of the provider of the commercial public service of radioactive waste management referred to in Article 122 of this Act if they are subject to regulations on employment relationships and salaries of civil servants.

# Article 13

**(Responsibility for carrying out tasks related to the performance of regulated professions for nationals of Member States)**

1. Foreign natural persons from the Member States of EU, European Economic Area and the Swiss Confederation or from the countries, with which a relevant international agreement is concluded, shall be allowed to perform regulated professions referred to in Articles 29, 43, 46, 51, 53, 54, 71, 78, 89 and 92 of this Act, under the same conditions as those prescribed by this Act for persons in the Republic of Slovenia, unless this Act provides otherwise.
2. Tasks of the competent authority in accordance with the act governing the procedure of recognition of professional qualifications of citizens of Member States of the EU, European Economic Area and the Swiss Confederation for the performance of regular professions or activities in the Republic of Slovenia (hereinafter: Act on recognition of professional qualifications), are carried out by the competent authority referred to in Article 18 of this Act.
3. The authority referred to in Article 18 of this Act, as the competent authority in relation to the implementation of tasks referred to in the preceding paragraph, has all the rights and obligations established by the Act on recognition of professional qualifications for the competent authority. If this Act does not provide otherwise, the provisions of the Act on recognition of professional qualifications shall apply for carrying out these tasks.

# Article 14

**(Constant pursuit of regulated professions for nationals of Member States)**

1. Nationals of Member States who want to permanently perform a regulated profession under this Act shall obtain from the competent authority referred to in Article 18 of this Act a decision on recognition of professional qualifications.
2. An application for the recognition of professional qualifications shall be filed in accordance with the Act on recognition of professional qualifications. In addition to evidence which is set for the registration by the Act on recognition of professional qualifications, the application for recognition of professional qualifications under this Act shall also include the evidence of compliance with the conditions that are comparable to those referred to in Articles 29, 43, 46, 51, 53, 54, 71, 78, 89 and 92 of this Act.
3. There is no appeal against the decision on the recognition of professional qualifications issued by the authority referred to in Article 18 of this Act, but an administrative dispute may be lodged.

# Article 15(Occasionally carrying out regulated professions for nationals of Member States)

1. Nationals of Member States who want to occasionally carry out a regulated profession under this Act shall submit to the competent authority referred to in Article 18 of this Act a written notification. In addition to evidence which is set prescribed for the notification by the Act on recognition of professional qualifications, the notification for the occasional performance of regulated occupations under this Act, shall include evidence of compliance with the conditions that are comparable to those referred to in Articles 29, 43, 46, 51, 53, 54, 71, 78, 89 and 92 of this Act.
2. In the case of regulated professions, the competent authority referred to in Article 18 of this Act shall prior the carrying out the service for the first time verify professional qualification of the service provider according to the provisions of the Act on the recognition of professional qualifications.
3. In proceedings concerning the occasional performance of regulated profession, the provision of legal presumption under the Act governing the recognition of professional qualifications that an individual may perform a regulated occupation in the Republic of Slovenia due to non-response by the authority shall not be applied.
4. An individual who performs services for more than one year shall extend his notification once in a calendar year at the competent authority referred to in Article 18 of this Act and informs of any change of information.

# 2. CARRYING OUT A RADIATION PRACTICE

# Reporting the intention to carry out activities involving radiation or to use a radiation source

# Article 16(Notification of intention)

1. A natural or legal person shall notify the intention (hereinafter: notification of intention) if intending to:
	1. manufacture, produce, process, handle, disposal, use, store, hold, transport, import to or export from EU Member States, import or export of radioactive material or any other treatment of radioactive material;
	2. manufacture or use electrical equipment emitting radiation and containing components operating at electricity voltage greater than 5 kV;
	3. carry out activities involving natural radiation sources, and which can lead to a significant increase in the exposure of workers or members of the public, in particular:
		1. the operation of aircraft and spacecraft in relation to the exposure of crews;
		2. the processing of materials with naturally-occurring radionuclides;
2. The person referred to in paragraph 1 of this Article may commence the radiation practice after receiving from the competent authority referred to in Article 18 of this Act a confirmation on the registration or a licence for carrying out a radiation practice.
3. For practice that already exists the notification of the radiation practice shall be made immediately after all the conditions laid down in paragraph 1 of this Article for it notifications are met.
4. The notification shall also be necessary for the intention to carry out the practice which was identified as an activity subject to control in accordance with this Act during systematic surveillance of living and working environments under Article 62 and 65 of this Act.
5. The intention shall be notified to the competent authority referred to in Article 18 of this Act.
6. Without prejudice to the provisions in paragraph 1 of this Article, the intention need not be notified where the person, intending to perform the radiation practice, submits an application for a registration of a radiation practice under Article 19 of this Act or for a licence for carrying out a radiation practice under Article 21 of this Act.
7. Without prejudice to the provisions of paragraphs 1 to 4 of this Article, the intention need not be notified for:
8. the use of devices containing a contained sealed radiation source which are type- approved whose normal operation at a dose rate of 10 cm from any accessible surface does not exceed 1 µSv/h and for which the requirements for processing or disposal after their use are met;
9. an electrical device, which is:
	* a cathode ray tube intended for the display of images, another electrical device operating at a voltage not exceeding 30 kV or a device that has been type-approved; and
	* in the normal operating conditions, the dose rate of 10 cm from any accessible surface of the device does not exceed 1 μSv/h.
10. carrying out a practice with radioactive contaminated materials causing the permitted release of waste radioactive material into the environment or which is subject to clearance;
11. the use of radioactive substances or materials containing radioactive substances below the exemption level;
12. the use of radioactive substances or materials containing radioactive substances for which an exemption applies.
13. The Government shall define in detail radiation sources and radiation practices for which the intention under paragraph 1 of this Article does not need to be notified and therewith related small quantities of radioactive substances or low activity concentrations which do not exceed exemption levels to be applied to cathode-ray tubes under point 2 of paragraph 7 of this Article and the management method with the exempted radiation source.
14. In determining sources and radiation activities described in the preceding paragraph, the activity level of the radiation source, the characteristics of the radiation source regarding radiation safety, the probability for uncontrolled exposure and the requirements and conditions regarding control due to radiation safety and protection of the radiation sources are to be considered.
15. The Government shall define in detail the criteria for clearance based on which the competent authority referred to in paragraph 5 of this Article decide that radioactive substances are no longer subject to this Act.
16. It shall be considered that the clearance levels referred to in paragraph 8 of this Article and the criteria for exemption referred to in the preceding paragraph satisfy all the following conditions:
	1. the risks of individuals due to ionising radiation exposure are sufficiently low to eliminate the need for control under the law governing ionising radiation;
	2. the activity is recognised as justified and
	3. the practice is inherently safe.
17. The competent authority may, upon application of a party or on own motion, determine the exemption levels for other radionuclides which the regulation referred to in paragraph 8 of this Article does not contain where their exemption levels are identical to those of the radionuclides listed in the regulation referred to in paragraph 9 of this Article and are most similar in the level of radio-toxicity to this radionuclide and takes into account the conditions set out in the preceding paragraph. The competent authority shall publish such exempted radioactive substances on its website.
18. The competent authority may decide a registration or licence to carry out a radiation practice or to use a source of radiation is not necessary even when exemptions levels under paragraph 8 of this Article are exceeded when all the conditions under paragraph 11 of this Article are met. The competent authority may in such case require the applicant to enclose the expert opinion of an approved radiation protection expert from which the fulfilment of these conditions ensues.
19. Devices referred to in points 1 and 2 of paragraph 7 of this Article shall be authorized by the competent authority referred to in paragraph 5 of this Article.
20. Type approved devices referred to in points 1 and 2 of paragraph 7 of this Article shall be used in the Republic of Slovenia, if type approved in EU Member State or if the authority referred to in paragraph 5 of this Article had issued a certificate of recognition of such foreign type approval.
21. The minister competent for the environment and the minister competent for health shall determine technical requirements for such type approved devices that contain closed radiation source and for electrical devices, conditions for their use and the method of recognising foreign type approvals.

# Article 17

**(Content of the notification of intention)**

1. The notification of intention shall at minimum contain the following information:
	* the name and the registered place of business of the company, institution or another organisation, or the self-employed individual who intent to carry out a radiation practice;
	* the name of the person representing the person carrying out a radiation practice;
	* information on the radiation practice and the radiation source used, including the location;
	* details of the commencement and the duration of performing the radiation practice, or the time of entry from an EU Member State, import, purchase, sale, exit from an EU Member State, export, clearance, removal or decommissioning of the radiation source.
2. The Minister competent for the environment and the minister competent for health shall prescribe in detail the content of the notification of intention.
3. The following shall also be considered as the notification of intention:
	* an application for a licence or approval for shipment into and out of the Member States of the EU, import, export, transit of nuclear materials, radioactive waste or spent fuel and for transit of radioactive sources with significant activity;
	* an application for a licence to import and export radioactive substances;
	* an application for a licence to use a radiation source, if the radiation source in question is the same regarding the purpose of its use and the characteristics of the ionising radiation, as the radiation source for which the licensee has already obtained a licence;
	* an application for license for a conditional clearance over radioactive substance.
4. The competent authority who receives the intention of notification, when if it is not an application referred to the preceding paragraph, shall inform the notifying person of further obligations that must be satisfied regarding his intention and where all the conditions are satisfied, it issues an extract from the registry of radiation practices in accordance with Article 18 of this Act.

# 2.2 Carrying out a radiation practice

# Article 18

**(Registration or issuing a licence for carrying out a radiation practice)**

1. The authority responsible for nuclear safety shall issue a licence for carrying out a radiation practice for:
	1. management and decommissioning of a radiation or a nuclear facility;
	2. deliberate addition of radioactive substances in the production and manufacture of items for general use and for the import of such items in accordance with Article 33 of this Act;
	3. use of radiation sources, X-ray sets and particle accelerators, except electron microscopes if not used in health or veterinary care;
	4. disposal, processing and reuse of radioactive substances or materials, which contain radioactive substances and originate from the use of radiation sources or from radiation practices under this Act, and for which the authority competent for nuclear safety had not decided not to treat them in accordance with this Act;
	5. activities that involve significant gas or liquid discharges of radioactive substances into the environment;
	6. mixing radioactive and non-radioactive substances for their re-use or processing;
	7. carrying out technical inspections of radiation sources used in radiation practices in health and veterinary care;
	8. transport of nuclear material;
	9. transport of radioactive substances, if its use is not in health or veterinary care;
	10. maintenance, production, calibration and other similar work carried out on radiation sources, if this is not included in the activities described in the preceding indents of this paragraph.
2. The authority responsible for radiation safety shall issue a licence for carrying out a radiation practice for:
	1. deliberate addition of radioactive substances in the production and manufacture of medicinal products and the import or export of such medicinal products;
	2. deliberate administration of radioactive substances to people for health care purposes;
	3. deliberate administration of radioactive substances to animals for veterinary examination, treatment or research, if this affects exposure;
	4. use of X-ray sets, radiation sources and particle accelerators in health and veterinary care, except electron microscopes;
	5. carrying out technical inspections of radiation sources used in radiation practices in health and veterinary care,
	6. activities in health or veterinary care that involve significant gas or liquid discharges of radioactive substances into the environment;
	7. transport of radioactive substances in health and veterinary care;
	8. maintenance, calibration and other similar work carried out on radiation sources if this is not included in activities described in the preceding indent of this paragraph.
	9. operation of aircraft and spacecraft concerning the exposure of crews.
3. The authorities from the previous paragraphs shall issue a licence for clearance of supervision over the radioactive substance.
4. The Government shall define the type and scope of activities for which it is not necessary to obtain a licence for carrying out a radiation practice, but it only requires registration, and detailed criteria and conditions from paragraphs 2 and 3 of this Article for the classification of radiation practices among those for which only registration is required and those for which a licence for carrying out a radiation practice is required.
5. When determining the criteria and conditions under the preceding paragraph, the consideration shall consider the probability for uncontrolled exposure of radiation, the magnitude of expected and potential dose loads, the complexity of the radiation practice, the frequency in performing a particular type of a radiation practice and detailed scope of prescribed limits.
6. If carrying out a radiation practice involves the operation or decommissioning of a radiation facility or nuclear facility, the approval described in Article 108 or the licence described in Article 109 of this Act shall be deemed as the licence to carry out an activity involving radiation, except if within the radiation facility radiation sources are used for carrying out a radiation practice in health or veterinary care.
7. A provider of a radiation practice, who is a foreign legal person, can perform the practice in the Republic of Slovenia, if it has obtained a license to carry out a radiation practice under this Act or it has obtained a licence to perform the radiation practice in its own country or in an EU Member State under the conditions and procedures that are equivalent to conditions and procedures for obtaining a license to carry out a radiation practice under this Act.
8. The authority responsible for nuclear safety confirms the fulfilment of the conditions from the previous paragraph to the operator of a radiation practice and the authority responsible for radiation safety to the operator of a radiation practice in health and veterinary care.

# Article 19

**(Application to register a radiation practice)**

1. Information on the radiation practice showing that the conditions for registering a practice are fulfilled and that the licence for carrying out a radiation practice does not need to be issued shall be enclosed to the application for registering a radiation practice.
2. If all the conditions are fulfilled the competent authority shall give the applicant an extract from the register of radiation practices. If all conditions are not fulfilled the registration of the radiation practice shall be rejected concerning which a decision is issued.
3. The minister competent for the environment and the minister competent for health shall define in detail the content of the application for registering a radiation practice and the scope and content of the documentation described in paragraph 1 of this Article.

# Article 20

**(Application for a licence to carry out an activity involving radiation)**

1. Information on a radiation practice and radiation sources of the practice as well as other information and documents demonstrating safe performance of a radiation practice need to be enclosed with an application for a licence to perform the radiation practice.
2. The minister competent for the environment and the minister competent for health shall define in detail the content of the application for the licence to carry out a radiation practice and the scope and content of the documentation described in the preceding paragraph.

# 2.3 Use of radiation sources Article 21

**(Entry in the register and a licence to use a radiation source)**

1. A radiation source may be used only by the person with the licence or extract from the register of radiation practices referred to in Article 18 of this Act who has a valid licence for the use the radiation source or the source is registered in the register of radiation sources.
2. The radiation source shall be entered in the register of radiation sources or a licence to use a radiation source shall be issued by the authority competent for nuclear safety except where the radiation source in question is to be used in health or veterinary care in which case the licence shall be issued by the authority competent for radiation protection.
3. Notwithstanding the provisions of paragraph 1 of this Article, it shall not be necessary to have a registered radiation practice or a licence to carry out radiation practice to use fire beacons with radiation sources.
4. The Government shall determine the types of radiation sources for which it shall be necessary only to obtain a certificate of entry in the register of radiation sources, for which a permit for use must be obtained prior to their use, and the criteria for determining high-activity radioactive sources.
5. In determining the sources described in the preceding paragraph, the activity level of the radiation source, the characteristics of the radiation source regarding radiation safety, the probability for uncontrolled exposure and the requirements and conditions regarding control due to radiation safety and protection of the radiation sources shall be considered.
6. Upon every disposal or transfer of ownership of the source referred to in paragraph 1 of this Article the operator carrying out a radiation practice shall immediately inform the authority who had registered the source in the register or had issued a licence for its use.
7. The approval referred to in Article 108 or the licence referred to in Article 109 of this Act shall apply to radiation sources within a radiation or a nuclear facility except if the radiation practice carried out within the facility in question is for health or veterinary care.

# Article 22

**(Application for entry in the register of radiation sources)**

1. Information about the radiation source, evidence of faultless source and other documentation demonstrating safe use of the radiation source shall be enclosed to the application for entry of radiation sources in the register of radiation sources.
2. If the radiation source is used for radiation practices under Article 18, the condition for its entry in the register of radiation sources is that the applicant referred to in the preceding paragraph is also registered for carrying out a radiation practice or is a licence holder for carrying out a radiation practice in which radiation source that is being entered is going to be used.
3. If the competent authority referred to in paragraphs 1 and 2 of Article 18 of this Act establishes from the submitted documentation referred to in the first paragraph of this Article that all conditions for the intended use of the radiation source have been met, it shall issue to the applicant an extract from the register of radiation sources.
4. If the competent authority rejects the entry in the register of radiation sources, it shall issue a decision concerning this.

# Article 23

**(Application for a licence to use a radiation source)**

1. Information about the radiation source, evidence of faultless source and other documentation demonstrating safe use of the radiation source shall be enclosed to the application for obtaining a licence to use a radiation source.
2. The competent authority referred under paragraphs 1 and 2 of Article 18 of this Act shall issue the licence referred to in the preceding paragraph if, based on the submitted documentation, it determines that all the conditions for the intended use of the radiation source are fulfilled.
3. The authority competent for radiation protection may for radiation sources in health and veterinary care issue a provisional license for use, including a licence to perform a radiation practice with the radiation source concerned for a transitional period of maximum 12 months until an assessment on radiation protection and the programme of radiological procedures is obtained. The user shall enclose all documentation required to obtain a license to carry out a radiation practice and a license to use a radiation source, except the assessment on radiation protection and the programme of radiological procedures.

# Article 24

**(Clearance of a radioactive substance)**

1. The licence for clearance of radioactive substances shall be issued by the competent authority referred to in paragraph 3 of Article 18 of this Act if the submitted documentation shows that all the criteria for the intended clearance, established by the act referred to in paragraph 10 of Article 16 of this Act, are met.
2. The minister competent for the environment and the minister competent for health shall define in detail the content of the application for a clearance of radioactive substance and the scope and content of the documentation described in the preceding paragraph.

# Article 25(Prohibitions)

1. Deliberate dilution of radioactive substances for the purpose to comply with conditions for clearance is prohibited.
2. The prohibition under the preceding paragraph shall not apply to practices where the substances are mixed not due to their radioactivity.
3. The use of closed radiation sources or their containers which are mechanically damages or regarding which it is suspected they could be leaking or are otherwise broken is prohibited.
4. The use of fire beacons with radiation sources containing progeny in gaseous form is prohibited.
5. The use of radioactive lightning conductors is prohibited.
6. The use of radiation source that does not comply with the conditions of the permit to carry out a radiation practice or the authorization to use the radiation source or with the manufacturer’s technical documentation of the radiation source is prohibited.

# Article 26(Detection of orphan sources)

1. The authority competent for nuclear safety, in cooperation with other national authorities, ministries and organisations, shall periodically organise searches for new, orphaned sources or from past practices.
2. The practices referred to in the preceding paragraph shall include purpose-directed inspections, financial incentives for searching for such sources, public awareness campaigns about such sources, examination of archive records of administrative authorities and providers of radiation practices, research institutions, universities, hospitals and other similar practices, where examination of archive records can also include records on personal data.
3. The examination of the records referred to in the preceding paragraph containing personal data may be carried out by the officials of the competent authority referred to in the paragraph 1 of this Article, whereby the further use of personal data they acquire is not permissible.
4. Operators of large postal centres, airports and ports, through which goods are imported for which it is very likely to be contaminated with radioactivity or contain orphaned sources, and waste facilities and processing facilities for metal scrap, shall install a system for detecting increased radioactivity contamination or increased ionising radiation and introduce procedures for action in such cases.
5. If an orphaned source is found the persons referred to in the preceding paragraph shall inform the authority competent for nuclear safety and carry out measures ordered on radiation protection.
6. The authority responsible for nuclear safety shall regularly inform providers of activities for which it is very likely to contain orphaned sources (waste facilities and processing facilities for all kind of waste, companies dealing with waste, transport centres, etc.) about the probability of finding such sources, their potential danger and required protective measures.
7. The authority responsible for nuclear safety shall assist the providers of practices referred to in the preceding paragraph to ensure their workers that could be confronted with an orphaned source are:
	* trained in the visual detection of such sources and their containers;
	* informed of basic facts about ionising radiation and its effects;
	* trained in measures to be taken in the event of the detection or suspected detection of such a source.
8. The Government shall specify in detail postal centres, airports, ports, waste facilities and processing facilities for metal scrap, their obligations regarding radiation measurements, the method for detecting contamination with radioactivity or increased radiation, and the processes for taking measures and reporting in event of situations referred to in paragraph 5 of this Article.

# PROTECTION OF PEOPLE AGAINST IONISING RADIATION

* + 1. **General principles** **Article 27**

**(General principle)**

The provisions of this Act shall apply to any planned and existing exposure and to exposure in an emergency situation, which contains risks because of ionising radiation and cannot be disregarded with regard to radiation protection or from the environmental point of view by taking into account long-term protection of human health, and in this regard, it in particular governs carrying out activities involving radiation, the exposure of workers or members of the public to radon indoors, the external radiation exposure generated from building materials and appropriate permanent exposure as a consequence of emergency situations or past human activities, the readiness and the planning of responses and the management of exposure in emergency situations concerning which it was evaluated that measures for the protection of members of the public or workers should be planned.

# Article 28(Responsibilities)

1. An operator carrying out a radiation practice shall be responsible for the protection of exposed workers and for assessment and implementation of measures on the radiation protection of workers in accordance with the provisions of this Act.
2. The employer and the operator carrying out a radiation practice where the practice is performed shall be responsible for the protection of an outside worker in accordance with the provisions of this Act.
3. The natural or legal person, who is responsible for carrying out protective measures, shall be responsible for the protection of the providers of protective measures, including volunteers.
4. The person responsible for the protection of workers or volunteers engaged in the rehabilitation of a contaminated land, buildings and other buildings is the person managing such work.
5. An operator carrying out a radiation practice shall be responsible, in accordance with the provisions of Article 29 of this Act, for the protection of workers exposed to radon while carrying out a radiation practice. For other workers, who are exposed to radon during their work, their employer shall be responsible.
6. The provisions of paragraphs 3 to 5 of this Article shall apply also to self-employed workers.
7. An operator carrying out a radiation practice shall ensure to the external operator the access to information regarding potential exposure of outside workers.

# Article 29

# (Radiation protective measures)

1. An operator carrying out a radiation practice shall ensure:
	1. prior evaluation on the nature and extent of risks referred to in Article 40 of this Act (hereinafter: radiation protection assessment);
	2. drawing up of written processes for work related to carrying out a radiation practice;
	3. application of operating limits and written proceedings under the preceding indent during carrying out a radiation practice;
	4. notification of exposed workers, apprentices and students on:
		1. the radiation health risks arising from their work;
		2. the content of the general procedures and security measures related to carrying out a radiation practice;
		3. the content and security measures related to workplace or work performed;
		4. content of relevant parts of plans or instructions of the emergency response plan in case of an emergency of which the person shall be notified;
		5. the importance of complying with technical, medical and administrative requirements;
		6. the importance of making an early declaration of pregnancy or child nursing to prevent exposure of the unborn child or the probability of internal contamination or intake of radioactivity into the body by a nursing mother, to protect the child;
	5. training of persons involved in carrying out a radiation practice, their further training and regular testing of radiation protection training;
2. categorisation of exposed workers into two categories according to planned exposure, the probability and the magnitude of potential exposure where more exposed workers fall within category A and less exposed workers into category B;
3. adequate protective equipment and personal safety equipment and verification of its effectiveness;
4. carrying out control measures and measurements in controlled and monitored areas, including prescribed inspections of radiation sources, protective equipment, personal protective equipment, working conditions, radiation conditions and personal dosimetry;
5. use of appropriate equipment and procedures for measuring and assessing exposure of exposed workers, members of the public and assessment of radioactive contamination of the environment;
6. verifying the effectiveness and maintenance of the equipment referred to in the preceding point and regular calibration of the measurement equipment;
7. medical surveillance of exposed workers;
8. the immediate notification of the competent authorities in cases when dose limits are exceeded, the working environment is contaminated with radioactivity, loss, theft or incorrect use of a radiation sourceand in case of an emergency;
9. carrying out the prescribed measures on radiation source protection;
10. carrying out measures after disuse of a radiation source or after ceasing to carry out a radiation practice;
11. protection and rescue plan in an emergency or instruction on acting in an emergency;
12. carrying out measures for the rehabilitation after an emergency;
13. keeping prescribed records;
14. reporting in accordance with the regulations.
15. Radiation protective measures under the preceding paragraph of this Article which refer to the protection of exposed workers shall be carried out in a radiation practice where the annual exposure of workers may exceed the effective dose for a member of the population referred to in paragraph 5 of Article 35 of this Act. The measures shall be appropriate to the type of facility or device, the type of radiation source and the size and type of associated risk.
16. Notwithstanding the obligations of the provider of radiation protection described in paragraph 1 of this Article, the exposed worker, outside worker, apprentice and students must, as far as possible, themselves contribute to the performance of radiation protective measures laid down by this Act.
17. The radiation protective measures referred to in paragraph 1 of this Article shall inter alia apply also to an aircraft operator for the protection of its crew against cosmic radiation where the expected exposure by a crew member exceeds dose limits applicable for a member of the public.
18. Individuals involved with tasks requiring competence in the area on radiation protection shall have appropriate education, training and information on radiation protection required for the performance of their tasks. Training and information shall be provided in regular periods and be documented.
19. Training of persons involved in carrying out a radiation practice referred to in point 5 of paragraph 1 of this Article may be provided by persons who have obtained the authorization for performing tasks of the authorized radiation protection expert. Additional training for workers of organisational units of radiation protection may be carried out by operators of radiation and nuclear facilities. Training of workers, who work under the supervision may be carried out by radiation and nuclear facility operators in cooperation with persons, who have obtained the authorization to carry out the work of an authorized radiation protection expert.
20. A training provider referred to in the preceding paragraph shall guide and process the databases regarding completed training and qualification courses containing: personal name, personal identification number, date and place of birth, education data, date and validity of the exam and information on the content of the training and the type of work for which worker is qualified. Authorized training providers shall report the above-mentioned data on completed training and examinations to the authority competent for radiation protection in the databases referred to in Article 49 of this Act.
21. A provider of a radiation practice, who is responsible for high-activity radiation sources, shall ensure that the notifications and training under points 4 and 5 of paragraph 1 of this Article include specific requirements for the safe management and control of these sources. The provider of the radiation practice shall prepare workers for any events affecting radiation protection. Notification and training shall place particular emphasis on the necessary safety requirements and possible consequences of the loss of control of radiation sources.

# Article 30

**(Regulations relating to the use of a radiation source)**

1. The minister competent for the environment and the minister competent for health shall determine the rules of conduct relating to the use, maintenance and storage of specific types of radiation sources, the radiation safety measures which must be taken by the users of these radiation sources, the rules of conduct with these radiation sources after termination of their use and termination of the radiation practice, the instructions for safe handling of radiation sources, the instructions for acting in emergency, the measures on the protection of radiation sources to prevent their loss, theft or other harmful action, the detailed content of the application for the registration of a radiation source in the register of radiation sources and for obtaining a licence for the use of radiation source, the scope and the content of documentation referred to in paragraph 1 of Article 22 of this Act, and the scope and content of documentation referred to in paragraph 1 of Article 23 of this Act.
2. The Minister competent for health, in agreement with the minister competent for the environment shall prescribe in detail the obligations of employers relating to special radiation protection for apprentices and students, scope, content and conditions for training, learning and verifying qualifications of persons, who are involved in carrying out a radiation practice and prescribe the format, method and deadlines for reporting referred to paragraph 7 of the previous Article.
3. In relation to specific types of radiation source used in radiological procedures, the minister competent for health shall determine the conditions for persons carrying out technical checks of radiation sources as well as the conditions for the qualifications of persons maintaining, calibrating and performing similar tasks on these radiation sources, the obligation of regular monthly technical checks and other conditions for the use of these sources.

# Justification

# Article 31

**(Justification of a radiation practice)**

The person carrying out a radiation practice must:

* + justify every new radiation practice and prove that the benefits due to the new radiation practice outweighs the health detriment to people;
	+ re-justify carrying out a radiation practice for which a licence has already been given, if there is new important evidence and knowledge on its effectiveness or consequences to health of people;
	+ ensure that doses for exposed workers, apprentice, students and members of the public do not exceed the prescribed dose limits because of the radiation practice;
	+ optimise the ionising radiation protection of people and the environment in such a way that exposure is at such low levels as reasonably achievable while considering the economic and societal factors;
	+ apply dose constraints in the optimisation of radiation protection.

# Article 32

**(Justification assessment for carrying out a radiation practice)**

1. The application for a licence for:
	* carrying out new types of radiation practices which have not been authorized in any EU Member State,
	* using new type of radiation source which has not been authorized in any EU Member State, or
	* carrying out a new way of use of an already tested radiation source, which has not been authorized in the Republic of Slovenia, shall have included with it the justification assessment for carrying out the radiation practice (hereinafter: justification assessment) and the expert opinion of the authorized radiation safety provider. For activities involving exposure for medical purposes and for non-medical imaging, in which medical radiological equipment is used, the application must be accompanied by the expert opinion of an authorized medical physics expert.
2. The competent authority may request that the justification assessment and the expert opinion of the authorized provider of radiation safety is prepared also to enable the issuing of a licence for providing already established radiation practices or for the use of already tested radiation sources when there is new important evidence about their effects and consequences.
3. When preparing the justification assessment referred to in paragraph 1 and 2 of this Article, both categories of exposures must be considered in occupational and public exposure.
4. When preparing the justification assessment referred to in paragraph 1 and 2 of this Article, exposure of patients’ due to radiological procedures and, where appropriate, to occupational and public exposure must be considered for practices involving medical exposure when this is necessary also for occupational exposure and the exposure of the public. In addition, every radiological procedure must be justified individually as set out in Article 75 of this Act.
5. The minister competent for health shall prescribe the scope and the content of justification assessment for cases under paragraphs 1 and 2 of this Article.

# Article 33

**(Justification of activities involving consumer products)**

1. A producer intending to manufacture or an importer intending to import consumer products of general use, whose intended use is likely to be a new type of a radiation practice, shall submit an application for a licence of this intended manufacture or import to the authority competent for nuclear safety.
2. The justification assessment for carrying out a radiation practice and an expert opinion of the authorized provider of radiation safety by inter alia applying the provisions of the preceding Article shall be enclosed to the application referred to in the preceding paragraph.
3. The competent authority shall decide on the justification of the intended use of the consumer product according to the acceptability criteria.
4. The competent authority, having received the application under paragraph 1 of this Article, shall inform competent authorities in other EU Member States. The authority shall also inform other States of its decision and the basis for the decision, upon request.
5. The sale or the making available of consumer products whose intended use is not justified in accordance with the provisions of this Article or where their use would not fulfil the criteria for exemption from notification under Article 16 of this Act, shall be prohibited.
6. Notwithstanding the provisions of the regulations governing foodstuff, irradiated by ionising radiation, those radiation activities that involve the activation of material, which increases the activity in the subject of general use, so that they cannot be neglected from the point of view of radiation protection, are unjustified. Nevertheless, the competent authority may, based on the acceptance criteria, assess the eligibility and permit such radiation practice.
7. The Government shall prescribe the acceptability criteria on the justification on the use of consumer products.
8. The Minister competent for the environment and the minister competent for health shall prescribe the content of the application referred to in paragraph 1 of this Article.

# Article 34

**(Justification of exposure for non-medical imaging purposes)**

1. An operator carrying out a radiation practice, which results in exposure of individuals due to non-medical imaging exposure shall submit an application for its approval accompanied by a justification assessment referred to in Article 32 of this Act to the competent authority for radiation protection.
2. The authority competent for radiation protection shall decide on the justification of imaging for non-medical purposes based on acceptance criteria.
3. The authority competent for radiation protection may decide that justified radiation practice under paragraph 1 of this Article, carried out using medical radiological equipment, do not have to comply with the requirement on dose constraints under Article 36 and dose limits under Article 35 of this Act.
4. The minister competent for health shall prescribe the justification criteria for non-medical imaging purposes and the framework list of activities involving exposure that can be justified.

# Dose limits and reference levelsArticle 35

**(Dose limits)**

1. The limit of the effective dose for occupational exposure shall be 20 mSv per year. The competent authority referred to in paragraph 1 and 2 of Article 18 of this Act may, in special circumstances or for certain exposure situations, permit higher effective dose of up to 50 mSv per year provided that the average annual dose over any five consecutive years, including the years for which the limit has been exceeded, does not exceed 20 mSv.
2. Aside from limits of the effective doses under the preceding paragraph, the limit of the equivalent dose for an exposed worker shall be:
	* for eye lenses, 20 mSv per year or 100 mSv in any five consecutive years, subject to the maximum dose of 50 mSv in a single year;
	* for the skin, 500 mSV per year where this equivalent dose limit shall apply to the dose averaged over any area of the area of 1 cm2, regardless of the total surface of the skin exposed to ionising radiation;
	* for exterminates, 500 mSv per year.
3. The sum of annual occupational exposures of a worker while carrying out radiation practices because of occupational radon exposure in a workplace shall require the notification in accordance with Article 67 of this Act and due to exposure from existing exposure situations in accordance with Article 63 of this Act received by a worker, apprentice or student receives shall not exceed dose limits prescribed in the previous two paragraphs.
4. The sums of annual exposures received by an individual from the population from all approved radiation practices shall not exceed the limit values for exposure of the population.
5. The effective dose limit for individual members of the public shall be 1 mSv per year. Nevertheless, the size of the effective dose received by the individual from the population, the limit equivalent id the dose for ocular lenses of 15 mSv per year and for the skin is 50 mSv per year, the last marginal equivalent dose on any part of the skin of 1 cm2, regardless of the total surface of the skin exposed to ionizing radiation.
6. Prescribed dose limits shall not apply to medical exposure.
7. The Government shall prescribe in detail absorbed, equivalent and effective doses and the method for their calculation, detailed requirements concerning limit doses for exposes workers, apprentices, students, pregnant and nursing women and members of the public, mandatory measures related to dose limits, the method for calculating and applying dose constraints in planning and optimising radiation practice under Article 36 of this Act, the criteria for the categorisation of exposed workers into A or B categories, doses above which aircraft operator must implement measures against radiation of crew members on its vessels and the type of measures and the method for determining special cases when a competent authority may permit the effective dose up to 50 mSv per year.
8. The minister competent for health, in agreement with the minister competent for the environment, shall determine the methodology for the assessment of doses resulting from external ionising radiation and doses resulting from an intake of radioactive substances into the body.

# Article 36(Dose constraints)

1. As part of assessment of radiation safety under Article 40 of this Act, an operator carrying out a radiation practice shall establish dose constraints as an operative tool in the optimisation of occupational exposure of its workers to dose constraints. The operator carrying out a radiation practice must prescribe the dose constrain for an outside worker in cooperation with their employer.
2. The dose constraint for the population shall, as part of the assessment on radiation safety under Article 40 of this Act, be set as a personal dose that a member of the public receives from the planned operation of a specified radiation source. The competent authority shall ensure that dose constraints are set to the effect that the sum of all doses which the same individual receives from all the practices for which the licence is issued is consistent with the dose limit under paragraph 3 of the preceding Article.
3. In medical exposure, dose constraints shall apply only regarding the protection of individuals assisting in health care and comfort of patients and volunteers participating in medical or biomedical researches.
4. Dose constraints shall be established in terms of effective or equivalent doses for an individual over a defined period.

# Article 37(Reference levels)

1. For optimisation of radiation protection in emergency and existing exposure situations, reference levels shall apply.
2. Reference levels referred to in the preceding paragraph shall depend on the type of exposure and shall consider the requirements of radiation safety and other societal aspects.
3. When optimizing the radiation protection referred to in paragraph 1 of this Article, the exposure above the reference levels shall be considered as a priority, but the optimization of the protection is also carried out under the reference levels.
4. Reference levels for radon exposure shall be set in terms of radon activity concentration in air within the national radon programme under Article 73 of this Act.
5. The Government shall prescribe the reference levels referred to in paragraph 1 of this Article and identify cases when the administrative authority competent for nuclear safety recommends the application of lower reference levels.

# Article 38

**(Protection of adolescents, pregnant and breast-feeding women)**

1. Radiation protection apprentices and students shall be regulated in the same manner as prescribed by this Act for exposed workers.
2. Notwithstanding the provisions of the preceding paragraph, a person under 18 years of age may not be assigned to a workplace in which the person would become an exposed worker.
3. Notwithstanding the provisions of the preceding paragraph, apprentices, students or pupils in secondary or occupational school aged between 16 and 18 years, who during their studies, use ionising radiation sources according to working conditions shall be assigned to category B as set out in the indent 6 of paragraph 1 of Article 29 of this Act.
4. The protection of the unborn child shall be comparable to the protection of the members of the public.
5. As soon as a pregnant woman, who is an exposed worker, or an outside worker informs her employer or the operator carrying out a radiation practice about the pregnancy, the employer must provide working conditions in which the equivalent dose for the unborn child is as low as reasonably achievable and this dose during the remaining period of pregnancy will not exceed dose limits for members of the public. If a pregnant woman does not want to work with the sources of radiation, she shall be transferred to a work place where she does not work with radiation sources.
6. As soon as a pregnant woman, who is an exposed worker or an outside worker, informs her employer or the operator carrying out a radiation practice about the pregnancy she must be moved to a work place where there is no risk of significant input of radionuclides into the body or of radioactive body contamination.
7. The categorisation under paragraphs 5 and 6 of this Article may not put a pregnant or breast-feeding woman in a less advantageous position regarding working conditions.

# Article 39(Carrying out special tasks)

1. Notwithstanding the prescribed dose limits, the authority competent for radiation protection may allow dose limits for exposed workers to be exceeded in cases where individual workers are carrying out special tasks, if the exposure is time limited and if the tasks are carried out in a confined and pre-determined working area in the following conditions:
	* exposes worker is categorised into the category A in accordance with the indent 6 of paragraph 1 of Article 29 of this Act or is a member of a spacecraft crew;
	* special tasks may not be performed by an apprentice, student, pregnant or breast-feeding woman where there is a probability of radioactive contamination or the input of radionuclides into the body;
	* the operator carrying out a radiation practice shall justify the exposure in advance and discuss it in detail with the worker, the worker’s representative, the authorized provider of health care surveillance and the radiation protection expert;
	* worker must receive in advance the information on the risks of planned work tasks and on planned precautionary measures;
	* worker must agree to carry out these tasks;
	* information on received doses while carrying out the tasks is kept in records on personal doses of exposed workers referred to in article 49 of this Act and separately in the health care records of the exposed workers referred to in Article 83 of this Act.
2. The exceeding of dose limits due to the tasks referred to in the preceding paragraph of this Article shall not be the reason for the prohibition of carrying out the worker’s further work or for transferring the worker to another workplace without his or her consent.
3. Exposure of spacecraft crew members shall be considered as carrying out special tasks.
4. The minister competent for health shall determine the conditions for issuing the licence referred to in paragraph 1 of this Article and the mandatory measures which must be implemented to reduce the consequences of excessive exposure of the worker.

# Assessment and carrying out a radiation practiceArticle 40

**(Assessment of radiation protection)**

1. An operator carrying out a radiation practice shall ensure the radiation protection assessment is prepared which shall define:
	* radiation protective measures;
	* comprehensive risk of the radiation practice as the sum of radiation risks for an individual, expressed by the group effective dose;
	* plan of optimisation of radiation protection for the population and the environment in all working conditions, including occupational exposures in health care.
2. For radiation source, which is not a radiation or nuclear facility, the radiation protection assessment shall also contain a plan of measures on the prevention of emergencies and an instruction on acting in emergencies.
3. An operator carrying out a radiation practice shall enclose the radiation risk assessment to the application for registration or application for issuing a licence for carrying out a radiation practice.
4. If the radiation protection assessment was not prepared by the authorized radiation protection expert, an expert opinion of the authorized radiation protection expert shall be enclosed to the application referred to in the preceding paragraph.
5. If the operator carrying out a radiation practice operates a radiation or a nuclear facility, the essential contents of the radiation protection assessment shall be included in the safety report.
6. The minister competent for health shall prescribe in detail the content and the scope of the radiation protection assessment.

# Article 41(Review and changes of the radiation protection assessment)

1. An operator carrying out a radiation practice shall ensure that the radiation protection assessment is reviewed:
2. before a planned extension of the registration or licence to carry out a radiation practice;
3. upon changes to a radiation practice which can significantly affect the radiation protection conditions;
4. following a request from a competent inspector;
5. immediately after every emergency;
6. after completing rehabilitation works to remedy the consequences of an emergency.
7. If it is necessary to amend or supplement the protective measures to improve the radiation protection of exposed workers, apprentices and students, or if the radiation practice has significantly changed, the operator carrying out a radiation practice shall draw up a proposal of amendments to the radiation protective measures and, in relation to these, ensure that an amended radiation protection assessment is carried out.
8. If changes to the radiation protective measures are not needed, the review of the radiation protection assessment shall conclude with the report on the review of the radiation protection assessment.
9. An operator carrying out a radiation practice shall submit to the competent authority referred to in Article 18 of this Act the amended radiation protection assessment or the report on the review of radiation protection assessment, together with the application for:
	1. registration or issue of a licence to carry out a radiation practice,
	2. amending registration or licence to carry out a radiation practice or
	3. extending registration or licence for performing a radiation practice.
10. If the amended radiation protection assessment or the report on the review of radiation protection assessment was not prepared by the authorized radiation protection expert, an expert opinion of the authorized radiation protection expert shall be enclosed to the application referred to in the preceding paragraph.
11. An operator carrying out a radiation practice shall start carrying out the amended measures on radiation protection referred to in paragraph 2 of this Article once the competent authority referred to in Article 18 of this Act issues a licence for carrying out the radiation practice or registers the practice.
12. The minister competent for health shall prescribe in detail the conditions and the time limits for the review of a radiation protection assessment, the mandatory contents of reviews of a radiation protection assessment and other conditions concerning the obligation on the review of a radiation protection assessments.

# Article 42

**(Authorized radiation protection experts)**

1. Authorized radiation protection experts shall be legal or natural persons who have obtained an approval from the authority competent for radiation protection.
2. An operator carrying out a radiation practice shall consult with authorized experts on all issues involved in the performance of a radiation practice which are important for radiation protection, including compliance of requirements under this Act regarding the radiation protective measures for exposed workers and the population, in particular on:
	1. working conditions of exposed workers,
	2. scope of carrying out radiation protective measures in monitored and supervised areas, and of verifying the effectiveness of these measures,
	3. regular verification of the usefulness of protective equipment,
	4. radiation protective measures when using new equipment or during carrying out a radiation practice,
	5. radiation protective measures carried before starting to use a new or changed ionising radiation source,
	6. regular verification of the effectiveness of protective equipment and measures,
	7. selected measurement equipment, its regular calibration, verifying its functioning and correct use.
3. An authorized radiation protection expert shall prepare an expert opinion on the matters referred to in the preceding paragraph and in cooperation with the providers of a radiation practice, shall prepare radiation protection assessment and a report on the review of radiation protection assessment or provide their expert opinion.
4. Authorized radiation protection experts shall examine working conditions and radiation conditions in supervised and observed areas within prescribed time and conduct examinations of radiation sources and personal protective equipment.
5. Authorized radiation protection experts shall provide training in radiation protection referred to in Articles 29 and 75 of this Act.
6. The authorization referred to in the paragraph 1 of this Article may be issued to a legal person for the work referred to in paragraph 3, 4 and 5 of this Article and the natural person for the work referred to in paragraph 3 of this Article. The authorization shall be issued for an individual field of radiation protection or for several fields of radiation protection together, and for a maximum of five years.
7. For the purposes of informing operators of radiation practices, to supervise the performance of tasks of authorized radiation protection experts, to exchange information and mutual recognition of powers with other States and to research and process the statistical data, the authority responsible for radiation protection shall keep and process the records of authorized radiation protection experts which shall contain:
	1. personal name, professional title, date of birth and contact details of the natural person, who had obtained the authorization, the field of authorization and label, the date of it issue and its validity;
	2. information about the legal person who had obtained the authorization, the field and the scope of the authorization, the information on accreditation documents which refers to the field of authorization, the date of its issue and its validity, the name and surname and the professional title of experts responsible for individual areas.
8. The authority competent for radiation protection shall make available to the public the list of natural and legal persons holding authorizations. All personal data referred to in the preceding paragraph shall be published, excluding the date of birth.
9. Authorized radiation protection experts shall report on their work to the authority competent for radiation protection at least once a year, or more frequently if requested.

# Article 42

**(Acquisition of the authorization for a radiation protection expert)**

1. A legal or natural person shall obtain an authorization for acting as the authorized radiation protection expert when he or she complies with conditions prescribed by the minister competent for health in agreement with the minister competent for the environment for a particular area of radiation protection.
2. A natural person may obtain the authorization as a radiation protection expert when complying with the following conditions:
	* has at least master’s degree program of the second level which provides knowledge of the physical and technical basis for radiation protection, or has a level of education which, in accordance with the law, meets this level of knowledge;
	* has appropriate knowledge and experience and is qualifiedin the field of radiation protection;
	* has at least five years of work experience in the field of ionising radiation since completing studies.
3. A legal person may obtain the authorization as a radiation protection expert when complying with the following conditions:
	* employs the appropriate authorized experts who have obtained the authorization as natural persons;
	* has the appropriate accredited measurement methods;
	* has appropriate calibration and other equipment and facilities;
	* has a management system suitable for the type, field and scope of its work.
4. The authority competent for radiation protection shall, based on the opinion of the commission referred to in paragraph 7 of this Article, withdraw the authorization to carry out the work of an authorized radiation protection expert if he or she performs unprofessional work or if it does not fulfil the conditions based on which the authorization was issued. The commission shall draw up an opinion on the withdrawal of an authorization after an extraordinary examination carried out on the initiative of the authority competent for radiation protection or the competent inspector.
5. A foreign radiation protection expert shall obtain the authorization as a radiation protection expert if, according to the regulations of the country in which he or she is registered for carrying out the tasks of radiation protection expert, the authorization was obtained under equivalent conditions as determined for the radiation protection expert by this Act.
6. The minister competent for health in agreement with the minister competent for the environment shall prescribe in detail:
	* areas, scope and the method of work by authorized experts;
	* conditions for education, qualification and experience that must be complied with by an individual to obtain an approval as the radiation protection expert;
	* conditions concerning employment of authorized experts, accreditation of measurement methods, measurement and other equipment which must be complied with by legal persons to obtain the authorization for the radiation protection expert;
	* the method and scope of regular and special reporting.
7. The minister competent for health shall, in agreement with the minister competent for the environment, appoint a special three-member expert commission, consisting of radiation protection experts, to verify the fulfilment of the conditions for obtaining an authorization as a radiation protection expert.

# Article 44(Controlled and monitored areas)

1. An operator carrying out a radiation practice shall ensure that areas where radiation practice is performed are categorised as controlled and monitored areas based on the expected exposure, and the magnitude and the probability of potential exposure of workers.
2. An operator carrying out a radiation practice shall monitor working conditions and radiation conditions in controlled and monitored areasand ensure that on the controlled and monitored areas protective measures are carried out, including control measurements. Control measurements shall be selected according to the nature of work, radiation type and its magnitude.
3. Working conditions and radiation conditions in controlled and monitored areas are checked by an independent authorized radiation protection expert within the prescribed periods.
4. The minister competent for health and the minister competent for the environment shall, regarding controlled and monitored areas, define in detail:
	1. criteria for categorisation of controlled and monitored areas;
	2. radiation protective measures in controlled and monitored areas, which shall be carried out by an operator of a radiation practice:
	3. method of delineating and marking controlled and monitored areas;
	4. written instructions for safe work and other procedures in controlled and monitored areas;
	5. training of workers concerning specific properties of controlled and monitored areas;
	6. rules regarding personal protective equipment used in controlled and monitored areas;
	7. performing control measurements;
	8. time limits and obligations in which the operator carrying out a radiation practice shall ensure the verification of working conditions and radiation conditions by an independent authorized radiation protection expert.

# Article 45(Determining personal exposure of workers)

1. An operator carrying out a radiation practice shall ensure that personal exposure of workers during work is regularly measured within the framework of radiation practice. In the event of an emergency, the operator carrying out a radiation practice shall also provide the identification of personal exposure and other exposed persons. The operator carrying out a radiation practice shall ensure that all the results of the exposure are stored and reported to the authority competent for radiation protection. The method for determining the exposure of workers shall be selected according to the nature of exposure and the type of radiation. If prescribed in the radiation assessment protection, the determination of personal exposure to external radiation may be substituted with verification of the working environment.
2. The determination of personal exposure of workers shall be carried out by legal persons who obtain authorization from the authority competent for radiation protection to carry out dosimetry tasks.
3. The minister competent for health shall prescribe in detail conditions, the method of performance, the scope and the frequency of determining personal exposure of workers.

# Article 46

**(Authorized providers of dosimetry services)**

1. A legal person shall obtain an authorization to perform dosimetry services if they have an organised dosimetry service, appropriate accredited measurement methods, appropriate measuring and other equipment and facilities, a management system complying with the type, the field and the scope of its work and has permanently employed experts in dosimetry.
2. A dosimetry expert may be any individual who fulfils the following conditions:
	* has completed at least a master’s degree programme in the field of technical or natural sciences of the second degree or has a level of education which, in accordance with the law, complies with this level of education; and
	* has at least five years of work experience in the field of dosimetry after completing the studies.
3. The verification of the fulfilment of the conditions for carrying out dosimetry services shall be ensured by the authority competent for radiation protection.
4. The minister competent for health determines the basics of the organization of the dosimetry service, specifies the conditions for obtaining the authorization referred to in the first paragraph of this Article and appoints a special three-member commission, consisting of experts in dosimetry, to verify the fulfilment of these conditions.
5. The approval referred to in paragraph 1 of this Article shall be issued for a maximum of five years.
6. The authority competent for radiation protection shall, based on the opinion of the commission referred to in paragraph 4 of this Article, withdraw the authorization to the authorized dosimetry provider if he or she works incorrectly or does not fulfil the conditions based on which the authorization was issued. The commission shall draw up an opinion on the withdrawal of the authorization after an emergency review carried out on the initiative of the authority competent for radiation protection or the competent inspector.

# Article 47

**(Provision of dosimetry services)**

1. Authorized providers of dosimetry service shall determine personal exposure of workers based on measurements and calculations by which workers’ personal doses are assessed. The authorized providers of dosimetry service shall collect information on personal doses of exposed workers, included in the dosimetry, and keep records in cooperation with the operators carrying out a radiation practice or external operator.
2. The authorized provider of dosimetry services shall report the information on personal doses of exposed workers to the provider of the radiation practice and to the authority competent for radiation protection, including the results of measurements in the workplace when used for the assessment of personal doses.
3. An operator carrying out a radiation practice shall ensure that the information on personal doses of the exposed worker is provided to the authorized practitioner providing health care supervision of the worker and that the exposed worker is informed about the dose he or she had received. If the operator carrying out a radiation practice performs this with outside workers, the information on personal doses of exposed workers shall be sent to the external operator. Information on personal doses of outside workers shall be provided to the authorized practitioner by the external operator.
4. In emergency or when dose limits are exceeded, the provider of dosimetry services shall ensure that the information on personal doses of worker are without delay available to the authority competent for nuclear safety, to the authority competent for radiation protection, to the provider of a radiation practice and to the authorized practitioner.
5. The minister competent for health shall prescribe in detail:
	* the method to be used for assessment of received doses in cases when direct measurements are not possible;
	* the method and scope of reports on personal doses of workers received when implementing protective measures and in cases where does limits may be exceeded due to the carrying out of special tasks;
	* the method and time for keeping data on personal doses of exposed workers which must be provided by the operator carrying out a radiation practice and by the external provider.
6. The authority competent for radiation protection shall keep a list of authorized dosimetry providers and publish it so that it is accessible to the public.
7. As part of the list of authorized dosimetry providers, the authority competent for radiation protection keeps the data regarding the experts responsible for individual dosimetry fields, which include the personal name and the professional title. The personal data of responsible experts shall be kept for informing the operators carrying out a radiation practice, monitoring the implementation of the identification of personal exposure, the exchange of information and the mutual recognition of authorizations with other countries.

# Article 48

**(Data on worker exposure)**

1. Data on personal doses of exposed workers may be sent to an authorized practitioner, an authorized radiation protection expertand to the central register of personal doses as referred to in Article 49 of this Act only based on a written consent of the exposed worker.
2. The written consent of an exposed worker giving permission for the data on his personal doses to be sent for further processing in accordance with the provisions of this Act, shall be ensured by the operator carrying out a radiation practice.
3. If an exposed worker, apprentice or student does not agree to sign the consent referred to in the preceding paragraph, such person may not be assigned to the workplace where he or she could be exposed to radiation.

# Article 49

**(Records on personal doses of exposed workers)**

1. Due to the implementation of the control of personal exposure, measures to optimize radiation protection and assessment of eligibility of a radiation practices, the implementation of inspection supervision over the implementation of radiation activities and compliance with the prescribed dose limits and purposes of scientific research and statistical processing for exposed workers carrying out a radiation practice, shall establish and maintain a database of personal doses.
2. Records on personal doses of exposed workers are managed by:
	1. approved dosimetry services to workers, which carry out dosimetry;
	2. operators carrying out a radiation practice for their own and outside workers;
	3. external operators for their workers or students, who are exposed to radiation during education;
	4. authorized practitioners for exposed workers for which medical surveillance is conducted;
	5. authority competent for radiation protection for all persons, who are involved in carrying out a radiation practice (Central Records of Personal Doses).
3. Approved dosimetry services shall send the information on personal doses of exposed workers to the central records of personal doses that is kept by the authority competent for radiation protection within the prescribed deadlines.
4. The records on personal doses of exposed workers shall contain the following information:
	1. personal name of the worker;
	2. personal identification number (EMŠO), place and date of birth, gender;
	3. occupation and education;
	4. information of the operator carrying out a radiation practice,
	5. information about the external operator;
	6. workplace and its description, start and finish of the work performed within the scope of the radiation practice;
	7. information on the completed training and examination of radiation protection;
	8. information on the medical assessment of fitness to work;
	9. the assessed monthly dose, the total dose, the measurement method, the information on doses received in emergencies, the performance of protective measures and permitted breach of dose levels for carrying out special tasks.
5. Data on personal doses of exposed worker shall be kept until the worker has or would have reached 75 years of age and, in all cases, until at least 30 years after the worker ceases work involving exposure.
6. The data on personal doses from the central records of personal doses can be accessed by:
* the worker – to their personal doses;
* the employer – to the personal doses of his workers and the personal doses of workers of an external operator carrying out a radiation practice;
* the authorized practitioner – to the personal doses of exposed worker for which they perform medical surveillance;
* the personal physician of the exposed worker – to the personal doses of their patients.
1. The persons referred to in the previous paragraph also have access to all the data that were used to estimate the dose, or information on the circumstances of exposure.
2. Authorized radiation protection experts based on a written application at the competent authority for radiation protection can obtain aggregated data from the central records of personal doses, which do not contain personal data, if these data could not be obtained from the employer.
3. The body responsible for radiation protection sends monthly data on the doses of workers in non-health and veterinary activities to the body responsible for nuclear safety. The report contains information on the dose received, the employment company, the company, in which the worker received the dose, and the workplace, but excluding personal data.

(10) If the measured effective dose is exceeding 1.6, and this excess was not planned or foreseen, the authority responsible for radiation protection immediately sends information on the dose received, the workplace and the circumstances of exposure, but excluding the personal data of a worker, to the authority responsible for nuclear safety, if it is responsible according to the provisions of Article 18 of this Act.

(11) The minister competent for health shall prescribe in detail the method of managing data on personal doses of exposed workers, the time limits for sending the data to the central record of personal doses, and the obligations and method of sending data from the central records of personal doses to the authority competent for nuclear safety, the operator carrying out a radiation practice, external operator, exposed worker, authorized practitioner and the authorized radiation protection expert.

# Article 50(Personal radiation card)

1. The authority competent for radiation protection shall issue a personal radiation card to workers, who are employed by an employer in the Republic of Slovenia and abroad as outside workers to perform tasks involving exposure to ionising radiation. The personal radiation card is a personal non-transferable document.
2. The personal radiation card shall contain the data referred to paragraph 4 of the preceding Article into which the data on radiation doses received by the worker is entered, and the data of performed medical checks and completed training in radiation protection.
3. The employer, at whom the worker is employed, shall ensure that all the data, referred to in the preceding Article, is promptly entered in the personal radiation card.
4. The employer, at whom the worker is employed, shall notify the authority competent for radiation protection in the central records of personal doses referred to in the fourth indent of paragraph 2 of the preceding Article, the doses the worker received abroad, in one month after returning from abroad or from the time the employer was notified of the dose received abroad.
5. The minister competent for health shall prescribe in detail the form and the content of the personal radiation card, the method for its issue and entry of data, the obligations of the employer to report this data to the authority responsible for radiation protection.

# Article 51

**(Radiation protection organisational unit)**

(1) The operator of a radiation practice, who operates a nuclear or radiation facility, shall ensure for the implementation and planning of radiation protective measures to ensure that a special radiation protection organisational unit responsible for carrying out radiation protective measures, is established.

1. The organisational unit for radiation protection shall operate separately from other organisational units and shall have available resources and equipment for the performance of its tasks.
2. Several operators of radiation practices referred to in paragraph 1 of this Article may establish a joint radiation protection organisational unit for performing the tasks involved in radiation protection.
3. The minister competent for health in agreement with the minister competent for the environment shall prescribe the organisational framework of a radiation protection unit in the facilities referred to in paragraph 1 of this Article, and the scope and content of its work.

# Article 52

**(Person responsible for radiation protection)**

1. The operator carrying out an activity involving radiation, who does not operate a radiation or nuclear facility, must appoint a person responsible for radiation protection.
2. The person responsible for radiation protection shall ensure that measures on radiation protection are planned and carried out and cooperate with the competent authorities in matters of radiation protection.
3. Notwithstanding the provisions of the first paragraph of this Article, the protection of radiation sources in the Ministry of Defence under the jurisdiction of the Military Police.
4. The operator carrying out a radiation practice shall provide professional independence at work and suitable working conditions. The person responsible for radiation protection responds directly to the leader of radiation operator.
5. The external operator referred to in Article 54 of this Act shall for its worker determine a responsible person for radiation protection or make an arrangement with the operator carrying out a radiation practice by whom the outside worker works, that the responsibility of the practice under paragraph 2 of this Article for outside workers is assumed by the operator of a radiation practice.
6. The operator carrying out a radiation practice shall, in the process for obtaining a licence for carrying out a radiation practice and upon each change regarding the responsible person for radiation protection, notify the authority, who had issued the licence for carrying out a radiation practice referred to in Article 18 of this Act, who is appointed person for radiation protection and his authorizations.

# Article 53

**(Qualifications of persons carrying out radiation protection)**

1. Workers carrying out tasks in radiation protection within a radiation protection organisational unit shall be individuals, who have completed at least a level I education or university study programme in science or technical field or have an equivalent level of education which, in accordance with the law, complies with this level of knowledge and have passed the professional examination for carrying out tasks on radiation protection.
2. The head of a radiation protection organisational unit at nuclear reactors and nuclear power plants shall be an individual, who have completed at least a level II master’s study programme in physics or have the level of education which, in accordance with the law, complies with this level of knowledge, has passed the professional examination for carrying out the tasks related to radiation protection and has at least five years of work experience in carrying out tasks related to radiation protection.
3. Notwithstanding the provisions of the preceding paragraph, the head of a radiation protection organisational unit at nuclear reactors and nuclear power plants may be an individual who had completed at least a level II master’s study programme in science or technical field or has the level of education which, in accordance with the law, complies with this level of knowledge, has passed the professional examination for the carrying out the tasks related to radiation protection and has at least three years of work experience in carrying out tasks related to radiation protection.
4. The responsible persons for radiation protection are individuals with appropriate education that ensures they have the knowledge needed for carrying out the tasks related to radiation protection and have passed the examination for carrying out tasks related to radiation protection.
5. The persons responsible for radiation protection are individuals with appropriate education that provides them with the skills, needed to perform the tasks of radiation protection, and completed examination of the implementation of the tasks of radiation protection.
6. The costs for taking examination referred to in this Article shall be covered by the employer.
7. The minister responsible for health in agreement with the minister responsible for the environment, shall prescribe the education required for the persons responsible for radiation protection, the education programme itself, the programme and the method of examination for performing radiation protection tasks, and the record of examinations taken.

# Article 54 (Protection of outside worker)

1. The operator carrying out a radiation practice employing workers of an external operator shall be, directly or through contractual relationships with the external operator, responsible for radiation protection of outside workers to the extent which is directly linked to characteristics of practices carried out at the provider of a radiation practice.
2. The operator carrying out a radiation practice, in cooperation with the external operator, shall ensure the radiation protection of outside workers is regulated as it is for workers employed by the operator carrying out a radiation practice, including that:
* the practices carried out by the outside workers are justified from a radiation protection point of view, in accordance with the principles of this Act;
* the exposure of outside workers is optimised, including by prescribing dose constraints and reference levels, and that their dose limits are not exceeded;
* limits for pregnant and nursing women, apprentices and students are applied for outside workers;
* in the assessment of a radiation practice are considered aspects of radiation protection, which are related to the nature and type of work performed by the outside workers.
1. The operator carrying out a radiation practice shall:
2. verify, if the outside worker has undergone medical surveillance and he meets medical requirements concerning the work to which he is assigned;
3. verify, if the outside worker has been assigned to the appropriate category depending on the nature of work and the magnitude of expected exposure, and the probability and the magnitude of potential exposure;
4. ensure that the outside workers are appropriately trained and have knowledge on radiation protective measures regarding the work they perform, similarly as employees of the provider of the radiation practice;
5. ensure outside workers use suitable personal protective equipment;
6. ensure that the personal radiation exposure is determined for outside workers according to the nature of exposure and the type of radiation, and that the information on their personal doses are conveyed to the authority competent for the central records of personal doses and for radiation protection as well as to the external operator.
7. External operators shall themselves or through a contract with the operator carrying out a radiation practice, ensure that:
* outside workers are informed and qualified in accordance with the provisions of points 4 and 5 paragraph 1 Article 29 of this Act;
* outside workers undertake medical surveillance to the extent prescribed in Chapter 3.5 of this Act and their personal doses are conveyed to the authorized provider of medical surveillance;
* personal radiation exposure is determined for outside workers;
* an assessment of the radiation protection is made for activities involving outside workers.
1. The outside worker shall convey the information referred to in the paragraph 4 Article 49 of this Act to the operator of the facility or the operator carrying out a radiation practice before starting works in a supervised area.
2. The operator carrying out a radiation practice may not commence work with exposed workers of the external operator, if the information described in the preceding paragraph had not been conveyed or if the information conveyed shows that the workers of the external provider may not perform works in a radiation practice in accordance with the provisions of this Act.

# Article 55

**(Assignment of workers and appeal against assignment)**

1. A worker may not be assigned to work in a supervised area if the determination of personal exposure with the approved dosimetry service provider has not been assured.
2. If the radiation protection organisational unit or the person responsible for radiation protection, worker or the authorized practitioner deem that the basic radiation protective measures have not been adhered to the assignment of the worker to a workplace where he is exposed to radiation, they may appeal against such assignment.
3. The appeal referred to in the preceding paragraph shall be submitted to the authority competent for radiation protection within eight days of the assignment of the worker.
4. The authority competent for radiation protection shall decide on the appeal against the assignment of the worker based on the opinion given by a medical committee appointed by the minister for health for resolving disputes.

# Medical surveillance of exposed workers

# Article 56

**(Medical surveillance of exposed workers)**

1. The medical surveillance of exposed workers, apprentices and students shall be based on the principles that govern occupational medicine generally.
2. The medical surveillance of exposed workers, apprentices and students shall be provided by authorized practitioners, who have obtained a licence from the minister competent for health.
3. A worker may not be assigned to a workplace as an exposed worker if medical surveillance determines that he or she is not capable for such workplace.
4. The medical surveillance of exposed workers and apprentices shall be provided by the employer to the full prescribed extend, while for students it is provided by the provider of education.
5. On request, the operator carrying out a radiation practice shall convey all the information related to the work performed by the worker working in a radiation practice to the authorized practitioner.
6. If the medical surveillance of the worker is performed abroad, the competent authority shall, upon issuing a licence for carrying out a radiation practice referred to in Article 18 of this Act, regard such medical surveillance as equivalent to the medical surveillance under this Act, when the requirements concerning medical surveillance of workers in the foreign country, where the medical surveillance was made, are comparable to the requirements under this Act.
7. Special medical surveillance of exposed workers shall be provided whenever one of the prescribed dose limits is or is suspected to have been exceeded or following a request by the authority competent for radiation protection if this suspects that excessive exposure has occurred.
8. The minister competent for health shall determine the extent of medical surveillance of exposed workers, apprentices and students, the criteria for determining the special medical surveillance, the decontamination and further treatment of exposed workers apprentices and students, in the event when dose limits are exceeded and the conditions which must be met by authorized practitioners.

# Article 57(Medical surveillance after the cessation of the work)

1. The medical surveillance after cessation of work of exposed worker shall be ordered by the authority competent for radiation protection on the request of an authorized practitioner; the surveillance must be guaranteed by the employer for whom the worker in question was exposed to ionising radiation.
2. The minister competent for health shall prescribe the criteria based on which the authorized practitioner may set up medical surveillance after the worker in question ceases to work as an exposed worker, in the form of further medical surveillance, treatment and other health care measures.

# Article 58(Medical records of exposed workers)

1. Medical records of exposed workers shall be managed and updated in accordance with regulations governing the collection of the data regarding health care, as long as the worker in question performs the tasks of an exposed worker; the records shall be kept until an exposed worker has or would have reached the age of 75 and until at least 30 years after the worker ceases working as an exposed worker related to radiation practice.
2. Medical records of exposed workers must, in addition to the information prescribed in relation to health care records, contain also:
3. the information on the type of work carried out within the scope of a radiation practice;
4. the data from the safety statement risk assessment for worker’s job depending on the area and category of worker, which are considered when assessing the fulfilment of the specific health requirements for the job in the workplace;
5. the results of medical examinations prior to employment or placement of an exposed worker and the results of periodic medical examinations;
6. the assessment of the fulfilment of the specific health requirements for certain job in the workplace;
7. the data on personal doses and
8. the proposed measures for the protection of health at work.
9. Authorized practitioner communicates information on the fulfilment of specific health requirements to the authority responsible for radiation protection. The information must include personal name, personal identification number (EMŠO), date of the medical examination, the validity of the medical examination and assessment of compliance with the specific health requirements.
10. The minister competent for health shall determine the form, manner and time limits for reporting the information referred to in preceding paragraph.

# Article 59(Request for a review of the assessment health fitness for work and the ordered measures of medical surveillance)

1. An exposed worker or an employer may submit a request for a review of the assessment of health fitness for work, which was made for an exposed worker by the authorized practitioner.
2. The person referred to in the preceding paragraph may submit a request for a review of special health examinations for having exceeded the dose limits as ordered for the exposed worker by the authorized practitioner.
3. The requests for a review referred to in the preceding paragraphs shall take place in accordance with the regulations on preventive medical surveillance of workers.

# Article 60(Medical surveillance in emergencies)

1. Medical surveillance of providers of intervention activities and of the population in emergencies shall be provided by the State.
2. In the national protection and rescue plan in nuclear or radiological disaster, the government shall determine the persons responsible for implementing the measures related to medical surveillance and the extent of resources for this, the obligations of operators carrying out a radiation practice to the financing of medical surveillance in the case of emergencies, and other conditions important for the effectiveness of measures relating to medical surveillance.

# Radiation protection due to natural radiation sources and in case of existing exposure

**Article 61
(Exposure of aircraft crew)**

1. If plane and spacecraft crew members receive an annual effective dose due to cosmic exposure which is higher than 6 mSv, the authority competent for radiation protection shall order to the flight operator to carry out measures on radiation protection of exposed workers by applying, inter alia, the provisions of this Act that refer to the protection of exposed workers due to carrying out a radiation practice.
2. If plane and spacecraft crew members receive an annual effective dose due to cosmic exposure which is higher than 1 mSv, the flight operator shall assess individual exposure of its crew and take this into account in work organisation, notify workers of their individual doses and of risks to health and apply the provisions of the paragraphs 4 and 5 Article 38 of this Act in case of pregnant women.

# Article 62(Exposure due to natural radiation sources)

The authority competent for radiation protection and the authority competent for nuclear safety shall ensure recognition and assessment of exposure to natural radiation sourcesand of existing exposure which cannot be disregarded from the radiation protection point of view.

# Article 63(Existing exposure due to radioactive contamination and exposure due to carrying out a radiation practice)

1. The authority responsible for nuclear safety shall through systematic monitoring and taking dose rate measurements and other suitable quantities ensure:
2. the recognition of exposure caused by radioactive contamination of an area because of remaining radioactive substances due to:
* past practices that were not subject of supervision under this Act;
* consequences of emergencies after carrying out measures in the emergency in accordance with the regulations regarding protection against natural and other disasters;
* residue from past practices for which a legal entity is no longer legally responsible;
* exposure to products, except food, animal feeding stuff and drinking water containing radionuclides from contaminated areas specified in the preceding indents of this paragraph or naturally occurring radionuclides.
1. recognition of practices with substances involving naturally occurring radionuclides.
2. Measurements under the preceding paragraph shall be conducted by an authorized radiation protection expert.
3. The Government shall adopt a strategy for managing increased exposure referred to in the paragraph 1 of this Article, which shall include a programme on systematic surveillance of working and living environment for the area and for the practice referred to in the paragraph 1, and on informing the public of the importance of measures on reducing exposure in cases referred to in the paragraph 1. The Government shall set out in detail those practices and types of existing exposures under the paragraph 1 of this Article, where the probability of exposure is higher. At this shall consider risks and effectiveness of protective measures.All affected stakeholders shall participate in preparing and implementing the strategy.
4. Competent authority may order an employer or operator of the facilities or devices to prepare a review of the working and living environment and an assessment of doses received if it is likely that the doses for individuals would exceed dose limits for the public or if it is necessary to protect human health.

# Article 64(Measures to reduce the exposure due to building materials)

1. The Government shall determine the reference level for building materials, list the type of building materials in which the reference level for building materials may be exceeded and the methodology for determining suitable use of these building materials.
2. Before making available on the market building materials referred to in the preceding paragraph, it shall be necessary to determine the specific activities of natural radionuclides in the material by taking measurements and the suitability of the material for use in accordance with the methodology referred to in the preceding paragraph.
3. Measurements and the assessment of suitability under the preceding paragraph shall be conducted by an authorized radiation protection expert.
4. In cases where the measurements and the assessment of suitability under the preceding paragraph of this Article show that the reference level referred to in paragraph 1 of this Article could be exceeded, the authority competent for nuclear safety shall determine adequate measures for reducing radiation of people when using such material and licence its use under certain conditions.

# Article 65(Measures to reduce the exposure of workers and members of the public)

1. If, based on the surveillance referred to in Article 63 of this Act, it is established that the exposure of individuals due to natural radiation sources or other radiation sources exceeds dose limits for members of the public, the competent authority shall order the employer or operator of the facility and devices in question to carry out measures to reduce the exposure of workers and members of the public, and measures to protect exposed workers by requiring the notification of a radiation practice in accordance with Article 17 of this Act.
2. The competent authority may request notification under the preceding paragraph and when the exemption criteria under paragraph 8 of Article 16 of this Act are met, when increased exposure due to naturally occurring radionuclides in water may affect drinking water mains, or any other transmission path, to the extent that this effect has to be considered in terms of radiation protection.
3. The competent authority may, based on an eligibility assessment under, by applying mutatis mutandis the provisions of Article 31 of this Act, decide that protective or regulatory corrective measures are not necessary, because their performance would not outweigh the weaknesses arising from the exposure being considered.

# Article 66(Radon exposure)

1. The authority competent for nuclear safety shall, through systematic monitoring and measuring of radon, dose rate and other suitable indicators, ensure the identification of:
* exposure due to radon in facilities used for carrying out childcare, education, cultural or health care programmes;
* exposure due to radon in living environments in a basement or ground floor, or in other areas where it can be expected the average annual radon concentration exceed the reference levels;
* external exposure in indoor areas in existing buildings because of the building materials used;
* exposure due to radon in cases where a higher radon concentration is expected such as spas, caves, mines and other underground areas.
1. Measurements under the preceding paragraph shall be conducted by experts who shall be authorized to take such measurements.

# Article 67(Measuring radon in workplaces)

1. The employer shall ensure the radon in working environments on ground levels and in basements in an area with more radon is measured within three years of the declaration being made that the area contains more radon. The employer shall provide measurements whenever the situation affecting the radon concentration significantly changed (for example larger building projects).
2. The employer shall ensure the radon in working environments throughout the Republic of Slovenia at locations where increased radon concentration can be expected, such as in spas, pools and other radon water sources, caves, mines and other underground working environments, is measured.
3. Radon measurements under the preceding two paragraphs shall be conducted by experts authorized to take such measurements.
4. The employer is not required to provide radon measurements under the first two paragraphs of this Article, if the measurements of the employment position were already taken by the former owner, tenant of the premises or someone else and the conditions affecting radon concentration have not changed significantly.

# Article 68(Measures in case of increased concentrations of radon)

1. If, based on the systematic review referred to in Article 66 of this Act or on the radon measurements at workplaces referred to in the preceding Article, it is determined that the average annual radon concentrations exceed the reference levels, it is necessary to assess the exposure of workers and population.
2. Exposure referred to in the preceding paragraph shall be assessed by authorized operators for radon measurements and the assessment shall be performed by the taxpayer for the provision of measurements referred to in the preceding two Articles of this Act.
3. The exposure assessment of workers shall include a statement on safety with risk assessment in accordance with regulations on health and safety at work.
4. If the exposure assessment referred to in paragraph 1 of this Article shows that people in public buildings or workers at workplace due to radon exposure receive the annual effective dose that is higher than 6 mSv, it is necessary to implement measures to reduce the exposure such as ventilation, relocation of people to other areas, the cessation of use of premises and building interventions, if it is assessed that building operations will adequately contribute to reducing exposures, and comparable results cannot be achieved by other simpler measures. Measures to reduce exposure of workers can also be a reorganisation of tasks and working hours.
5. If the exposure assessment referred to in paragraph 1 of this Article shows that despite exceeding the levels for the average annual radon concentration, people in public buildings or workers at workplaces receive the annual effective dose which is less than 6 mSv, the measures under the preceding paragraph shall not be necessary but the conditions affecting the exposure must be monitored and the dose reassessed when changes occur.
6. Carrying out measures under paragraphs 4 and 5 of this Article for workers shall be provided by their employer and for the public exposed in public buildings by the holder of the activity in such a building.
7. The effectiveness of implemented measures shall be verified by repeating measurements in 6 months after introducing the measures or after completing building. Measurements are provided by the person obligated to ensure measurements under the preceding two paragraphs and are carried out by the authorized provider of radon measurements.
8. If children, adolescents, patients or other sensitive groups of the population due to radon exposure receive the annual effective does that is greater than 6 mSv in facilities used for the childcare, education, cultural or health care programmes, the resources for implementing measures for reducing exposure shall be provided by the State.

# Article 69(Protective measures of exposed workers)

If despite implementing the measures referred to in paragraph 4 of the preceding Article workers receive the annual effective dose due to radon exposure which is higher than 6 mSv, the authority competent for radiation safety shall order the employer to implement measures for radiation protection of exposed workers by applying, inter alia, the provisions of this Act that refer to the protection of exposed workers during carrying out a radiation practice.

# Article 70(New buildings and rebuilding of facilities)

1. New buildings for living or working environments shall be planned and constructed so that the radon concentrations do not exceed the reference level.
2. Interventions in an existing facility that could affect radon concentration in a building (for example energy building rehabilitation) shall be planned and carried out so that the intervention in the building will not require measures to be taken on reducing radon concentrations to protect people’s health.
3. The minister competent for building and the minister competent for health shall prescribe the requirements for new buildings and rebuilding of buildings referred to in paragraphs 1 and 2 of this Article by which the health of people is protected against harmful radon effects.

# Article 71(Authorized operators of radon measurements)

1. The legal person may obtain an approval to carry out radon measurements, if it has permanently employed experts in the field of radon and it has available appropriate measuring methods accredited in the field of radon.
2. An expert in the field of radon is an individual who:
* has completed at least master's programme, the second level, which provides knowledge of physical basics in radon exposure or has the level of education which in accordance with the law complies with this level of knowledge;
* has suitable knowledge and experience in area of radon exposure;
* has acquired at least 5 years working experience in the field of ionising radiation since completing the studies.
1. The minister competent for health shall prescribe in detail the areas, scope and method of work of authorized operators for radon measurements, the conditions concerning education and experience, that the experts in the field of radon must have, the conditions concerning accreditation of measuring methods, and the scope, method and format for reporting the results of measurements in the records on radon measurements referred to in Article 72 of this Act.
2. The approval referred to in paragraph 1 of this Article shall be issued for a maximum of five years.
3. The authority competent for radiation protection on own motion or on the request of the competent inspector withdraw the accreditation of an authorized operator of radon measurements, if their work is done unprofessionally or if they no longer fulfil the conditions based on which the accreditation was issued.

# Article 72(Records of radon measurements)

1. The authority competent for radiation protection shall keep records of radon measurements. It shall contain data on all measurements taken under Articles 66, 67 and paragraph 5 Article 68 of this Act. The records shall contain the address of the facility, cadastral number, building number and building part number, GPS coordinates or other appropriate identification of the place where measurements were taken, the measured level of radon concentration, the assessed dose due to radon exposure and information on possible implemented radiation protective measures. The data in the records referred to in the preceding sentence shall be conveyed by the authorized operators of radon measurements.
2. The data in the records referred to in this Article shall be collected, managed and processed to provide surveillance of exposure of workers and population, to assess doses received, to plan and optimise radiation protective measures due to radon and due to the performance of other tasks under this Act. The data in the records referred to in this Article may be collected, managed and processed also for preparing statistical and summary reports and for scientific-research purposes.

# Article 73(National radon programme)

1. The Government shall adopt a national radon programme on managing long-term health risks due to radon exposure by which it shall prescribe:
* the management strategy for increased radon exposure, which includes goals and indicators for the successful reduction of health risks and considers optimisation of protective measures;
* reference radon concentration levels in working and living environments;
* criteria used for identifying areas with higher radon and special radiation protective measures in these areas;
* the method and the methodology for determining the annual average radon concentrations;
* the programme for systematic review referred to in Article 66 of this Act;
* the method, type and scope of measurements:
* within the framework of statistical surveillance under Article 66 of this Act,
* taking measurements at workplaces referred to in Article 67 and
* re-taking measurements to check implemented measures under paragraph 7 Article 68;
* the methodology for assessing doses due to radon exposure;
* the awareness programme for employers, public and experts regarding health risks due to radon exposure and additional risks related to smoking and the importance of taking radon measurements and measures on reducing exposure.
1. The authority competent for radiation protection shall regularly check the implementation of the national radon programme, evaluate radon measurements taken and doses received due to radon exposure, and report about it in the annual plan on ionising radiation protection and nuclear safety referred to in Article 168 of this Act.
2. The Government shall adopt the national radon programme for a period of 10 years. Before the national radon programme expires the Government shall evaluate the implementation of the programme and prepare proposals for further optimisation of radiation protective measures and for reducing radon exposure.

# Article 74(Thoron exposure)

The provisions of this Act governing radon exposure shall inter alia apply thoron exposure, if it is determined that thoron exposure could significantly contribute to the total exposure due to radon and thoron.

# Exposure for medical purposes

# Article 75(Exposure for medical purposes)

1. Radiological procedures for the diagnostics, treatment and research for medical purposes shall be conducted in accordance with an approved programme of radiological procedures and may be carried out only by persons holding a license for carrying out a radiation practice.
2. The licence holder for carrying out a radiation practice shall ensure that each radiological procedure is justified, so that the total anticipated benefit due to a diagnostic or therapeutic procedure is greater than the risks or damages caused by it. Where the radiological procedure cannot be justified, it may not be carried out.
3. Exposure in diagnostic and radiological procedures and in radiological procedures for planning, guiding and verifying the course of treatment, shall be kept as low as reasonably achievable while considering the anticipated goals of the procedure and the economic and societal factors.
4. The licence holder for carrying out a radiation practice shall, for the provision of appropriate individual treatment of patients, ensure that radiological procedures involve only health care workers with adequate professional qualifications and define responsibilities and tasks of practitioners responsible for radiological procedures, radiological engineers, medical physicists and referring physicians regarding compliance with the criteria for referrals.
5. The operators of radiological procedures involved in diagnostics, treatment and research for medical purposes shall every 5 years complete training and examination of training in the field of patient radiation protection.
6. In the radiological procedures and procedures in veterinary care, radiation sources for which the authority competent for radiation protection has issued a licence for use of a radiation source and which comply with the acceptability criteria for correct operation of radiological equipment, as indicated by the authorized radiation protection expert in a report on control and measurement of parameters of the radiation source activity, may be used in radiological procedures.
7. The licence holder for the use of a radiation source, which is used for performing radiological procedures, shall ensure regular control and the taking of parameter measurements of the radiation source activity. The report on the surveillance and the measurements of parameters of the radiation source activity shall be prepared by the authorized medical physics expert.
8. Training and qualifications examination of operators of radiological procedures referred to in paragraph 5 of this Article may be provided by persons who have obtained the authorization for performing tasks of the authorized radiation protection expert.
9. The operators of trainings referred to in the preceding paragraph manage and process databased related to training and qualifications examination of which contain: personal name, personal identification number (EMŠO), date and place of birth, information on education, date and duration of the exam, information on the content of training and type od the radiological procedures, for which the operator is qualified. Authorized training operators shall report the mentioned data on completed training and examinations to the authority responsible for radiation protection in the databases referred to in Article 49 of this Act.
10. The minister competent for heath shall determine the scope, content and conditions of training and examination of qualifications in the field of patient radiation protection and the method and frequency of regular control and measurements of parameters of the functioning of the radiological equipment.

# Article 76(Conditions for carrying out a radiological procedure)

1. An individual radiological procedure may be carried out only when prescribed by the referrers, as authorized by the practitioner responsible for the radiological procedure, who bears the clinical responsibility for the procedure. The licence holder for the use a radiation source shall provide the referrers with the criteria, including the process, for referring to planned radiological procedures which shall include information on the dose received by the patient during the procedure.
2. The practitioner, the responsible person for the radiological procedure, the authorized medical physics expert and the operator of the radiological procedure shall participate in the optimisation of the radiological procedure. The practitioner responsible for the radiological procedure shall, by considering the objective and the goal of the procedure, in cooperation with the operator of the radiological procedure prescribe the conditions of the procedure so that it is carried out with lowest possible radiation of the patient.
3. The licence holder shall ensure that each radiological procedure is carried out in accordance with written instructions and by the person complying with the requirements on behalf of the operator of the radiological procedure. Written instructions shall be prepared for all standard radiological procedures, for all radiological equipment and for different groups of patients.
4. In radiological procedures shall be necessary to ensure that:
* they are carried out in accordance with good radiological practice;
* the information on exposure of a patient due to the radiological procedure is the component part of the results;
* the dose received during radiotherapy is planned for each patient separately in such way that exposure outside clinical volumes is as low as reasonably can be achieved in accordance with the purpose of the therapy;
* during a diagnostic procedure, the approved diagnostic reference levels are in average not exceeded.
1. When diagnostic reference levels are systematically exceeded, the licence holder shall immediately search for ways of optimising radiological procedures and introduce appropriate changes.
2. The authority competent for radiation protection shall, through systematic examination of patient exposure, provide guidelines for the use, regular update and use of diagnostic reference levels for diagnostic radiological procedures where appropriate, including interventions. This shall consider European or international recommendations in this area.
3. Diagnostic reference levels shall be determined by the authority competent for radiation protection based on the results of systematic examinations referred to in the preceding paragraph while considering the opinion given by the expert council on issues on the protection of individuals against ionising radiation, radiological procedures and the use of radiation sources in health and veterinary care.
4. The minister competent for health shall prescribe in detail: the conditions relating to carrying out the systematic screening programme, bio-medical and medical research, special radiological procedures for children, pregnant and breast-feeding women, as well as voluntary help in the care for patients; requirement for education and mandatory training for physicians responsible for radiological procedures, and persons carrying out radiological procedures; the criteria for the acceptability of radiological equipment; special procedures for radiotherapy, diagnostic and intervention radiology and nuclear medicine; special conditions on including authorized experts in medical physics, the programmes for ensuring the quality and form of expert supervision.

# Article 77(Programme of radiological procedures)

1. The programme of radiological procedures referred to in the paragraph 1 of Article 75 shall contain:

1. a list of radiological procedures that the licence holder intends to perform and the criteria for referring to these procedures, key elements of clinical assessment and the assessment of the doses received in all standard diagnostic radiological procedures as the criteria for risks due to these procedures;

2. a list of radiation sources intended for use;

3. a description of managing and storing data on conducted radiological procedures;

4. a programme on assurance and quality verification of radiological procedures;

5. a list of practitioners responsible for radiological procedures;

6. a list of the authorized medical physics experts responsible for the optimisation of radiological procedures, for the assessment of patients’ exposure and for ensuring the quality of radiation protection;

7. a list of operators of radiological procedures.

1. An operator carrying out a radiation practice in health care shall consult with an authorized medical physics expert when preparing the programme of radiological procedures. The programme of radiological procedures, as part of the licence for the use of radiation sources, shall be approved by the authority competent for radiation protection for a maximum of five years.
2. An operator carrying out a radiation practice shall enclose the programme of radiological procedures to the application for issuing or extending the licence for the use of radiation source.
3. The minister competent for health shall prescribe in detail radiological procedures for which an authorized programme of radiological procedures is required, the standards for diagnostic radiological procedures for which the assessment of doses received must be prepared. The minister shall also prescribe the format and the scope of the programme of radiological procedures, the procedures for planning, referring, authorizing and performing radiological procedures, and the method and the scope of reporting on patients’ exposure due to radiological procedures.

# Article 78(Authorized medical physics experts)

1. Authorized medical physics experts are natural persons, who had obtained an authorization from the authority competent for radiation protection.
2. An authorized medical physics expert may be any individual, who fulfils the following conditions:
* is a specialist in medical physics and
* has the knowledge, qualifications and experience in the field of medical physics.
1. The minister competent for health shall determine in detail the conditions referred to in the preceding paragraph and appoint a special expert commission to verify fulfilment of these conditions.
2. The approval referred to in paragraph 1 of this Article shall be issued for a maximum of five years.
3. Authorized medical physics experts must report on their work to the authority competent for radiation protection at least once a year, or more frequently, if requested.
4. The authority responsible for radiation protection, based on the Commission opinion referred to in the third paragraph of this Article shall withdraw authorization to perform tasks in the field of medical physics, if their work is done unprofessionally or if they do not fulfil the conditions under which it was given authorization. The Commission shall prepare an opinion on the withdrawal of the authorization by an additional inspection carried out on the initiative of the body responsible for radiation protection or the competent inspector.

# Article 79(Apprenticeship and specialisation in medical physics)

1. A person holding master’s in medical physics, who had completed an apprenticeship programme and has taken the expert examination, may specialise in a particular field of expertise in medical physics. The specialisation is completed with a specialisation examination.
2. The specialisation shall be approved by the minister competent for health.
3. The training of specialist shall take place at health care providers, who are authorized for this task by a decision of the minister competent of health upon a proposal of the authority competent for radiation protection. The decision shall also specify the number of training positions for medical physics and the period of the validity of the approval.
4. The part of the apprenticeship programme, whose content corresponds to the content of specialisation programme of the person holding a masters’ degree of medical physics, may be counted in full or in part as part of the completed apprenticeship.
5. The head mentor shall be responsible for specialisation programme, its adoption and correct implementation. The head mentors shall be appointed by the authority competent for radiation protection upon a proposal of the provider of health care activities.
6. The conditions for carrying out the tasks of the head mentor shall be prescribed by the authority competent for radiation protection.
7. The minister competent for health shall prescribe the content and course of the apprenticeship programme, including the professional examination, the content, type and duration of the specialisation, the procedure for taking the specialisation exam and the procedure for appointing the examination committee.
8. The specialisation completed abroad shall be recognised by the minister competent for health if it complies with the requirements under this Act as to its content and duration.
9. The minister competent for health shall prescribe organisational, staff, material and other conditions that must be fulfilled by providers of apprenticeship and specialisations in the field of medical physics.

# Article 80(Register of medical physicists)

1. For quality assurance and verifications of procedures for health purposes, for informing operators of radiation practices, for ensuring supervision over the performance of tasks of authorized medical physics experts and for other purposes in implementing this Act, the authority competent for radiation protection shall keep and process records of medical physicist specialists and authorized medical physics experts.
2. Entry in the register shall be made and updated upon a request of a medical physicist.
3. For the purposes of managing the register of medical physicist the authority competent for radiation protection shall collect the following personal information:
* name and surname, date and place of birth;
* date of professional examination;
* date and type of completed specialisation;
* date, type and duration of given authorization;
* title and address of employment position.

# Article 81(Unintentional exposure)

1. The licence holder shall provide all reasonable measures for reducing the probability and the magnitude of unintentional exposure, considering also economic and social factors.
2. The licence holder shall have for carrying out a radiation practice an established system for monitoring events which shall include actual or potential unintentional exposure. The system shall be proportionate to the risks associated with such situations and shall include an analysis of these situations.
3. The licence holder shall inform the referrer, the practitioner responsible for the radiological procedure, and the patient or his legal representative of clinically important unintentional exposures and of the findings of the analysis of this situation.
4. The licence holder shall immediately inform the authority competent for radiation protection of important unintentional exposures.
5. The licence holder shall, within six months of such situation, inform the authority competent for radiation protection of the findings of its investigation of the situation and the measures taken to prevent them.
6. The minister for health shall prescribe the criteria for determining important unintentional exposures and prescribe in detail other obligations of the licence holder concerning unintentional or accidental exposures.

# Article 82(Clinical assessment of the implementation of procedure)

1. An operator carrying out a radiation practice, engaged in radiation procedures, shall regularly make clinical assessments. Clinical assessment is made by an independent commission, which on a proposal from the extended professional college in the area in which the assessment is made, name the operator carrying out a radiation practice, the approved by the authority responsible for radiation protection. Commission on the findings of clinical assessment shall prepare a report.
2. Notwithstanding the prescribed frequency of clinical assessment, the operator carrying out a radiation practice, engaged in radiation procedures, shall ensure the clinical assessment immediately after every emergency or unintentional or accidental exposure for which the authority competent for radiation protection has ordered the clinical assessment.
3. The minister competent for health shall prescribe the frequency, scope and method for the clinical assessment, the method and time limit for reporting and instances of emergencies during radiological procedures when the authority competent for radiation protection orders the clinical assessment.

# Article 83(Records of doses due to radiological procedures)

1. Records on radiological procedures performed shall be established and managed for control purposes on the optimisation of radiological procedures, for assessment of the population exposure due to radiological procedures, for scientific research and statistical analysis.
2. The operators of radiological procedures and the authority competent for radiation protection shall keep the records of radiological procedures conducted.
3. The authority competent for radiation protection shall keep the central records of radiological procedures conducted.
4. The central records of radiological procedures conducted shall include the following information: the name of the operator of the radiological procedure, patient’s year of birth and gender, year of the procedure, type of the procedure, information on conducting the procedure, which is the basis for calculating the dose received.
5. Operators carrying out a radiation practice, engaged in radiological procedures, shall keep the records referred to in the preceding paragraph in accordance with regulations governing data collection in the field of health care as the primary health care documentation, and report them to the central records of radiological procedures conducted in the scope, form and time limits set out in the program of radiological procedures.
6. Each patient or his legal representative has the right to obtain, in a way which is for medical documentation prescribed by the law regarding patients’ rights, the information on doses received during the radiological procedure from the practitioner responsible for the radiological procedure.
7. The authority responsible for radiation protection shall exchange the aggregated data on radiological procedures carried out by international institutions, professional associations and competent authorities of other countries in the field of patients’ protection during the radiological procedures.

# Report on the assessment of doses received by the population Article 84

**(Report on the assessment of doses received by the population)**

1. The authority competent for radiation protection shall each year draw up a report on the assessment of doses received by the population, which is a constituent part of the report on ionising radiation protection and nuclear safety.
2. The report on the assessment of doses received by the population shall contain:
* a realistic assessment of doses, which the population as a whole and individual reference groups have received due to carrying out activities involving radiation;
* a definition of typical reference groups of the population considering the actual pathways of the transfer of radioactive substances;
* an assessment of doses resulting from external radiation and an assessment of doses resulting from internal radiation due to the intake of radionuclides.
1. When making the assessment of the doses received by the population the following data shall be used:
* monitoring of the radioactivity in the environment under Article 159 of this Act and the monitoring in case of increased radioactivity contamination under Article 162 of this Act;
* systematic surveillance of living and working environment under Articles 63 and 66 of this Act;
* the operational monitoring of radioactivity of radiation and nuclear facilities due to permitted discharges of waste radioactive substances into the environment;
* from the records on personal doses of exposed workers;
* from the records on the radiological procedures conducted.
1. The minister competent for health shall, in relation to the drawing up of the report on the assessment of doses received by the population, determine the method to be used for data collection, the storage of documentation on measuring doses, the methodology for assessing the intake of radionuclides and radioactive contamination, as well as the methodology for evaluating doses received by reference groups of the population and the population as a whole.

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# RADIATION AND NUCLEAR SAFETY

* 1. **Classification of facilities** **Article 85**

**(Classification of facilities)**

1. Regarding to the prescribed measures related to radiation or nuclear safety, facilities are categorised as:
* nuclear facilities,
* radiation facilities,
* and less important radiation facilities or
* closed disposal facility.
1. The Government shall prescribe the criteria for the classification of facilities as radiation facilities and less important radiation facilities.

# Article 86(Decision on the status of a facility)

1. In the procedure for the acquisition of a building permit or a consent under Article 105 of this Act or for decommissioning, the authority competent for nuclear safety shall upon own motion issue the following decisions, addressed to the investor or the operator of a nuclear or radiation facility:
* a decision on the status of a nuclear, radiation or less important radiation facility before commencing the building, issued at the same time as issuing the opinion under Articles 97 or 98 of this Act or the consent under Article 105 of this Act;
* a decision on the cessation of the status of a nuclear or radiation facility after completing decommissioning in accordance with the procedures under this Act or after the closure of a disposal facility under Articles 103 and 106 of this Act, issued at the same time as issuing licences under points 4, 5, 6, 7, and 9 of the paragraph 1 of Article 109 of this Act;
* a decision on the cessation of the status of a less important radiation facility after ceasing to perform the radiation practice in accordance with this Act, issued at the same time as issuing a decision under Article 143 of this Act.
* a decision on the status of a closed disposal facility after its closure under Articles 103 and 106 of this Act, issued at the same time as issuing a decision on terminating the status of a nuclear or radiation facility under indent 2 of this Article.
1. For less important radiation facilities, intended for carrying out a radiation practice in health and veterinary care, the authority competent for radiation protection shall issue the decision under indents 1 and 3 of the preceding paragraph.

# Ensuring radiation and nuclear safety

**Article 87**

**(Prohibition and ensuring safety of a facility)**

1. A nuclear, radiation or a less important radiation facility may not be constructed, tested, operated or used in any other way nor may they permanently cease to operate, if opinions, consents or authorizations under this Act have not been issued.
2. The safety of a facility referred to in the preceding paragraph, including the safe management of radiation sources, radioactive waste or spent fuel which are found or produced in a facility, must be ensured by the operator of the facility or the user of a radiation source.

# Article 88(Authorized experts for radiation and nuclear safety)

1. Operators of radiation or nuclear facilities shall obtain an opinion from an authorized expert for radiation and nuclear safety on specific issues related to radiation and nuclear safety.
2. Authorized experts for radiation and nuclear safety are legal entities, who have obtained a licence from the authority competent for nuclear safety.
3. The licence referred to in the preceding paragraph shall be issued for an individual field of radiation and nuclear safety or for more fields of radiation and nuclear safety together for a maximum period of five years.
4. Authorized experts for radiation and nuclear safety shall annually report on their work to the authority competent for nuclear safety and more frequently upon the authority's request.
5. Notwithstanding provisions of the preceding paragraph, an authorized expert for radiation and nuclear safety shall report to the authority competent for nuclear safety immediately when detecting events or situations that could affect nuclear safety.
6. The authority competent for nuclear safety shall, upon own motion or upon the initiative of a competent inspector, withdraw the approval of an authorized expert for radiation and nuclear safety, if the authorized expert does not comply with the conditions based on which the approval was granted or if its work does unprofessionally.

# Article 89

**(Acquisition of an approval as an authorized expert for radiation and nuclear safety)**

1. Legal entities shall obtain an approval for carrying out the work of an authorized expert for radiation and nuclear safety, if they intend to obtain an approval for an individual field of nuclear and radiation safety and they nominate responsible experts and among them designate one of the specialists as the responsible head in the field of nuclear and radiation safety, and when they fulfilled the prescribed conditions for carrying out the work of an authorized expert.
2. The responsible expert for nuclear and radiation safety is an individual, who fulfils the following conditions:
* has completed at least level II master’s study programme in technical or sciences field or has the level of knowledge, which in accordance with the law complies with this level of knowledge; and
* has acquired at least seven years of work experience in the field of radiation and nuclear safety after completing the study.
1. The authorized expert shall have in place the management system, which shall comply with the type, field and scope of its work by inter alia applying the provisions of Article 93 of this Act.
2. The verification of compliance with the conditions for carrying out the work of an authorized expert for radiation and nuclear safety shall be ensured by the authority competent for nuclear safety.
3. The minister competent for the environment shall prescribe the verification programme on fulfilling the conditions under the preceding paragraph.
4. The provisions applying to acquisition of an approval shall inter alia apply to the procedures on extending the approval.
5. The minister competent for the environment shall determine in detail the records of authorized experts, the format and extent of reports, the form and the content of an expert opinion and other conditions that authorized experts for an individual field of radiation and nuclear safety must fulfil in relation to assessing radiation and nuclear safety.

# Article 90(Use of experiences gained during operational events)

1. The operator of a radiation or nuclear facility shall ensure that monitoring programmes on operating experience in radiation or nuclear facilities are carried out.
2. The findings of the programmes referred to in the preceding paragraph shall be considered by the operator of a radiation and nuclear facility while assessing, verifying and improving radiation and nuclear safety.
3. The minister competent for the environment shall determine the content of programmes, format and frequency of reporting on carrying out the programmes on the monitoring of operational experiences in radiation or nuclear facilities.

# Article 91(Provision of financial resources and guarantees)

1. The operator of a radiation or nuclear facility shall have, to carry out the prescribed measures for radiation and nuclear safety, including all the costs of managing radioactive waste and spent fuel which arise from the operation of the facility and the decommissioning, sufficient financial resources guaranteed throughout the operating period of a facility and until completing decommissioning and, if the facility is a disposal facility, its longer long-term control after its closure.
2. The financial resources referred to paragraph 1 of this Article shall be guaranteed by the current owner of the facility to the operator, up to the level of all the operational costs, costs for investment maintenance, including investment in technological renewal related to measures on radiation or nuclear safety.
3. The user of a high-activity radiation source shall have secured financial resources for the safe source management after their disused for situations where the user terminates its operation or becomes insolvent in the long term.
4. The operator referred to in the paragraph 1 of this Article shall, in the procedure for issuing the consent for the trial operation referred to in Article 108 of this Act, the issuance of a permit for the operation of a radiation or nuclear facility referred to in Article 109 of this Act and the confirmation of the report on occasional security inspection referred to in Article 114 of this Act, provide the proof of the guarantees for the financial resources needed to stop the operation and decommissioning of a radiation or nuclear facility for the purpose of bankruptcy or liquidation of the operator or the operator’s failure to implement radiation or nuclear safety measures.
5. The user referred to in the paragraph 3 of this Article shall, in the procedure for issuing an authorization to carry out a radiation practice, provide proof to the competent authority of the guarantees for the financial resources necessary for the safe handling with the high-activity radiation source, when it is no longer used because the user ceases to operate or becomes insolvent in the long term.
6. The operator referred to in the paragraph 1 of this Article shall provide the guarantees referred to in the paragraph 4 of this Article in the amount determined in the decommissioning programme of this radiation or nuclear facility.
7. The user referred to in the paragraph 3 of this Article shall provide the guarantees referred to in the paragraph 5 of this Article in the amount sufficient to cover the costs according to the valid pricelist of the services of the compulsory state commercial public service for the management of radioactive waste.
8. The operator referred to in the first paragraph or the user referred to in the third paragraph of this Article shall provide the guarantee for the financial resources referred to in the previous two paragraphs in the form of insurance, bank guarantee on first demand or other financial guarantees and maintained throughout the life of the facility or until the high-activity radiation source is not given to the operator of the compulsory state commercial public service for the management of radioactive waste, another holder of license for carrying out a radiation practice or returned to the manufacturer or supplier.
9. The insurer or other financial guarantor shall not suspend or cancel the insurance or other guarantees of financial resources referred to in the preceding paragraph without written notice at least three months in advance of the operator referred to in the first paragraph or user referred to in the third paragraph of this Article and the competent authority referred to in Article 18 of this Act.
10. The competent authority may exercise a guarantee of financial resources, if the subsidiary state action is necessary to cover the costs of halting operation of a radiation or nuclear facility and its eventual decommissioning or for the safety of radiation sources, if the user goes out of business or become insolvent in the long term:

- after the decision of the competent court to initiate the bankruptcy procedure of the operator or final user;

- after the finality of the decision, with which the authorization to use a radiation source under Article 140 of this Act or ordered to stop operation of the facility under Article 141 of this Act because the user or operator failed to implement measures for radiation and nuclear safety.

1. When the building sites or decommissioning of a nuclear facility is funded by the dedicated fund established by the law, the funds from the first paragraph of this Article shall be required to stop operation and decommissioning of the facility, provided in accordance with the regulations on the financing of the decommissioning of nuclear facility, building of disposal of radioactive waste, guarantees from the fourth paragraph of this Article are not required.
2. For operators referred to in the first paragraph and users referred to in the third paragraph of this Article the guarantees referred to in the paragraphs 5 and 6 of this Article are not needed for their non-commercial activities or activities that represent the public service or public authority.

# Article 92(Qualification of workers)

1. In all phases of a facility, from the placement, project designing, building, test operation and operation, cessation of operation and completion of decommissioning of the radiation or nuclear facility, the investor or later the operator shall ensure a sufficient number of workers with appropriate knowledge and skills, who are qualified and additionally trained for all the practices concerning radiation and nuclear safety regarding the phase of the facility. The operator shall ensure the appropriate attitude of workers to radiation and nuclear safety.
2. The work and the tasks involved in managing the technological process in the facility referred to in the preceding paragraph and the supervision of this process may be carried out by workers who fulfil the prescribed conditions regarding their professional qualifications, psycho-physical characteristics and non-addiction to alcohol, drugs or other psychoactive products.
3. The employer shall ensure the regular updating of professional knowledge of the workers referred to in the preceding paragraph and check their qualifications, psycho-physical characteristics and non-addiction to alcohol, drugs or other psychoactive products.
4. The operator of a radiation or nuclear facility shall, for each worker referred to in paragraph 2 of this Article, keep records on completed training, including assessments of professional qualifications achieved in relation to the requirements for an appropriate workplace. The operator shall keep these records for one year after the worker ceased to work for the operator.
5. For each nuclear or radiation facility, the authority competent for nuclear safety shall keep records of persons whose professional competence has been tested and who fulfil the conditions to carry out certain tasks and duties and have been granted a license and persons whose license has been withdrawn.
6. The competent authority shall keep records referred to in the preceding paragraph to ensure a sufficient number of workers with appropriate knowledge and skills who are trained and have educated for all the practices related to radiation and nuclear safety of the facility and for determining compliance with the prescribed conditions on education, professional qualification and health fitness for work of workers referred to in paragraph 1 of this Article.
7. The records of people referred to in paragraph 6 of this Article shall contain the following data:
8. name and surname;
9. date and place of birth;
10. number of the licence;
11. date of acquiring the first licence;
12. date of all subsequence extensions of the licence;
13. type of valid licence;
14. date of termination or any reason for withdrawing the licence,
15. health fitness for work,
16. required education,
17. professional qualification.
18. The information referred to in the preceding paragraph shall be kept while carrying out the work referred to in paragraph 1 of this Article and for further five years after the termination or withdrawal of the licence.
19. The worker demonstrates the fulfilling of the conditions for work and tasks referred to in paragraph 2 of this Article by holding the licence that was issued to him for these work and tasks by the authority competent for nuclear safety for maximum of five years.
20. The authority competent for nuclear safety shall appoint a special expert commission for the verification of compliance with the prescribed conditions for workers to perform work and tasks referred to in paragraph 2 of this Article.
21. For checking compliance with the prescribed conditions, the commission referred to in the previous paragraph may with the authority responsible for nuclear safety, obtain personal information referred to in paragraph 7 of this Article, wherein the further use of personal data, with which the members of the commission get to know, is not permitted.
22. The licence for performing the work and the tasks referred to in paragraph 2 of this Article shall be issued for a specified period of time based on the recommendation of the commission for the verification of fulfilling the conditions prescribed for successful completion of the verification of the worker with regard to conditions for performing work and tasks referred to in paragraph 2 of this Article.
23. The authority competent for nuclear safety shall withdraw the licence for performing work and tasks referred to in paragraph 2 of this Article, if commission for the verification of fulfilling the conditions, during regular or special verification upon the initiative of a competent inspector, discovers that the worker no longer complies with conditions based on which the licence was issued.
24. The minister competent for the environment, in agreement with the minister competent for health, shall determine work and tasks for which workers must fulfil the conditions specified in paragraph 2 of this Article, prescribe in detail the conditions regarding professional qualifications, psycho-physical characteristics and non-addiction to alcohol, drugs or other psychoactive products, the method for examining the fulfilment of these conditions, the frequency of regular verification reviews and the composition of the committee for examining the fulfilment of the prescribed conditions.

# Article 93(Management system)

1. An investor or an operator of a radiation or nuclear facility shall ensure that the facility is managed safely and in accordance with the provisions of this Act.
2. The investor or the operator of a radiation or nuclear facility shall establish, implement, assess and continually improve the management system which shall ensure appropriate compliance with the requirements on radiation and nuclear safety, nuclear protection, readiness for emergencies, health, environment, security of information systems and data, quality and efficiency, and assure that safety aspects are appropriately considered in all the activities of the operator of a radiation or nuclear facility.
3. The investor or the operator of the facility referred to in the preceding paragraph shall describe the management system in the documentation of the management system.
4. The investor or the operator of a radiation or nuclear facility shall ensure that relationships and behaviour of employees in its organisation lead to good safety and security culture. The safety culture and security culture must be included in the management system. Through self-assessment and regular reviews of the management system the operator shall check the appropriateness and efficiency of the safety culture and the security culture.
5. The investor or the operator of a radiation or nuclear facility shall, as part of its management system, set up controls of contactors of equipment and providers of works depending on their importance for radiation and nuclear safety. Verified and approved suppliers and providers shall be placed on the list of authorized suppliers.
6. The investor or the operator of a radiation or nuclear facility shall, as part of its management system, set-up controls and ensure that the works are performed by companies who had set up a management system and have qualified and experienced workers in the expert area of works concerned.
7. The investor or the operator of a radiation or nuclear facility shall, as part of its management system, set-up controls of contactors for ensuring that only the equipment which complies with standards, specifications or technical requirements, is entered or installed.
8. The minister competent for the environment shall determine in detail the requirements relating to the management system and the content and the form of the documentation of the management system.

# Article 94(Management system of the authority responsible for nuclear safety)

The provisions of the preceding paragraph on establishing, implementing, assessing and continuous improving of the management system shall inter alia apply also to the authority for nuclear safety.

# 4.3 Land interventions

**Article 95
(Placement of a nuclear facility)**

1. A comprehensive assessment of the effects on the environment and the assessment of the effects on the environment shall be necessary for siting of a nuclear facility.
2. For regional spatial plans, by which a nuclear facility is being planned, it shall be necessary to obtain the guidelines and the opinion of the authority competent for nuclear safety.
3. The authority competent for nuclear safety shall, in the procedure on preparing the guidelines for regional spatial plans referred to in the preceding paragraph, propose the content that shall be included in the environmental report in the part which refers to nuclear and radiation safety.
4. For national spatial plans, by which a nuclear facility is being planned, or in the joint procedure established by the law governing spatial planning, it shall be necessary to obtain the guidelines and the opinion of the authority competent for nuclear safety.
5. The authority competent for nuclear safety shall, in the procedure of preparing the guidelines referred to in the preceding paragraph, propose the scope and accuracy of the information that must be included in the environmental report in the part which refers to nuclear and radiation safety by determining the levels of permitted burden on the environment due to radiation.
6. The environmental report shall be evaluated in the part which refers to nuclear and radiation practice regarding:
* all the factors regarding the placement of the nuclear facility which could affect the nuclear and radiation safety of the facility during its operating period and decommissioning, and for the disposal facilities also the effects after the closure;
* the effects due to operation or decommissioning of the facility on the population and the environment and for disposal facilities also the effects after closure.
1. To obtain an opinion of the authority competent for nuclear safety, the proposal of the national spatial plan or a study variant and the environmental report shall, in addition to the content prescribed by the law governing spatial planning, shall contain an expert opinion on the acceptability of the intended building from the view of radiation and nuclear safety and on the relevance of reporting on the effects on the environment and on the public during its operating period and decommissioning and, in the case for a disposal facility, also after its closure.
2. To obtain an opinion of the authority competent for nuclear safety, on the proposal of the national spatial plan and environmental report in addition to the content provided by the law which governs spatial planning, an expert opinion on the acceptability of the planned building in terms of nuclear and radiation safety shall be added.
3. The authority competent for nuclear safety in the opinion referred to in the preceding paragraph shall also determine the project conditions in accordance with the regulations governing building.

# Article 96(Municipal spatial plans)

1. A draftsman of the municipal or the detailed municipal spatial plan, when planning, shall in accordance with the law governing spatial planning consider the area of limited use of land due to a nuclear facility where the use of land is limited and there are restrictions on the use of this land due to measures of radiation and nuclear safety of a nuclear facility.
2. For the municipal or the detailed municipal spatial plans which plan for interventions in the area of limited use of land due to measures of radiation and nuclear safety, guidelines and opinion of the authority competent for nuclear safety should be obtained in the adoption process.

# 4.4 Building and carrying out of mining work

**Article 97
(Opinion on buildings affecting nuclear safety)**

1. In the procedure for obtaining a building permit according to the law governing building, for buildings due to which radiation and nuclear safety measures must be carried out, or in a procedure for issuing the single consent under the law governing spatial planning, the investor or the authority competent for building shall obtain an opinion of the authority competent for nuclear safety.
2. The building under the preceding paragraph is:
* a building of a nuclear facility under the provisions of the Act regulating building of facilities;
* a building or change of use of a facility within the area of a nuclear facility;
* a building or change of use of a facility in the area of limited use of the nuclear facility which effects nuclear safety.
1. To obtain an opinion for building referred to in paragraph 1 of this Act under the integral procedure for issuing a building permit, as set out by the law governing building or in the procedure for issuing the single consent under the law governing spatial planning, the expert opinion of the authorized expert on radiation and nuclear safety referred to in paragraph 1 of Article 101 of this Act shall contain also the opinion on the acceptability of the intended building from the radiation and nuclear safety point of view and on the relevance of reporting on the effects on the environment and the population during its operating period and decommissioning, and for disposal facility also after its closure.
2. Where building of a new nuclear facility is concerned, the conditions, scope and content of the report on the environmental impact in part that relates to the radiation and nuclear safety, are prescribed by the authority competent for issuing the measures of radiation and nuclear safety on the proposal of the authority competent for nuclear safety.
3. Where building of a new nuclear facility is concerned, the authority competent for nuclear safety shall prescribe, in its opinion referred to in paragraph 1 of this Article, the scope of area of limited use of space because of carrying out measures on radiation and nuclear safety and due to limited use of space in such an area.
4. The Government shall determine the criteria for defining areas of limited use due to a nuclear facility, the criteria for prohibiting building in these areas and the types of facility that are allowed to be built in these areas and for which the opinion of the authority for nuclear safety shall be enclosed to the application for issuing the building permit.

# Article 98(Opinion on buildings affecting radiation safety)

1. In the procedure for obtaining a building permit due to which measures on radiation safety must be carried out, the investor or the authority competent for building shall obtain the opinion of the authority competent for nuclear safety except for less important radiation facility, which are intended for carrying out a radiation practice in health and veterinary care, in which case the opinion of the authority competent for radiation safety shall be enclosed.
2. The building referred to in the preceding paragraph is:
	* a building of a radiation facility under the provisions of the Act regulating building of facilities;
	* a building of less important radiation facility;
	* a building or change of use of a facility within the area of a radiation facility.

# Article 99(Project conditions for building affecting radiation and nuclear safety)

1. For the buildings under Articles 97, 98 and 105 of this Act, for which the authority competent for issuing an opinion under this Act has not delivered the opinion and the project conditions referred to in Article 95 of this Act, the project conditions shall be obtained by the investor.
2. The authority competent for nuclear safety or the authority competent for radiation protection shall issue project conditions referred to in paragraph 1 of this Article within 60 days, except for building under indent 3 of paragraph 2 of Article 97 of this Act for which the project conditions must be issued within 30 days.

# Article 100(Project basis for radiation or nuclear facility)

1. The investor, planning to build a new radiation or nuclear facility shall prepare project basis for it as part of:
* environmental report in the proceedings for the preparation of the national spatial plan referred to in Article 95 of this Act;
* report on the effects on the environment in the proceedings for obtaining an opinion on nuclear and radiation safety referred to in Articles 97 and 98 of this Act; or
* safety report in all later proceedings referred to in Article 101 of this Act.
1. Project basis shall ensure preventative and, if these fail, protective measures against consequences that could arise due to transient phenomenon and project accidents. Project solutions and measures shall ensure that the dose of radiation which the population in the vicinity of the facility and the employees in the facility could receive does not exceed the prescribed values or are as low as possible.
2. To prevent discharge of radioactive substances and to provide protection against it, it shall be necessary to implement the principles of defence in depth where the project shall have a selection of physical barriers and safety measures which shall contribute to effectively limiting the dissemination of radioactive substances from the facility.
3. The minister competent for the environment shall prescribe in detail the conditions to be fulfilled by project basis of a radiation or nuclear facility, the method for its preparation and education.

# Article 101 (Safety report)

1. The investor planning to build a new radiation or nuclear facility or to carry out mining works shall submit project documentation, the safety report and the opinion of authorized radiation and nuclear safety expert on radiation and nuclear safety of the facility based on all the enclosed documents to its application for obtaining the opinion referred to in Articles 97 or 98 of this Act or the consent referred to in Article 105 of this Act.
2. A safety report for a facility being constructed must indicate:
3. the project basis and fundamental security solutions;
4. the location of the facility, including an analysis of the location of radiation or nuclear safety;
5. the technical characteristics of the facility, including a description of radioactive substances or nuclear materials and other radiation sources;
6. the essential elements of radiation protection set out in the radiation protection assessment;
7. the assessment of the exposure by the population and the environment;
8. the organisation of work, including programmes on professional training and organisation of radiation safety;
9. the management of radioactive waste and spent fuel;
10. the physical protection of the facility;
11. the protection and rescue plan of the facility in accordance with the regulations on the protection against natural and other accidents, or the instruction for emergency response of the facility in the case of a facility for which, pursuant to the regulations on the protection against natural and other accidents, it is not necessary to draw up a plan of protection and rescuing of a facility;
12. the test operation programme where involving building of the facility;
13. the safety analysis, operational conditions and limitations on safe operation during the period of test operation and during regular operation;
14. the management system;
15. the planned discharges of radioactive substances into the environment;
16. the programme of meteorological measurements and pre-operating and operating monitoring of radioactivity;
17. the planned decommissioning of a facility;
18. the description of the facility and the long-term surveillance plan after closure where involving disposal facilities.
19. A person, intending to build a facility, shall ensure the safety report is supplemented when, during the building of the facility or after test operation, there are changes to situations to which the safety report applies.
20. The authority competent for nuclear safety shall authorize the safety report and the documentation under paragraph 1 of this Article in the proceedings for issuing an opinion referred to in Articles 97 or 98 of this Act or a consent referred to in Article 105 of this Act.
21. If the application referred to in paragraph 1 of this Article refers to building or other works on an existing radiation or nuclear facility, its rebuilding, renovation or extension, the operator shall enclose project documentation and a proposal of changes to the safety report to the application for obtaining an opinion for building. In such case the building shall be regarded as changes under Article 116 of this Act and the operator shall obtain prior to its introduction the safety assessment for it and any approval of the authority competent for nuclear safety.
22. The minister competent for the environment shall prescribe in detail the content of the safety report and of the documentation referred in paragraphs 1 and 5 of this Article which is approved by the authority competent for nuclear safety and the content of other documentation that must be only enclosed to the application.

# Article 102(Physical protection plan)

An investor shall attach the physical protection plan described in Article 145 of this Act to the safety report referred to in the preceding Article, as a separate and secret document in accordance with the regulations on secrecy of the information.

# Article 103(Disposal of radioactive waste)

1. Safety analysis of disposal facilities assesses all possible risks arising from radioactive waste and the exposure of workers and the population during its operation and after its closure, during its maintenance and performance of long-term surveillance and the maintenance of the closed disposal facility.
2. The plan of long-term surveillance and maintenance of the disposal facility after its closure shall show:
* for a disposal facility, the extent and content of post-operational monitoring of radioactivity under Article 158 of this Act, and the monitoring of natural phenomena affecting the long-term stability of the disposal facility, and the functioning of individual parts of the disposal facility;
* the criteria based on which decisions for carrying out of maintenance work at the disposal facility are made depending on the results of the operational monitoring referred to in the preceding indent and on inspection control.
1. The authority competent for nuclear safety shall approve the plan of long-term supervision of a disposal facility in the procedure for issuing the opinion to the building referred to in Article 97 and the licence for the closure of the disposal facility referred to in Article 109 of this Act.

# Article 104(Other regulations and guidelines)

1. The minister competent for the environment and the minister competent for health, alone or in an agreement with other competent ministers, if the content of the regulation also applies to their work area, shall define project principles, the method of preparing project basis, the rules of conduct, technical requirements and other forms of mandatory conduct relating to radiation and nuclear safety for radiation or nuclear facilities and for other less important radiation facilities.
2. The authority competent for nuclear safety and the authority competent for radiation protection, together or individually, shall publish non-binding instructions, recommendations or practical guidelines relating to nuclear safety and radiation protection on a website or in another appropriate manner.

# Article 105 (Consent for mining works)

1. Prior to obtaining a licence under the law governing mining, for extracting or ceasing to extract nuclear mineral raw materials and the related building, the investor shall obtain a consent from the authority competent for nuclear safety.
2. The application to obtain the consent referred to in the preceding paragraph shall have enclosed to it, in particular:
* the documentation laid down by regulations governing mining;
* the safety report referred to in Article 101 of this Act which shall demonstrate that the planning of mining works considered the regulations governing radiation protection;
* if it concerns a disposal facility for mining or hydro-metallurgical tailings, and the plan for long-term surveillance of the disposal facility for mining or hydro-metallurgical tailings.
* an opinion from an authorized expert for radiation and nuclear safety on radiation and nuclear safety of the facility.

# Article 106(Disposal facility for mining and hydro-metallurgical tailings)

1. To the application for an approval for the building of a disposal facility of mining or hydro-metallurgical tailings, generated in the extraction of nuclear mineral raw materials, in addition to the project documentation and safety analyses report referred to paragraph 2 of the preceding Article, the investor shall attach the certified document on the free transfer of ownership of the land on which the disposal facility is situated, into the ownership of the state, and plan of the transfer.
2. The safety report on the disposal facility of mining or hydro-metallurgical tailings shall assess all possible risks due to the disposed radioactive substances, as well as the exposure of the population and the exposure of exposed workers working at the disposal facility during its operation and after its closure.
3. The plan of long-term supervision of the disposal facility of mining or hydro- metallurgical tailings shall show:
* the extent and content of the operational monitoring of radioactivity at the disposal facility, the monitoring of natural phenomena affecting the long-term stability of the disposal facility, and the functioning of individual parts of the disposal facility;
* the criteria based on which decisions on carrying out of maintenance work at the disposal facility are made depending on the results of the operational monitoring referred to in the preceding indent and on inspection control.
1. The authority competent for nuclear safety shall approve a plan of long-term supervision of the disposal facility of mining or hydro-metallurgical tailings during the procedure for issuing a consent referred to in Article 105 of this Act and in the procedure for issuing a licence for the closure of the disposal facility mining or hydro-metallurgical tailings referred to in Article 109 of this Act.
2. The authority competent for nuclear safety shall define in detail the content of the safety report and the content of the plan of long-term supervision of the disposal facility in the procedure for issuing the consent referred to in Article 105 of this Act.

# Article 107(Issuing opinions or consents)

1. Opinions referred to in Articles 97 or 98 or consents referred to in Article 105 of this Act shall be issued within 90 days after the receipt of a complete application except for buildings referred to the third indent in paragraph 2 of Article 97 of this Act shall be issued within 30 days.
2. In case of an opinion on the building of a facility, the opinion shall define the conditions of test operation, its method and duration.
3. In case of constructing a new nuclear power plant or a disposal facility for radioactive waste, the opinion referred to in paragraph 1 of this Article shall be given within 24 months.
4. The authority competent for nuclear safety may, even before the application under the preceding paragraph is complete, approve the application of the investor of a nuclear power plant or a disposal facility for radioactive waste for:
* the allocation of contents required for demonstrating compliance with conditions for obtaining the opinion referred to in paragraph 1 of this Article for content completed thematic sections;
* the allocation of the scope of documentation in a particular thematic section;
* the allocation of time limits for delivering documentations and opinions of authorized experts for issuing preliminary opinions on individual thematic sections; and
* the determination of time limits for issuing preliminary opinions on individual thematic sections and for issuing the final opinion.
1. The authority competent for nuclear safety may on the request of the investor extend the time limits set out in the third and fourth indents of the preceding paragraph.
2. In cases under the paragraph 4 of this Article, positive preliminary opinions are a condition for the final opinion referred to in Articles 97 and 98 of this Act. When preparing the final opinion, the authority competent for nuclear safety shall assess mutual compliance of individual thematic sections for which preliminary opinions were already issued and comprehensively assess compliance with all the conditions to ensure nuclear and radiation safety of a facility.
3. An opinion or a consent shall cease to apply, if within 3 years after the day on which the opinion or the consent became final the building, or the decommissioning of a facility referred to in Articles 97 and 98 of this Act or the mining work referred to in Article 105 of this Act had not commenced.
4. An opinion or a consent may be extended following an application submitted by its holder for a maximum of 24 months, if all the conditions necessary for its issue are fulfilled.

# 4.5 Test operation of radiation and nuclear facilities Article 108

**(Test operation of radiation and nuclear facilities)**

1. After the building work is completed, every radiation or nuclear facility shall first undergo a period of test operation.
2. Prior to commencing test operation of a radiation or nuclear facility it shall be necessary to obtain a consent from the authority competent for nuclear safety.
3. A safety report, supplemented in accordance with changes during the building, an opinion from an authorized radiation and nuclear safety expert on radiation and nuclear safety of a facility, and other prescribed documentation shall be enclosed to the application for a consent to commence test operation.
4. The authority competent for nuclear safety shall approve the safety report and the documentation referred to in the preceding paragraph during the procedure for issuing the consent to commence test operation.
5. The minister competent for the environment shall prescribe in detail the content of the application for the consent to commence test operation and the content of the documentation referred to in paragraph 3 of this Article.
6. The ministry competent for building shall approve test operation for a fixed period, which may not exceed two years.
7. The consent for test operation may be extended upon an application submitted by the holder of the approval, for maximum of 6 months, if all the conditions laid down for issuing the consent are fulfilled after the consent had expired.
8. There shall be no right of appeal against a rejection or acceptance of a consent to commence test operation.

# 4.6 Operation of radiation and nuclear facilities Article 109

**(Licence for operation, decommissioning, disposal and closure of a disposal facility)**

1. An investor or operator of the facility, who intends to:
2. commence or cease operating a nuclear facility;
3. commence or cease operating a radiation facility;
4. commence the disposal for radioactive waste in the disposal facility for radioactive waste;
5. close a disposal facility for radioactive waste;
6. commence or complete the decommissioning of a nuclear facility;
7. commence or complete the decommissioning of a radiation facility;
8. complete mining work to cease the extraction of nuclear mineral raw materials;
9. commence disposal of mining or hydro-metallurgical tailings, generated in the extraction of nuclear raw materials;
10. close a disposal facility of mining or hydro-metallurgical tailings, generated in the extraction of nuclear raw materials;
11. store fresh fuel on-site of a nuclear power plant or research reactor; shall obtain a licence from the authority competent for nuclear safety.
12. The licence for operating a facility or for completing the decommissioning of a facility, the disposal or closure referred to in the preceding paragraph shall be issued:
13. after acquiring an operating permit, issued in accordance with the regulations governing building of buildings if commencing operation under points 1 and 2 or commencing the disposal under points 3 and 8 of the preceding paragraph;
14. after complying with all the conditions for ceasing to operate a facility or a disposal facility if ceasing the operation under points 1 and 2 or closing a disposal facility under point 4 of the preceding paragraph;
15. after fulfilling all the conditions for the decommissioning of a facility if decommissioning a facility under points 5 and 6 of the preceding paragraph;
16. after the fulfilment of all the conditions for the cessation of mining work if ceasing mining works under point 7 of the preceding paragraph or closing a disposal facility under point 9 of the preceding paragraph;
17. after acquiring an operating permit for a facility for the storage of fresh fuel which is issued in accordance with regulations on constructing buildings if storing fresh fuel under point 10 of the preceding paragraph.
18. The conditions of the preceding paragraph shall be determined by the authority competent for nuclear safety in opinions referred to in Articles 97 and 98 of this Act or consents referred to in Articles 105 of 106 of this Act.
19. For a radiation and nuclear facility, it shall be regarded that, by obtaining an opinion or a consent referred to in the preceding Article or a licence under this Article, the instruction setting out the details for use, operation and maintenance of the facility has been drawn up in accordance with regulations governing the building of buildings.
20. After ceasing to perform mining works in the building of facilities which are regarded as nuclear facilities, the licence referred to in paragraph 1 of this Article is a condition for obtaining a decision on the termination of rights and obligations under the law governing mining.

# Article 110(Application for a licence)

1. A safety analysis report, an opinion from an authorized expert for radiation and nuclear safety on radiation or nuclear safety of a facility, and other prescribed documentation referred to paragraph 5 of this Article shall be attached to the application for a licence referred to in the preceding Article.
2. In case of decommissioning of a facility, the content of the safety report shall relate to the decommissioning of the facility and measures related to radiation and nuclear safety.
3. The safety report shall be supplemented according to changes during test operation and during building or decommissioning of a facility or while carrying out mining works if involving exploitation or ceasing to exploit nuclear mineral raw materials.
4. The licence shall be issued by the authority competent for nuclear safety within 90 days of receiving a completed application after the administration has concluded from the submitted reports, plans and other prescribed documentation and from the information on the trial operation that all the conditions for radiation and nuclear safety have been fulfilled.
5. The minister competent for the environment shall prescribe in detail the content of the application for acquiring the licence and of the documentation referred to in paragraph 1 this Article which is, in the procedure for issuing the licence, approved by the authority competent for nuclear safety, as well as prescribe the content of other documentation that must be only enclosed to the application, depending on risks for a particular group of facilities.

# Article 111(Operation of a facility)

1. An operator of a radiation or nuclear facility shall ensure that during the operational life of a facility:
2. it operates, or test operates in accordance with the approved operational conditions and limits;
3. it uses written procedures for operation, test operation, cessation of operation or decommissioning of a facility, which should cover all states of a facility foreseen in the safety report;
4. it monitors its own and foreign operating experiences and applies these in the planning and implementation of safety improvements;
5. it monitors its own operating indicators that show the safety and the operation of a facility and uses these for improving safety operation;
6. monitors the aging process of equipment and implements measures to reduce or eliminate the effects of these processes;
7. maintains, examines and tests system and component facilities and ensures their availability, reliability and possibility to fulfil their functions;
8. regularly supplements the safety report by including all changes of the facility;
9. if the facility is a nuclear power plant, after every completion of maintenance works when changing the fuel, it obtains an opinion of an authorized radiation and nuclear safety expert referred to in Article 88 of this Act on radiation safety during and after these works;
10. has drawn-up and applied the optimisation plan on radiation safety which is regularly examined and updated;
11. in a radiation or nuclear facility, it provides control regarding suppliers of equipment and regarding contractual providers in accordance with the provisions of Article 93 of this Act where equipment is entered or installed;
12. it uses safety analysis for verifying safety of the facility;
13. has drawn-up and when necessary carries out the protection and rescue plan or the instructions to act in an emergency which are harmonised and drawn-up in cooperation with other authorities and organisations competent for taking action in event of a nuclear or radiological disaster;
14. provide training and further training of employees and outside workers in a radiation or nuclear facility;
15. handles radioactive waste in the way to produce as little radioactive waste as feasible and minimise its discharge into the environment by the practice and the scope and that it is processed and stored in a way, suitable for disposal and compliant with the national management programme for radioactive waste and spent fuel;
16. provide operational monitoring of radioactivity in the vicinity of a radiation or nuclear facility.
17. The minister competent for the environment shall prescribe in detail the requirements for operation and trial operation of a nuclear or radiation facility, the use of written procedures, the monitoring of operational experience, the monitoring of operating indicators, the monitoring of aging process and implementation of measures to reduce or eliminate the effects of these processes, the maintenance, review and testing of facility’s systems and components, the updating of the safety report, the entry or installation of equipment, the control over suppliers of equipment, providers of works and contractors, the quality and method of applying safety analysis, the provision of training and further training of employees and outside workers in a facility, the management of radioactive waste and the provision of operational monitoring of radioactivity in the vicinity of a radiation or nuclear facility.
18. The requirements for drawing up the protection and rescue plans for nuclear and radiation facilities shall be defined in detail by the regulations regulating the content and the making of protection and rescue plans.

# Article 112(Periodic safety review)

1. An operator of a radiation or nuclear facility shall ensure regular, full and systematic assessment and verification of the radiation or nuclear safety of a facility by means of a periodic safety review.
2. The periodic safety review of a radiation or nuclear facility shall also include the review of the radiation protection assessment referred to in Article 41 of this Act.
3. An operator of a facility shall, no later than 40 months before the expiry of the operating license, submit the content, scope and timetable of the periodic safety review to the authority competent for nuclear safety for approval.
4. During a periodic safety review the operator of a facility shall report to the authority competent for nuclear safety on the progress and performance of the review.
5. The minister competent for the environment shall determine the frequency, the criteria for the content, scope and duration, the method of carrying out periodic safety reviews and the manner of reporting such reviews.

# Article 113(Extraordinary safety review and extraordinary measures)

1. The regulation referred to in paragraph 5 of the preceding Article shall prescribe also cases where the authority competent for nuclear safety shall order a extraordinary safety review to be conducted or measures for improving radiation and nuclear safety when it has new and important evidence on radiation or nuclear safety of the facility.
2. The authority competent for nuclear safety shall, in the decision by which it orders the extraordinary safety review or measures referred to in the preceding paragraph, determine the content, scope and time limit for their implementation and the method of reporting. It shall assess the effect on radiation or nuclear safety and at the same time, it may order temporary change in the operating licence for the radiation or nuclear facility.
3. There shall be no right of appeal against the decision on the extraordinary safety review referred to in the preceding paragraph.

# Article 114(Report on periodic or extraordinary safety review)

1. An operator of a facility shall draw-up a report on a periodic safety review referred to in Article 112 of this Act and hand it to the authority competent for nuclear safety for its approval.
2. When it follows from the report referred to in the preceding paragraph that it shall be necessary to implement changes with a view to improve radiation or nuclear safety, the operator of a facility shall draw-up a proposal for these changes and act as set out in Articles 116 and 117 of this Act.
3. The operator of a facility shall also attach an opinion of an authorized radiation and nuclear safety expert on implementation and on the results of periodic safety review, and on the impact of the proposed measures on radiation and nuclear safety of the facility to the application for conforming the report referred in the paragraph 1 of this Article.
4. The authority competent for nuclear safety shall approve the report referred to in paragraph 1 of this Article within 60 days from the day of receiving a completed application.
5. The operator of a facility shall, within 5 years after the decision referred to in the preceding paragraph of this Article became final, implement the changes referred to in paragraph 2 of this Article.
6. The authority competent for nuclear safety may, on a proposal of the operator of a facility, exceptionally extend the deadline referred to in the preceding paragraph of this Article for individual changes for up to 3 years.
7. The approved report on the periodic safety review shall be the condition for renewing the licence for operating a facility referred to in Article 109 of this Act.

# Article 115(Extended design bases of a nuclear facility)

1. An investor or an operator of a nuclear facility shall, together with the preparation of project basis referred to in Article 100 of this Act and upon new knowledge on radiation or nuclear safety of the facility, changes of location conditions or for other reasons showing the probability of improving already attained safety levels of the facility, determined extended design basis for the facility.
2. The extended design basis under the preceding paragraph shall be prepared based on expert assessment and deterministic or probabilistic methods where the realistic assumptions may be used.
3. The extended design bases under paragraph 1 of this Article shall provide support to the facility to the effect that the probability for important discharges of radioactive substances into the environment in an emergency, as assumed for the extended design bases, internal or external danger, is relatively low.
4. The extended design bases of a facility shall, as part of the safety report on the facility, be systematically determined and documented.
5. The minister competent for the environment shall determine the scope, methodology of preparation and other conditions concerning the extended design bases of a nuclear facility.

# Article 116(Approving changes)

1. An operator of a facility shall, for any intended change in relation to the facility or the method of its management or operation, including maintenance works, inspection, testing or the introduction of a technical, organisational or any other change relating to these tasks (hereinafter: change), which affect or could indirectly affect the content of the safety analysis report, asses its significance for radiation or nuclear safety while applying safety analysis.
2. Changes in the preceding paragraph may be temporary or permanent.
3. In terms of their importance on radiation or nuclear safety, the changes:
* are such that the authority competent for nuclear safety must only be informed;
* need to be reported to the authority competent for nuclear safety, where the implementation was notified;
* are important for radiation or nuclear safety and for the implementation of which a confirmation from the authority competent for nuclear safety must be obtained.
1. The operator shall attach to the proposal for changes referred to in the third indent of the preceding paragraph to the safety analysis report, the evaluation referred to in paragraph 1 of this Article and an expert opinion from an authorized radiation and nuclear safety expert about the impact of changes on radiation and nuclear safety of the facility.
2. The operator of the facility shall attach the evaluation referred to in paragraph 1 of this Article and a proposal of any changes to the safety report to the proposal of changes referred to in the second indent of paragraph 2 of this Article. The operator of the facility may start to introduce the recommended changes referred to in the second indent of paragraph 2 of this Article after the authority competent for nuclear safety, based on the evaluation referred to in paragraph 1 of this Article, has confirmed in writing that it shall not be necessary to obtain approval for the changes.
3. If the operator of a facility has introduced changes based on the notification of the proposal of changes referred to in the first indent of paragraph 3 of this Article, it shall notify the authority competent for nuclear safety of the changes implemented no later than within 12 months after their implementation.
4. The operator of a facility shall send to the authority competent for nuclear safety also the amendment of the safety report no later than within 12 months after completing works.
5. The minister competent for the environment shall determine the methodology for the assessment and classification of changes, the method and form of reporting, the notification or the application for the approval of these changes, the request for determining, marking and examining temporary changes, the request concerning the use of safety analysis and the request concerning the method of implementing the changes.

# Article 117(Approving important changes)

1. If the evidence presented shows that conditions for radiation or nuclear safety are fulfilled, the authority competent for nuclear safety shall approve the proposal of changes referred to in the third indent of paragraph 3 of the preceding Article within 90 days of receiving the completed application by means of a decision by which it shall order the drawing up of the changes to the safety report and, if necessary, the method, scope and time limits for introducing the changes in the safety report.
2. The operator of the facility shall start to introduce the changes referred to in the preceding paragraph when the authority competent for nuclear safety approves the changes to the safety report.
3. In the application for the approval of changes, the operator may ask to carry out individual works as the preparation for introducing the changes before the proposal of the changes referred to in paragraph 1 of this Article is approved. For these works, the operator must prepare the assessment referred to in paragraph 1 of the preceding Article which shall be submitted together with the application for approval of the changes. If the evidence presented shows that execution of the works does not change the conditions and descriptions of the safety report and that radiation and nuclear safety would not be jeopardised either during such works or in the event of a potential refusal of the proposed changes, the authority competent for nuclear safety shall approve such works by means of a temporary decision before obtaining an expert opinion from the authorized expert referred to in paragraph 4 of the preceding Article.
4. If, after the approval of change referred to in paragraph 1 of this Article, new circumstances arise due to which the introduction of this change would be inappropriate or would have a negative impact on radiation or nuclear safety, the authority competent for nuclear safety may withdraw the approval of this change.
5. There shall be no right of appeal against a decision rejecting or approving proposed changes, which are significant for radiation or nuclear safety.

# Article 118(Temporary exceedance of operating conditions and limitations)

1. An operator of a facility may request for the approval for a temporary exceedance of the operating conditions and limits referred to in point 1 of paragraph 1 of Article 111 of this Act if the health or safety of the population or the staff in the facility would be threatened otherwise.
2. The authority competent for nuclear safety must examine the application referred to in the preceding paragraph immediately and decide on it within the shortest time possible, stipulating the shortest possible time of validity for the potential approval for exceedance of the operating conditions or limits.
3. The minister competent for the environment shall prescribe in detail the requirements concerning the circumstances referred to in paragraph 1 of this Article, in which the operator of a facility may request for the temporary exceeding of operating conditions and limits and the form of the application referred to in paragraph 1 of this Article.

# Article 119(Special review of safety report)

1. An operator of a radiation or nuclear facility shall assess and verify the safety of the facility and ensure a review of the safety report’s compliance with the conclusions of the safety evaluation and verification:
* directly after an emergency at the facility and
* after completing rehabilitation works to remedy the consequences of an emergency.
1. The safety assessment and verification referred to in the preceding paragraph must contain a description of the fundamental causes of the emergency, together with a proposal for remedying them or remedying their consequences.
2. If the safety assessment and verification indicate that changes need to be implemented to improve radiation or nuclear safety, the operator must draw up a proposal for the changes and amendments to the safety report and proceed in the manner set out in Articles 116 and 117 of this Act.
3. The operator of the facility shall report to the authority competent for nuclear safety on the results of the safety evaluation and verification. The consent of the authority competent for nuclear safety on this report is a prerequisite for resumption of the operation of the radiation or nuclear facility.
4. The minister competent for the environment shall define in detail the methodology for the safety evaluation and verification referred to in paragraph 1 of this Article.

# Article 120(Reporting on the operation of facilities)

1. An operator of a radiation or nuclear facility shall regularly report to the authority competent for nuclear safety on the operation of the facility.
2. Notwithstanding the provisions in the preceding Article, the operator of a facility shall specially report to the authority competent for nuclear safety on:
* equipment faults which could cause an emergency, emergencies and measures taken for removing the consequences of faults or emergency;
* mistakes made by workers while handling or operating the facility which could cause an emergency;
* departure from operating conditions and limits;
* all other events or operating circumstances which significantly affect the radiation or nuclear safety of the facility.
1. The minister competent for the environment shall define for each type of nuclear or radiation facility the content, extent and frequency of regular reporting, as well as the content and extent of special reporting referred to in the preceding paragraph, and the time limits for this reporting.

# 4.7 Management of radioactive waste and spent fuelArticle 121

**(Management of radioactive waste and spent fuel)**

1. The holder of radioactive waste and spent fuel shall ensure that:
* radioactive waste and spent fuel are managed in the prescribed manner;
* the provisions of the national programme of radioactive waste and spent fuel referred to in Article 124 of this Act are applied;
* to the maximum extent possible, it voids transferring the burden of managing radioactive waste and spent fuel onto future generations.
1. The polluter of radioactive waste or spent fuel shall, through appropriate building measures, operation and decommissioning, including processing and reuse of substances, ensure that radioactive waste it generated kept to the minimum which is reasonably practicable in terms of its activity and volume.
2. The polluter of radioactive waste or spent fuel shall ensure for safe management of spent fuel and radioactive waste. Long-term management shall be provided also through passive safety features.
3. At all levels of managing radioactive waste or spent fuel, it shall be necessary to apply an evidence-based and documented decision-making process.
4. The polluter of radioactive waste or spent fuel shall deliver radioactive waste and spent fuel for further treatment to the provider of commercial public service of radioactive waste management except radioactive waste for which clearance is planned.
5. Notwithstanding the obligation under the preceding paragraph, radioactive waste and spent fuel may be stored and processed for a definite time by the operator of a nuclear facility that produced the waste if it had obtained a licence for this activity from the authority competent for nuclear safety.
6. Notwithstanding the provision in paragraph 5 of this Article the inspector for nuclear safety can order a temporary storage of radioactive waste in a suitable place, if the provider of commercial public service of radioactive waste management cannot immediately take radioactive waste (for example due to industrial accidents or accidents during the transport of radioactive substances).
7. The provider of commercial public service of radioactive waste management can put into reuse or recover radiation source, which is stored in the central repository of radioactive waste as radioactive waste, to the licence holder for carrying out a radiation practice. At the handover to the new holder such source is no longer regarded as radioactive waste.
8. The costs for managing radioactive waste and spent fuel shall be paid by the polluter or its owner, who has taken over such costs from the polluter.
9. If the polluter of radioactive waste or spent fuel is not known, the responsibility and the costs for managing radioactive waste or spent fuel are taken over by the State.
10. The authority competent for nuclear safety shall keep central records of radioactive waste and spent fuel generated in the Republic of Slovenia.
11. The holder of radioactive waste and spent fuel shall send the information on the generation of radioactive waste and spent fuel to the central records of radioactive waste and spent fuel.
12. The minister competent for the environment shall classify radioactive waste regarding the level and type of radioactivity, determine the management of radioactive waste and spent fuel, the extent of reporting on the generation of radioactive waste and spent fuel, the method and the extent of keeping the central records on the generation of radioactive waste and spent fuel, and the records on stored and disposed radioactive waste and spent fuel.

# Article 122(Commercial public service of radioactive waste management)

1. To ensure conditions for the implementation of organizational and physical activities which are carried out during saving, handling, reprocessing, storage and disposal of radioactive waste to avoid the uncontrolled spread of radioactivity in the environment and to protect human life and people’s health, the commercial public service of radioactive waste management is determined.
2. The conditions for the implementation of organizational and physical activities which are carried out during saving, handling, processing, storage and disposal of radioactive waste and spent fuel are provided by the State.
3. The commercial public service of radioactive waste management under this Act shall contain:
4. accepting, collecting, transporting, reprocessing and storing before the disposal, the preparations for building a disposal facility, the building of the disposal facility and the disposal of radioactive waste which are not waste from nuclear facilities for energy production;
5. reprocessing of radioactive waste and spent fuel before the disposal, the preparations for building a disposal facility, the building of the disposal facility and the disposal of radioactive waste from nuclear facilities for energy production;
6. operation of the disposal facility for radioactive waste;
7. management, long term control and maintenance of the disposal facility for radioactive waste;
8. management, long term control and maintenance of the disposal facility for mining and hydro-metallurgical tailings generated from the extraction and exploitation of nuclear mineral raw materials.
9. An integral part of the activities referred to in the preceding paragraph is also a concern for the development of the profession in the field of radioactive waste and spent fuel management and the transfer of knowledge from the international environment to the Republic of Slovenia.
10. The method and conditions for implementing the commercial public service of radioactive waste management are prescribed by the Government.
11. The regulation referred to in the preceding paragraph shall also determine:
12. the organizational form of commercial public service of radioactive waste management;
13. the financial resources and the way in which they are designed and the methodology for the creation of financial resources;
14. the lists of objects referred to in Article 125 of this Act, which are managed by the provider of the commercial public service of radioactive waste management under this Act;
15. the criteria for the information of the costs for services;
16. other content relevant for the implementation of organizational and physical activities carried out in the saving, handling, reprocessing, storage and disposal of radioactive waste.
17. The costs for the provision of commercial public service shall be prescribed by the Government based on the prescribed criteria.
18. In the cases referred to in paragraph 10 of the preceding Article, the costs for managing radioactive waste shall be covered by the provider of the commercial public service of radioactive waste management.
19. The services of the commercial public service referred to in point 2 paragraph 3 of this Article shall be financed from the resources of the dedicated fund, established in accordance with the law governing the financing of decommissioning of the Nuclear Power Plant Krško and for the disposal of radioactive waste of the Nuclear Power Plant Krško (hereinafter: NE Krško). From the same fund are financed also the costs referred to in point 3 paragraph 3 of this Article according to the proportion of radioactive waste from nuclear facilities for energy production.
20. The operator of the nuclear facility may store and process radioactive waste and spent fuel for the needs of the provider of the commercial public service of radioactive waste management if it had obtained a licence for this activity from the authority competent for nuclear safety.
21. The Government shall prescribe:
22. founder and the head office;
23. rights of the founder;
24. name;
25. purpose of the establishment;
26. duties;
27. period for which it is established;
28. liability for obligations;
29. internal organization and operations;
30. organs, number, method of election and mandate period;
31. powers and responsibilities of the bodies;
32. method of appointment;
33. protection of trade secrets;
34. powers of attorney;
35. restrictions of the manger in the management and use of funds;
36. reporting obligations;
37. revision of the annual report and auditor choice;
38. internal control and internal auditor choice;
39. contents of the statue, its preparation and the process of validation;
40. other important issues relating to the organization and operations.
41. The supervision over the performance of the provider of the commercial public service is performed by the ministry competent for energy.

# Article 123(Management, long term control and maintenance of closed disposal facilities)

1. The provider of the commercial public service of radioactive waste management referred to in the preceding Article shall commence the management, long term control and maintenance of a closed disposal facility for radioactive waste on the day the permit on the closure of the disposal facility referred to in point 4 of paragraph 1 of Article 109 of this Act is final, the management, long term control and maintenance of a closed disposal facility for mining and hydro-metallurgical tailings, on the day the decision on the termination of rights and obligations under the law governing mining is final.
2. The provider of the commercial public service of radioactive waste management shall perform the management, long term control and maintenance of a closed disposal facility in accordance with the conditions set out in the safety report for the closed disposal facility.
3. The safety report referred to in the preceding paragraph shall be amended by inter alia applying the provisions of Article 116 of this Act.
4. If the provider of the commercial public service of radioactive waste management did not manage the disposal facility referred to in paragraph 1 of this Article before its closure, it shall participate in the procedure for issuing the permit for the closure of the disposal facility referred to in points 4 and 9 of paragraph 1 of Article 109 of this Act as the third-party participant.

# Article 124(National management programme for radioactive waste and spent fuel)

1. The national management programme for radioactive waste and spent fuel under this Act shall be prepared by the ministry competent for the environment, in cooperation with the ministry competent for energy, and it shall be adopted by the National Assembly of the Republic of Slovenia (hereinafter: National Assembly) upon the Government’s proposal.
2. The national management programme for radioactive waste and spent fuel shall be adopted for a period of 10 years.
3. The national management programme for radioactive waste and spent fuel shall at minimum contain:
* the policy on the management of radioactive waste or spent fuel and the significant milestones;
* the location, quantities and classification of spent fuel and radioactive waste, and the assessment of future quantities, including those from decommissioning;
* the plans and technical solutions for the management of radioactive waste and spent fuel, from their generation until disposal;
* the plans for the post-closure period of a disposal facility, including the period during which appropriate controls are necessary, and the means to be employed to preserve knowledge of that facility in the longer term;
* the assessment of costs for the implementation of the national programme;
* the research, development and information activities, and human resources required for the implementation of the national programme;
* the responsibility for the implementation of the national programme and key performance indicators to monitor progress towards implementation.
1. The expert groundwork for the national programme referred to in the preceding paragraph, together with a detailed description of measures relating to the reduction of the generation of radioactive waste, their processing prior to the disposal and their disposal, and measures relating to the processing and disposal of spent fuel, shall be prepared by the provider of the commercial public service of radioactive waste management and sent to the authority competent for nuclear safety for its consent.
2. The authority competent for nuclear safety shall send the expert groundwork referred to in the preceding paragraph to the ministry competent for the environment, together with its consent.

# Article 125(National infrastructure facilities)

1. Storage facilities, disposal facilities and accompanying facilities that are needed for the implementation of the commercial public service of radioactive waste management are owned by the State.
2. To achieve the purpose referred to in the preceding paragraph, the proprietary right on real estate, which are not owned by the State, and are in an area, which in accordance with the national spatial plan or the municipal detailed spatial plan, is foreseen for the building or acquisition of a public infrastructure facility, shall be withdrawn for the benefit of the Republic of Slovenia.
3. If the operator of the facilities referred to in the paragraph 1 of this Article, within 30 days after service of the offer to conclude a contract for the acquisition of propriety rights on these real estates, this contract fails to conclude, it shall submit a proposal for expropriation in favour of the State. The deprivation of the property rights shall be carried out in accordance with the regulations governing deprivation of property rights in the public interest.
4. The building and acquisition of facilities and land referred to in paragraph 1 of this Article shall be in the public interest.
5. The facilities referred to in paragraph 1 of this Article and the land on which they are built shall obtain the status of a national infrastructure facility by a decision, issued by the authority competent for nuclear safety based on a Government order before commencing with the implementation of the commercial public service of radioactive waste management:
* for performing the tasks of the commercial public service referred to in point 1 paragraph 3 of Article 122 of this Act in the phase for issuing an opinion on the building of storage or disposal facility for radioactive waste;
* for performing the tasks of the commercial public service referred to in points 2, 3 and 4 paragraph 3 of Article 122 of this Act in the phase for issuing an opinion on the building of a disposal facility for radioactive waste;
* for performing the tasks of commercial public service referred to in point 5 paragraph 3 of Article 122 of this Act in the phase of issuing a decision on the closure of a disposal facility for mining and hydro-metallurgical tailings.
1. The immovable properties referred to in the preceding paragraph shall not be subject of legal transactions.
2. The provider of the commercial public service of radioactive waste management does not pay rent for the facilities referred to in the paragraph 1 of this Article.
3. The property right or other real right on the immovable property, which is not given the status of a national infrastructure facility in accordance with paragraph 5 of this Article but it is necessary for its normal use, can be in favour of the easement beneficiary limited to the establishment of easements in the public interest, if necessary due to the installation, maintenance, management, operation, long-term control or smooth operation of national infrastructure facilities.
4. The contracts for the establishment of the easement for the public benefit are concluded for the time of operation, management, long-term control and maintenance of facilities with the status of a national infrastructure facility and for the benefit of each provider of the commercial public service or in favour of the dominant propriety, which is owned by the State.
5. For questions regarding expropriation and easement in the public interest, which are not specifically regulated by this Act, the provisions of the law governing expropriation and restriction of propriety rights in the public interest and the provisions of the law regulating spatial regulation of national importance in space.

# 4. 8 Entry to and exit from EU Member States, import, export and transit of nuclear and radioactive substances and radioactive waste

**Article 126
(Licence for entry from EU Member States, import and export of nuclear and radioactive substances and transit of nuclear and radioactive substances)**

1. For entry from EU Member States and exit to EU Member States of nuclear and radioactive substances and for import and export of nuclear and radioactive substances it shall be necessary to obtain a licence from the authority competent for nuclear safety, except for radioactive substances used in health and veterinary care for which the licence is issued by the authority competent for radiation protection.
2. The licence for import and export of radioactive substances shall not be necessary where radioactive substances are used by the Slovenian army, the police or security forces for protection, rescue and assistance for their own use in peacekeeping mission, exercises abroad or in international rescue interventions.
3. Entry of radioactive substances from EU Member States and exit of such substances to EU Member States shall be governed by EU laws directly applicable in the EU.
4. For transit of nuclear material and radiation sources with significant activity, it shall be necessary to obtain a licence from the authority competent for nuclear safety.
5. During the procedure for issuing the licence referred to in paragraphs 1 and 4 of this Article, measures of radiation and nuclear safety throughout the duration of the shipment of radioactive and nuclear material on the territory of the Republic of Slovenia shall be assessed.
6. The licence for entry from EU Member States and for import of nuclear material and for import of radioactive substances shall be issued only, when its consignee has an appropriate licence for carrying out a radiation practice. In case of entry or import of nuclear fuel for the first reactor core filling, a license shall be issued if the consignee has the license referred to in point 10 paragraph 1 of Article 109 of this Act.

# Article 127(Licence or consent for entry from or exit to EU Member States, import, export and transit of radioactive waste and spent fuel)

1. For entry from EU Member States, exist to EU Member States, import, export and transit of radioactive waste and spent fuel it shall be necessary to obtain a licence or a consent from the authority competent for nuclear safety.
2. During the procedure for issuing the licence or a consent referred to in the preceding paragraph, the authority competent for nuclear safety shall assess the measures on radiation and nuclear safety throughout the whole duration of the shipment of radioactive waste and spent fuel, from the place of origin to the place of destination.
3. The licence for exit to EU Member States or export referred to in paragraph 1 of this Article shall be issued by the authority competent for nuclear safety, if the consent for the shipment of radioactive waste or spent fuel has been obtained from the competent regulatory authority in the destination State of radioactive waste or spent fuel, as well as the consent of the competent authorities in the State through which the shipment is supposed to travel and, if the sender of radioactive waste or spent fuel in the EU Member States or export them, fulfils all the conditions for the adoption of radioactive waste or spent fuel in case of the shipment being refused.
4. The transit licence through the EU, when the Republic of Slovenia is the first Member State of transit, shall be issued by the authority competent for nuclear safety, if all consents from competent authorities in the country of origin and in the destination country as well as the countries through which the shipment is supposed to travel have been obtained and if the sender of radioactive waste or spent fuel has a licence from the country of origin for the return of the shipment to the place of origin in case the shipment is refused.
5. The licence for import referred to in paragraph 1 of this Article shall be issued by the authority competent for nuclear safety, if the importer proves to have, for the radioactive waste or spent fuel, the licence from the country of origin for the return of the shipment to the place of origin in case the shipment is refused, and the authority competent for nuclear safety has obtained all the consents from competent authorities in the country of origin and the countries across which the shipment is supposed to travel.
6. The consent for import from the EU Member States and the transit through the territory of the Republic of Slovenia for shipments within the EU shall be issued by the authority competent for nuclear safety, under the conditions which should not be stricter than those laid down for similar shipments within the Republic of Slovenia.

# Article 128(Issuing licence)

1. The licence referred to in paragraph 1 of Article 126 of this Act and the license and consent referred to in paragraph 1 of the preceding Article shall be issued for one or more shipments for a maximum of three years.
2. The authority competent for nuclear safety shall not allow the export of the radioactive waste and spent fuel:
* to destinations south of 60° south latitude; or
* to the country which is party to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States on one side and the European Community and its Member States on the other side (Cotonou ACP-EC Agreement) and is not an EU Member State; or
* in the third state without administrative or technical capacity and administrative structure for the safe management of radioactive waste or spent fuel, as stated in the Joint Convention on the safety of spent fuel management and on the safety of radioactive waste management.
1. The issue of a licence or a consent referred to in paragraph 1 of this Article shall not affect any other responsibility of the holder, carrier, owner or consignee or any other person involved in the transport of a shipment regarding radiation or nuclear safety in accordance with this Act.
2. Radioactive waste, spent fuel, nuclear and radioactive substances shall be transported in packaging prescribed by regulations pertaining to the field on the transport of dangerous goods.

# Article 129(Other conditions)

1. The minister competent for the environment shall define the content of the application relating to the sending of radioactive waste, spent fuel, nuclear materials or radioactive substances, the methods of informing competent administrative authorities in other countries, the appropriate conduct in the case of repeated shipments, the format and deadlines for reports on the completed shipments, the conditions regarding nuclear and radiation safety and other conditions relating to entry from and exit to EU Member, import, export and transit. The minister competent for the environment shall determine the radiation sources with significant activity, subject to prior transit authorization.
2. The minister competent for the environment may, in agreement with the minister competent for health, prescribe in detail particular questions necessary for the implementation of EU legal acts that regulate the shipment of radioactive substances and are applied on the territory of the EU directly.

# 4.9. Emergency preparednessArticle 130

**(Tasks of operators and service providers)**

1. An operator of a radiation or nuclear facility that could cause by its activity an accident, shall provide threat assessment and emergency plan in case of nuclear or radiological accident in accordance with the act governing protection against natural and other disasters. The operators of radiation or nuclear facilities and the operators carrying out a radiation practice shall draw up instructions for action in the event of an emergency.
2. In the protection and rescue plan, the operator of a radiation or nuclear facility shall show the classification of probable emergencies according to the degree of danger and plan for the extent of protective measures according to the degree of danger of the emergency.
3. Based on the classification of possible emergencies, the operator of a radiation or nuclear facility shall ensure technical and other conditions, for example a skilled team for the implementation of radiological measurements to provide during an emergency the assessment of consequences of the emergency and to determine the extent of necessary protective measures. The qualification of the operator for making the assessments and decisions referred to in the preceding sentence is displayed in the security report.
4. The operator of the radiation or nuclear facility or the operator carrying out a radiation practice with high-activity radiation source shall submit to the others responsible for planning emergency response all available technical data on radiation source, data from the safety analysis report and the operational information.
5. The operator of a radiation or nuclear facility or the operator carrying out a radiation practice must ensure that:
* the release if radioactivity or radionuclides into the environment is stopped as quickly as possible,
* the spread of radioactive substances into the environment via different transmission paths is reduced,
* the exposure of people is reduced.
1. The operator of a radiation or nuclear facility must ensure and restore the stocks of potassium iodide tablets.
2. The operator carrying out a radiation practice must, based on the assessment of potential emergencies prepare instructions for action in case of an emergency. If necessary, the instruction for action in case of an emergency is made also for each radiation source.

# Article 131(Optimization of protective measures)

When making plans for protection and rescue and at the implementation of the planned protective measures, the protective measures shall be optimized in the way that:

* the intervention reduces the damage to human health and justify the costs and damage caused by the protective measures;
* the manner, extent and duration of their operation are carried out in such way to minimize the damage to human health in comparison with the damage caused by the implementation of protective measures;
* the reference levels and dose limits are considered when exposed because of implementing protective measures.

# Article 132(Planning protective measures)

1. The Government shall prescribe:
* reference exposure levels in emergency;
* reference exposure levels for the providers of protective measures;
* criteria for determining the planning area of protective measures according to the degrees of danger in emergency;
* criteria for the transition from exposure in emergency to existing exposure;
* other conditions for planning and implementing protective measures relating to reference levels.
1. The Government shall also prescribe the level of compensation or fee for planning and carrying out protective measures, the way of assessment, calculating and paying the compensation or the fee, and the start and end of receiving the compensation or the fee.
2. The criteria for determining the amount of compensation or fee referred to in the preceding paragraph shall consider:
* the type of nuclear facility,
* the area of planning protective measures around the nuclear facility, the number of municipalities and the surface area of the municipalities that extend into the area of planning protective measures,
* the number of nuclear facilities, which areas of planning protective measures overlap,
* the number of inhabitants of the municipality with the permanent residence in the area of planning protective measures.
1. The provisions of paragraph 1 of this Article shall also apply to the planning of protective measures where the user of radiation source cannot be identified, or the polluter is not in the Republic of Slovenia.

# Article 133(Prior information of providers of protective measures)

1. The providers of protective measures shall be appropriately trained and have available all the information required for the performance of their tasks.
2. The training programmes for the providers of protective measures shall ensure that providers of protective measures are conveyed adequate and regularly updated information on the health risks that their intervention in an emergency might involve and on the precautionary measures to be taken at such events. This information shall consider the range of potential emergencies and the type of intervention.
3. In case of an emergency the information referred to in the preceding paragraph shall be supplemented with up-to-date information.
4. The persons responsible for protection of providers of protective measures shall ensure the training and information referred to in the preceding two paragraphs, including practical exercises where necessary. The training shall include appropriate contents in the field of radiation protection.

# Article 134(Informing the public that could be affected during an emergency)

1. The operator of a radiation or nuclear facility and other providers of planning shall the regularly inform the public about the essential facts of the emergency plans, in particular of protective measures and the manner of their implementation.
2. Conveying the information referred to in the preceding paragraph shall be carried out without explicit requests of the public and the information shall be updated in regular time periods or upon major changes. It must be permanently available.

# Article 135(Informing the public and competent authorities in emergencies)

1. In case of an emergency under this Act, an operator of a facility or a operator carrying out a radiation practice shall ensure that the authority which issued the licence for carrying out a radiation practice is notified of the event within the shortest possible time, as well as other authorities competent in accordance with regulations on protection against natural and other disasters, who shall promptly inform the public in the affected area of the relevant facts of the emergency, in particular of protective measures.
2. In case of transport of nuclear materials, radioactive substances, spent fuel and radioactive waste, the shipper and the organiser of the transport has the obligation of notification under the preceding paragraph.
3. Regulations in the field of protection against natural and other accidents shall apply to the method used for and the extent of informing the general public, the public in the affected area and the competent ministries and authorities under this Article and for the procedure for regular review and confirmation of statements to the public on the important facts from the protection and rescue plans.

# Article 136(International notification and cooperation)

1. The authorities involved in the response to the emergency shall cooperate with competent authorities in EU Member States and third countries in the preparation of protective measures that would be necessary in the territories of these countries due to emergency in the territory of the Republic of Slovenia.
2. In an emergency in the Republic of Slovenia or in an emergency that could have radiological consequences in the territory of the Republic of Slovenia, the competent authorities referred to in the preceding paragraph shall establish the contact with all the countries that would be affected, and arrange the exchange of information on assessed exposure with these countries and coordinate protective measures with them and informing the public; the exchange of information shall take place through bilateral or international system for the exchange of information and coordination.
3. The activities referred to in the preceding paragraph shall not prevent or impede the performance of measures required in the territory of the Republic of Slovenia.
4. The Government shall decide on the acceptance of assistance from other countries and from the International Atomic Energy Agency and on the provision of assistance to other countries in the case of emergencies.
5. Where necessary, planning of the transition from exposure in an emergency to an existing exposure shall be in cooperation with other countries.

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# 5. ISSUING, RENEWAL, AMENDMENT, WITHDRAWAL AND EXPIRY OF LICENCES

# Article 137(Content of a licence)

1. A licence to carry out a radiation practice referred to in Article 20 of this Act shall contain:
2. information on the licence holder;
3. a detailed description of the radiation practice;
4. the period of validity of the licence;
5. the special conditions and obligations, which the licence holder must fulfil in accordance with this Act and regulations issued based on this Act;
6. the measures, which the licence holder carrying out a radiation practice must implement after the licence expires.
7. The licence for carrying out a radiation practice with sources for the use of which, in accordance with Article 21 of this Act, entry in the register of radiation sources is sufficient shall, in addition to the contents prescribed in the preceding paragraph, contain:
8. the method of use of the radiation sources;
9. limitations concerning the number, activity and types of radiation sources that may be used;
10. obligations regarding technical inspections and the maintenance of the radiation sources.
11. The licence for the use of a radiation source referred to in Article 21 of this Act shall contain:
12. information on the licence holder;
13. detailed description of the type, purpose of use of the radiation source and the identification numbers from the registry of radiation sources;
14. the period of validity of the licence;
15. the method of use of the radiation source with appropriate operating limits and conditions;
16. obligations regarding technical inspections and the maintenance of the radiation sources;
17. the measures, which the licence holder must take after the licence expires;
18. other obligations, which the licence holder must fulfil pursuant to this Act and regulations issued based on this Act.
19. The licence for operating a facility referred to in Article 109 of this Act shall contain:
20. information of the operator of the facility;
21. a detailed description of the type, size and the purpose of the use of the facility and the registration mark from the register of radiation and nuclear facilities;
22. the period of validity of the licence;
23. the operational conditions and limits from the safety report;
24. obligations relating to periodic safety reviews;
25. the measures the licence holder must take after the licence expires;
26. evidence of the adequacy of the financial resources, the amount and form of guarantees and the means of implementing the guarantees;
27. the deadlines and conditions for a repeat review of the protection and rescue plan;
28. other obligations, which the licence holder must fulfil pursuant to this Act and regulations issued based on this Act.
29. A decision on the status of a facility referred to in Articles 86 and 125 of this Act shall contain:
30. information about the investor or the operator of the facility;
31. a description of the type, size and the intended use of the facility;
32. the expected operating life or maintenance life of the facility;
33. the registration mark from the register of radiation and nuclear facilities;
34. a map of the layout of the facility showing the parameter of the facility and that of the area of limited land use because of radiation and nuclear safety measures;
35. the coordinates of the vertices of the polygons which mark the parameter of the area of the facility and of the area of limited land use.
36. A licence holder must promptly convey any change in its information to the authority, which issued the licence as a basis for the modification of the license referred to in paragraph 2 of Article 139 of this Act.

# Article 138(Issuing and extending a licence and registration)

1. The licence referred to in paragraph 1 of the preceding Article or the registration of a radiation practice shall be valid for maximum of 10 years.
2. The licence referred to in paragraphs 1 to 4 of the preceding Article (hereinafter: licence) shall be issued by the authority competent for this matter under this Act for maximum of 10 years, except in the case of a licence for the completion of decommissioning of a facility or for the closure of a facility.
3. The criteria for determining the duration of the validity of each individual registration or licence referred to in the preceding two paragraphs shall be determined by the Government by considering, in particular the technological duration of devices and facilities, as well as the time within which it is expected that nuclear or radiation safety will improve considerably due to technological advances.
4. The registration or the licence may be renewed based on an application of the applicant, if all the conditions prescribed for obtaining the registration or the licence are fulfilled at the time of their expiry.
5. The provisions applicable for issuing a licence or for registration shall inter alia apply to its extension.

# Article 139(Amending a licence or registration)

1. A licence or registration may be amended upon the initiative of the licence holder or ex officio.
2. In addition to the documents required when applying for a licence or registration, the licence or registration holder must attach, to the proposal for amending the licence, the valid licence which is to be amended and a proposal, in which specifies the part of the licence or registration that should be amended.
3. When the procedure for amending starts ex-officio, it shall be necessary to immediately inform the licence or registration holder about the procedure and the reasons for commencing the procedure.
4. A licence or registration shall be amended ex officio:
* when the specified conditions relating to the nuclear safety or radiation protection have changed;
* when this is required for the protection of the environment, or life or health of the public for public benefit;
* when radiation source is threatened due to external influences or natural phenomena to the extent that nuclear or radiation safety is considerably reduced.
1. In the case referred in the preceding paragraph, a modified licence shall be issued, in which the scope and the period of adjustment to the new prescribed conditions on nuclear safety or radiation protection are determined.
2. In the case under paragraph 4 of this Article, the competent authority referred to in Article 18 of this Act, shall in accordance with the provisions of Articles 140 and 141 of this Act:
* withdraw the licence, if the licence concerns carrying out a radiation practice or the licence for the use of a radiation source, or
* orders the cessation of operation of the facility which is a radiation or nuclear facility.
1. The provisions applying to issuing a licence or registration shall also apply to the procedure for amending a licence or registration.
2. If the holder of the licence holder, registration, consent or another administrative act under this Act wishes to transfer the right arising thereunder to another person, the administrative act may be amended upon the request of a new holder. The new holder shall enclose to the request for amendment evidence on changing the ownership and all other amended evidence and documentation based on which the preceding owner had obtained its administrative act. If only the ownership is changed, the administrative authority shall issue a new administrative act to the new holder in summary proceedings under the same conditions as prescribed for the preceding holder.

# Article 140(Withdrawal of a licence)

1. When the procedure for the withdrawal of a licence referred to in paragraphs 1 to 4 of Article 137 of this Act is initiated ex-officio, the authority competent for issuing the licence pursuant to this Act shall inform the licence holder immediately about the procedure and the reasons for it.
2. The competent authority shall withdraw the licence upon the proposal of a competent inspector when it can be concluded from the proposal that the prescribed conditions for nuclear safety and radiation protection are not fulfilled and the licence holder has not ensured their fulfilment within a reasonable period of time in spite of the request from the inspector to remedy the deficiencies.

# Article 141(Procedure for suspending the operation of a facility)

1. When the procedure for ordering a suspension of operation of a radiation or nuclear facility referred to in paragraph 6 of Article 139 of this Act is initiated ex-officio or upon proposal of a competent inspector, the authority competent for nuclear safety shall inform the licence holder about commencing the procedures and the reasons for it.
2. The authority competent for nuclear safety shall order the suspending of operation of a radiation or nuclear facility upon a proposal of a competent inspector, when it can be concluded from the proposal that the prescribed conditions for radiation or nuclear safety are not fulfilled and the licence holder has not ensured their fulfilment within a reasonable period of time in spite of the request from the inspector to remedy the deficiencies.
3. The authority competent for nuclear safety shall order the suspension of operations of a radiation or nuclear facility ex officio, if the licence holder started maintenance work, testing or introducing changes referred to in Article 116 of this Act, which are significant for radiation or nuclear safety of the facility, without the authority competent for nuclear safety having given prior approval for this.

# Article 142(Consequences of the withdrawal of a licence and of the order for the suspension of the operation)

1. The withdrawal of a licence ex officio under Article 140 of this Act and the order for the suspension of the operation of a facility referred to in the preceding Article shall be effective from the day the decision on the withdrawal or the suspending of operation becomes final.
2. There shall be no right of appeal against the decisions referred to in the preceding paragraph.
3. In case of the violation of obligations by the licence holder the consequence of which is an ex officio withdrawal of the licence or an order for the suspending of the operation, the licence holder shall be liable for damages.

# Article 143(Expiry of a licence or registration)

1. A licence or registration shall expire:
* if the licence holder has ceased to perform the radiation practice;
* if the license holder ceased to use a radiation source.
1. In cases under the preceding paragraph, the authority which is competent for issuing the licence or registration shall issue a decision confirming the expiry of the licence or registration, if the holder has fulfilled all the conditions for the cessation of the radiation practice or termination of the radiation source laid down by this Act.
2. In the event of the bankruptcy of the operator carrying out a radiation practice, the authority competent for issuing the licence, shall issue a decision ordering the debtor to fulfil he conditions for the cessation of the radiation practice prescribed by this Act.
3. If after ceasing to use an X-ray device a licence holder keeps it as a reserve, the authority which is competent for issuing the licence, shall by its decision order the sealing of the X- ray device. The X-ray device may also be sealed in instances where the X-ray device does not yet have all the authorizations under this Act.
4. There shall be no right of appeal against decisions described in paragraphs 2 and 3 of this Article.
5. An appeal against the decision referred to in paragraph 4 of this Article shall not stay its execution.

# 6. PHYSICAL PROTECTION OF NUCLEAR FACILITIES AND NUCLEAR AND RADIOACTIVE SUBSTANCES

# Article 144(Liable entities)

1. An operator of a facility containing nuclear or radioactive substances, a transporter or an organiser of a transport of nuclear material shall ensure the preparation of a plan for physical protection as well as for carrying out measures on physical protection of facilities or substances in accordance with the plan.
2. The Government shall specify radioactive substances that are subject to the operator’s obligation referred to in the preceding paragraph.
3. In the case of transport of radioactive substances referred to in the preceding paragraph, the provisions of regulations governing the transport of dangerous goods shall apply to determine the threat that must be considered when preparing the safety plan, and in case of transport of radioactive substances, also the provisions of Article 145 of this Act.
4. If two or more operators of facilities referred to in paragraph 1 of this Article are at the same location, a single plan for physical protection may be drawn.

# Article 145(Physical protection plan)

1. A physical protection plan referred to in paragraph 1 of preceding Article shall be confirmed by the ministry competent for the internal affairs.
2. The operator of a facility, the carrier or the organiser of transport of nuclear material shall attach the consent of the competent authority referred to in Article 18 of this Act to the application for approval of the physical protection plan referred to in the preceding paragraph.
3. In case of a radiation or nuclear facility, to obtain the consent referred to in the preceding paragraph for a change of the physical protection plan, the provisions of Article 116 of this Act shall inter alia apply.
4. The level of secrecy for the physical protection plan shall be determined in accordance with the regulation on secret information.
5. The type and scope of physical protection should be determined in the physical protection plan based on the threat assessment, classification of nuclear and radioactive substances and the possible effects and consequences of abuses.
6. Threat assessment shall for the first time be made in the design phase of a nuclear facility or prior radioactive substances installation in the facility and is then updated every year until the removal of nuclear and radioactive substances from the facility or upon a sudden change of the security situation. Threat assessment shall also be made for transport of nuclear and radioactive substances.
7. Threat assessment referred to in the preceding paragraph shall be prepared by the police based on the security relevant data of the Slovene Intelligence and Security Agency, the Intelligence and Security Service of the Ministry of Defence, the authority competent for nuclear safety, the authority competent for radiation protection, nuclear facility operators and holders of nuclear or radioactive substances, and shall be sent to the commission referred to in Article 147 for its prior opinion. The level of secrecy for threat assessment shall be determined in accordance with regulations governing secret information.
8. The operator of a facility, the carrier or organiser referred to in paragraph 1 of the preceding Article shall promptly update the physical protection plan regarding a change of threat assessment or a change in the protected area which directly affect the physical protection of the facility. Each change or update of the physical protection plan shall be sent for consent and confirmation in accordance with paragraphs 1 and 2 of this Article.

# Article 146(Regulations concerning physical protection)

The minister competent for internal affairs, in agreement with the minister competent for the environment and the minister competent for health, shall prescribe the classification of nuclear facilities, and nuclear and radioactive substances and their use according to possible effects and consequences of the abuses and, considering this classification, also the scope of physical protection, the conditions for persons who carry out physical protection, the conditions for persons who have access to nuclear and radioactive substances, the content of threat assessment and physical protection plans, the manner and the scope of reporting, the training of safety staff and persons who have access to nuclear and radioactive substances, and other conditions for carrying out physical protective measures.

# Article 147(Commission for physical protection of nuclear facilities and nuclear and radioactive substances)

1. To coordinate and monitor the performance of tasks in the field of physical protection of nuclear facilities and nuclear and radioactive substances, the Government shall, on the proposal of the minister competent for internal affairs, appoint a commission for physical protection of nuclear facilities and nuclear and radioactive substances (hereafter: commission).
2. The commission shall consist of representatives of ministries, other state administration bodies and agencies, which are included in the physical protection of nuclear facilities and nuclear and radioactive substances due to their working area as well as the representatives of operators of nuclear facilities.
3. Competences of the commission referred to in paragraph 1 of this Article are:
4. giving opinions and suggestions in the preparation of regulations in the field of physical protection;
5. giving opinions on threat assessment;
6. monitoring and coordinating the performance of physical protective measures;
7. giving recommendations to improve physical protective measures.
8. The minister competent for the internal affairs, in agreement with the minister competent for the environment and the minister competent for health, shall prescribe in detail the tasks of the commission and its mode of operation in the Rules of Procedure.

# Article 148(Physical protection of nuclear facilities and nuclear and radioactive substances)

1. For the implementation of physical protection of facilities referred to in paragraph 1 of Article 144 of this Act, it shall be necessary that, in addition to regulations issued pursuant to this Act, regulations governing private security, possession and carrying of weapons and protection of secret information are applied.
2. The operator of the facility referred to in paragraph 1 of Article 144 of this Act shall carry out the physical protection of nuclear facilities, nuclear and radioactive substances in accordance with the approved physical protection plan.
3. For the nuclear facility, the operator shall provide physical protective measures from the beginning of its building until permanent removal of nuclear and radioactive substances and, in the case of a disposal facility, until its closure.
4. Physical protection of a nuclear facility shall be performed at the entry, exit and within the facility, and in a protected area.
5. The operator of the facility referred to in paragraph 1 of Article 144 of this Act shall, for the provision of safety, prevent unauthorized access to the facility and the nuclear or radioactive substances. To control access to the facility and nuclear or radioactive substances, the operator may use technical means to register the entry and technical security and implement other appropriate measures set out in the physical protection plan. In the case of nuclear facility, to control the access, the operator shall use technical security systems or technical means such as: control of entry and exit, video surveillance, devices and means for anti-bombing screening of persons, baggage, cargo and vehicles, intrusion detection systems, biometric devices for entry and exit, sensor systems, physical barriers systems, means to control accession and communication channels, and take other appropriate measures of physical security. The operator of the facility shall keep the data obtained through biometric control for 5 years and then destroys it.
6. The operator of the nuclear facility must keep a record of persons who had not been security screened in accordance with Article 149 of this Act and the record of entry and movement within the facility. The record of entry and movement includes the following information: name and surname, date and place of birth, address of residence (country, city, street, house number), type and number of personal identification document, gender, nationality and reason for entry. For safety reasons, the operator shall ensure five-year keeping of data in the records of entry, from the day of exit from the facility in accordance with the regulations governing the protection of personal data.
7. A person who refuses to provide data from the preceding paragraph shall not be allowed to enter the facility.
8. The provisions of this Act shall inter alia apply to the transport of nuclear material.

# Article 149

**(Security vetting of persons who perform or will perform work in a nuclear facility)**

1. Only persons who fulfil general conditions determined by the Act and general acts of an employer and for whom there are no security concerns may work in a controlled facility or place, in a physically supervised and vital area of nuclear facility, or in an area of nuclear facility. Security concerns shall be established by means of security vetting.
2. The security vetting shall be carried out by the employer with whom the person is employed or will perform work prior the commencement of their work in the area, facility or space referred to in in the preceding paragraph or during the transport of nuclear material and then every five years until they are working in this facility or in transport.
3. Prior the commencing work and throughout the performance of activities by workers of an external operator in a nuclear facility, the operator shall ensure that the external operator has in place a system for security vetting in accordance with this Act and the general acts of the operator.

# Article 150(Questionnaire on security vetting)

1. For the purposes of security vetting the person who works or will work in an area, facility or space referred to in paragraph 1 of the preceding Article, shall complete a questionnaire with the following information:
2. name and surname, including changes of name;
3. date and place of birth;
4. citizenship, including former citizenship and double citizenship;
5. address of permanent and temporary residence;
6. current and previous employment;
7. any non-expunged final convictions for criminal offences prosecuted ex-officio;
8. any non-expunged final decisions or judgements for offences against public order and peace with elements of violence and for offences in the field of production and trade with prohibited substances and weapons;
9. any current criminal procedures due to suspicion of a criminal offence prosecuted ex-officio;
10. dependency on alcohol, drugs or other addictions;
11. membership in organizations or groups that threaten national security and vital interests of the Republic of Slovenia, member states of political and defence and security associations whose member is the Republic of Slovenia;
12. any personal contacts with foreign intelligence services;
13. disciplinary measures due to serious disciplinary violations in the field of treatment and protection of classified information of the misuse of alcohol or drugs;
14. a consent for conducting security surveillance, given to the employer and operators of nuclear facilities.
15. Security concerns under this Act are:
* false indications of the data of the verified person in the security questionnaire;
* indefinite final sentences of at least three months of unconditional custodial sentences for offenses prosecuted ex-officio;
* a definitive disciplinary measure due to a serious disciplinary violation in the field of treatment and protection of classified information or the misuse of alcohol or drugs;
* dependence on alcohol, drugs or other addiction that could affect nuclear safety;
* membership in organizations or groups that threaten national security and the vital interests of the Republic of Slovenia, the Member States of the political and defense-security federations of which the Republic of Slovenia is a member;
* membership or cooperation or other activities for the benefit of foreign intelligence or security authorities.
1. In addition to the security concerns referred to in the preceding paragraph, security concerns may also be:
* final convictions for criminal offenses prosecuted ex-officio, for which a prison sentence of more than three years may be imposed;
* non-credible convictions for criminal offences prosecuted ex-officio and for which the main penalty is a fine or imprisonment not exceeding three years;
* indefinite final convictions or imposed fines for criminal offenses or offenses in field of protection of classifies information, information security or other offenses committed under the influence of alcohol or drugs or the misuse of weapons or explosives or elements of violence;
* other security clearance findings that give rise to substantiated doubts as to the credibility or reliability of the individual and which could pose a risk to nuclear safety;
* other security concerns specified by laws or international treaties.
1. Persons under paragraph 1 of this Article shall convey to the employer who had conducted the security vetting any change of information referred to in paragraph 1 of this Article while working for the employer.
2. The credibility of information under points 6 to 8 of paragraph 1 of this Article shall be demonstrated by certificates of impunity and existence of no on-going proceedings that are issued by the competent authorities, and the credibility of information under point 9 of paragraph 1 of this Article by a medical certificate issued by a competent provider of health care surveillance and the authenticity of the data referred to in point 12 of the first paragraph of this article with the certificates of employers for whom the person was employed for the period of two years before the start of the security vetting.

# Article 151(Obtaining information from official records for purpose of security vetting)

1. For the purposes of security vetting, the employer shall obtain personal information of a person who is working or will be working in an area, facility or space referred to in paragraph 1 of Article 149 of this Act from the following operators of personal data bases:
2. the competent national authority, information from the central population register (personal name, personal identification number (EMŠO), nationality, permanent or temporary residence, country of residency, address for service, changes of personal name, information on special residence permit for foreign citizen, serial number and the type permit, reason and purpose of it issue, the period of validity, and the information if the residency permit is valid or is no longer valid);
3. the competent national authority that manages criminal records of final convictions, records on criminal offences prosecuted ex-officio;
4. the competent national authorities that manage records of final decisions or judgment, on minor offences against public order and peace with elements of violence and for offences in the field of production and trade with prohibited substances and weapons;
5. the competent courts from registers or records, on-going criminal procedures due to suspicion of a criminal offence prosecuted ex-officio, where the court shall also indicate the offense or type of offense;
6. the Police, information on any security concerns to access or work in a nuclear facility, which the Police had identified in accordance with this Act and the law governing the organisation and work of the Police;
7. the Slovenian Intelligence and Security Agency, data about any security concerns under points 10 and 11 of paragraph 1 of the preceding Article;
8. at the Intelligence and Security Service of the Ministry of Defence, information on a possible security concerns from points 10 and 11 of the first paragraph of the previous Article.
9. To obtain the information referred to in the preceding paragraph of this Article, the employer shall send to the operator of personal records an application containing:
10. name of the employer;
11. name and surname of the person working or to be working in the nuclear facility;
12. personal identification number (EMŠO) or when not assigned, the date of birth and the gender of the person working or to be working in the nuclear facility;
13. permanent and temporary residence of the person working or to be working in the nuclear facility;
14. nationality of the person working or to be working in the nuclear facility;
15. job title;
16. purpose of security vetting;
17. copy of a signed consent for the screened person to the security vetting;
18. signature of the responsible person, date and place, and seal of the employer.
19. If during security vetting the employer collects from existing records personal and other information of the screened person which works or will work in the area, facility or space referred to in paragraph 1 of Article 149 of this Act, the authorities, organisations and other entities referred to in the paragraph 1 of this Article who manage personal records pursuant to the law shall, based on a written or equivalent request referred to in the preceding paragraph, send to these entities the requested personal and other information within 15 days from the receipt of a complete application. When sending personal information, the operator of personal records shall specify the employer who is sending the information, appropriately marked request and the legal basis for sending the information.
20. The Ministry of Interior, the Slovenian Intelligence and Security Agency, the Intelligence and Security Service of the Ministry of Defence and the Police are not obliged to explain to the employer the reasons for the existence of security concerns if the disclosure of data could jeopardize the sources for identifying or verifying these data.

# Article 152(Record keeping)

1. The employer shall keep records referred to in Articles 150 and 151 of this Act of all obtained personal information of persons working or to be working in an area, facility or space referred to in paragraph 1 of Article 149 of this Act, and store personal information obtained for five years after the ending the work by the person who was working or intended to work in such an area, facility or space, and send the information from the personal records to the authorities competent for the supervision of physical protection of nuclear facilities upon their request.
2. The person who had not given a personal statement that he was informed of this Act and other regulations governing physical protection of a nuclear facility and had not given to the employer his written consent on security vetting in accordance with Articles 150 and 151 of this Act shall not be permitted to work in the area, facility or space referred to in paragraph 1 of Article 149 of this Act.

# Article 153(Interim security vetting)

1. If during the time interval between individual security vetting there are grounds to suspect an existence of a security concern under the paragraph 2 of Article 150 of this Act, the employer shall conduct an interim security vetting of its employed person or the entity for whom the person works in a nuclear facility. If the employer is an external operator it shall immediately inform the operator of the nuclear facility of having commenced the interim security vetting.
2. If the person working in an area, facility or space referred to in paragraph 1 of Article 149 of this Act, declines interim security vetting referred to in the preceding paragraph or periodic 5-year security vetting referred to in paragraph 2 of Article 149 of this Act, he may no longer work in such an area, facility or space.

# Article 154(Security vetting for the management of radioactive substances and for the transport of nuclear material)

The provisions of Articles 149, 150, 151, 152 and 153 shall apply also for persons who are already working or will work in the management of radioactive substances, in the physical protection of shipment of nuclear material and in the transport of nuclear material.

# Article 155(Security vetting of foreign nationals)

1. In the area, facility or space referred to in the first paragraph of Article 149 of this Act, can work only those foreign nationals for whom there are no security concerns in handling radioactive substances and the transport of nuclear materials. Security concerns are identified by security vetting.
2. The security vetting of foreign nationals before the commencement of work is carried out by the ministry responsible for the interior. The employer, transport operator or transport organizer must obtain the written consent of the verified person in the security vetting, the completed questionnaire from the first paragraph of Article 150 of this Act, a certificate of personal name, citizenship, permanent or temporary residence, country of residence and address for service and a certificate of impunity or the existence of ongoing procedures issued by the competent authorities in the country of which the checked person is a national, as well as the medical certificate obtained from an authorized healthcare provider in the Republic of Slovenia. A medical examination may also be carried out abroad, if health examination is, in terms of its scope and content, comparable to the medical examination carried out in the Republic of Slovenia, which contains an overview of the dependence on alcohol, drugs, other addiction and psychological assessment.
3. The employer, by which the person will be employed or for whom he will perform the work, shall submit to the ministry responsible for internal affairs the application for carrying out the security clearance, which shall be accompanied by the certificates referred to in the second paragraph of this Article.
4. The ministry responsible for internal affairs shall verify the existence of security concerns referred to in the second paragraph of Article 150 based on the data from application, certificates and data from its records, data of the Slovenian Intelligence and Security agency, Intelligence and Security Service of the Ministry of Defence and Police, and after the vetting carried out, issue and order against which the appeal is not allowed. In case of detection of security concerns, the ministry responsible for internal affairs must also inform the operator of the facilities, the carrier or the organizer of the transport.
5. The ministry responsible for internal affairs keeps a record of vetting on the existence of security concerns and issued acts.
6. The documents referred to in Articles 6, 7 and 8 of the first paragraph of Article 150 of this Act may not be older than 90 days, and the medical certificate referred to in the second paragraph of this Article may not be older than one year.
7. The provisions of the second and third paragraphs of Articles 149 and 150 to 154 of this Act shall apply mutatis mutandis to the security vetting of foreign nationals.

# 7. NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE SAFEGUARDS OF NUCLEAR GOODS

# Article 156(Prohibition of the use of nuclear goods)

1. Nuclear goods may not be used for nuclear weapons or other explosive devices or for research and development of nuclear weapons or such devices.
2. Only a person who has a licence for carrying out a radiation practice under this Act may be in possession of nuclear goods.
3. Persons in possession of nuclear goods must allow inspections by representatives of international organisations, to examine that nuclear materials are used in accordance with international agreements and must cooperate with the representatives of these organisations during these inspections.

# Article 157(Records of nuclear material)

1. The authority competent for nuclear safety shall maintain central records of nuclear material to control their possible abuse.
2. The central records of nuclear material shall consist of collections of information on nuclear material and other related collections of documents.
3. Information from the records of nuclear material which holders of nuclear material must maintain in accordance with EU laws shall be entered into the central record of nuclear material.
4. Information from the central record of nuclear material and from the records of nuclear material of its holders and therewith related records of documents shall not be public except for the information as to the type and quantity of nuclear material is in the country.
5. Only competent officials of the authority competent for nuclear safety and competent inspectors referred to in Article 178 of this Act may access the information referred to in the preceding paragraph. A holder of nuclear material may access the information referred to in the preceding paragraph which refers to its nuclear material.
6. A holder of nuclear material shall ensure for the protection of nuclear material and organise its storage according to area of material balances and for each area of material balances keep its own records of nuclear material.
7. A holder of nuclear material shall ensure for undisturbed functioning of the equipment for the permanent supervision of protection and keep records of nuclear material for direct inspections by international organisations referred to in paragraph 3 of the preceding Article.
8. A holder of nuclear material shall upon any loss of control over nuclear material or alienation immediately inform the Police and the authority for nuclear safety and take all actions for regaining complete control over the nuclear material.
9. The government shall prescribe in detail a list of those nuclear material for which the provisions of the preceding paragraphs of this Article apply and the obligations of holders of nuclear material regarding the notification of nuclear material. The Government shall also prescribe the method of determining the areas of material balances, the method, manner, form and the extent of keeping records of nuclear material by each area of material balances in the facility with nuclear material, the form of internal control over the trade with these substances, and the method and the form of transferring information on nuclear material into the central records of nuclear material.

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# 8. MONITORING OF THE RADIOACTIVITY IN THE ENVIRONMENT

**8. 1 Monitoring of radioactivity** **Article 158**

**(Monitoring radioactivity in the environment)**

1. The monitoring of radioactivity in the environment shall provide assessment of doses received by members of the public.
2. The monitoring of radioactivity in the environment shall include:
3. monitoring of radioactivity in the environment;
4. operational monitoring of radioactivity;
5. pre-operational monitoring of radioactivity through which the initial state of radioactivity in the environment is established for the propose location of a facility;
6. post-operational monitoring of radioactivity;
7. monitoring of a closed disposal facility;
8. monitoring of metal scrap;
9. monitoring of import of goods that could be radioactively contaminated; and
10. special monitoring of radioactivity.
11. The entity obligated for the monitoring of radioactivity in the environment are:
* authority competent for nuclear safety: for air, surface and ground water, sediments, ground, rainfall and individual products;
* the authority competent for radiation protection: for foodstuff and drinking water;
* the ministry competent for agriculture: for animal feed.
1. The entity obligated to perform the operational monitoring of radioactivity shall be the operator of a radiation or nuclear facility and the operator carrying out a radiation practice holding the licence for the discharge of radioactive substances into the environment and the operator of water supply for operational monitoring verification of drinking water.
2. The entities referred to in the preceding two paragraphs shall also be obligated to carry out special monitoring of radioactivity and the monitoring of the effects of rehabilitation measures that are ordered in emergency.
3. Notwithstanding the provision of the preceding paragraph, the entity obligated for special monitoring of radioactivity of drinking water shall be the operator of the water supply.
4. The entity obligated for pre-operational monitoring of radioactivity by which the initial state of radioactivity in the environment is established for the propose location of a facility, shall be the investor of nuclear or radiation facility.
5. The entity obligated for post-operational monitoring of radioactivity of a closed disposal facility shall be the provider of commercial public service of radioactive waste management.
6. The entity obligated for monitoring of metal scrap and imported goods that could be radioactively contaminated shall be identified by the decree governing the verification of radioactivity in scrap metal and goods that could be radioactively contaminated.

# Article 159(Monitoring of radioactivity in the environment)

1. Monitoring radioactivity in the environment may be carried by providers of the monitoring of radioactivity who had obtained an approval, issued by the authority competent for nuclear safety in agreement with the authority competent for radiation protection.
2. A legal person shall obtain an approval to carry out the monitoring of radioactivity in the environment except for the monitoring of radioactivity of shipments of metal scrap, provided it has appropriate accredited calibration methods, suitable measuring and other equipment and facilities which exceed the planned scope of measurements for which the approval has been requested for at least one third, a management system complying with the type, the field and the scope of its work and has permanently employed experts in the field of monitoring radioactivity.
3. The expert in the field of monitoring radioactivity referred to in the preceding paragraph is a person who has completed at least a level II master’s study programme in technical or sciences field or has the level of knowledge which in accordance with the law complies with this level of knowledge and has at least five years of working experience in the field of monitoring radioactivity in the environment after completing the studies.
4. The authority competent for nuclear safety shall issue an approval for carrying out the monitoring radioactivity of shipments of metal scrap.
5. A legal or natural person obtains the approval referred to in the preceding paragraph if it has in place a measurement programme which detects gamma radiation dose rate which is for 20 % faster than the radiation dose rate due to natural background.
6. Based on the results of the monitoring of radioactivity in the environment:
* trends of population exposure due to radioactivity of the environment shall be established,
* the provision of data needed for prompt action in case of a sudden increase of radioactivity in the environment shall be assured,
* an evaluation of doses received by the population shall be drawn up.
1. The monitoring of radioactivity in the environment shall include permanent and occasional measurements of:
* open air radioactivity levels;
* external gamma radiation;
* radioactivity in surface and ground waters and in sediments;
* radioactivity of the ground and rainfall;
* radioactivity of animal feed, drinking water, foodstuff and individual products.
1. The report on the monitoring of radioactivity in the environment shall include the information referred to in the preceding paragraph, and the information about special monitoring in case of increased radioactive contamination in an event of emergency referred to in Article 130 of this Act.
2. Operational monitoring of radioactivity is:
* emission monitoring of radioactivity of a radiation, nuclear or other facility including the monitoring of discharges of radioactive substances into the environment;
* emission monitoring of radioactivity of the environment as a result of load due to a radiation, nuclear or other facility;
* verification monitoring of drinking water for determining its health adequacy and compliance.
1. The entity obligated to conduct the monitoring of radioactivity in the environment under the preceding Article shall regularly report on the results of these measurements.
2. The minister competent for the environment, the minister competent for health and the minister competent for the agriculture shall prescribe the design of the monitoring of radioactivity in the environment, the detailed method and extent of all types of monitoring of radioactivity, the methodology for sampling and measurements, the frequency and the method of reporting the results of the monitoring of radioactivity, the detailed conditions for obtaining an approval for the providers of monitoring, the methodology for conducting measurements and sampling, the criteria for qualifications of providers of monitoring and their required accreditation, the quality of measurement equipment, the types of buildings for which operational monitoring must be conducted, the method of reporting and informing the public, and the scope and method for preparing and adopting the annual programme for the provision of monitoring.

# 8.2 Radioactive contamination Article 160

**(Limit values)**

The Government shall lay down the limits of the radioactive contamination of the air, surface and ground waters intended for the processing of drinking water, radioactive contamination of the human body, surfaces in the work premises, the ground, animal feed, personal hygiene and personal care products, tobacco and tobacco products, building materials and other goods.

# Article 161 (Contamination of individual samples)

If based on the monitoring of radioactivity in the environment it is established that individual samples of the air, drinking water, water, the ground, foodstuff, animal feed and individual products or materials exceed the limit values referred to in the preceding Article, the authority competent for monitoring of radioactivity in the environment referred to in paragraph 3 of Article 158 of this Act shall order special monitoring of radioactivity, measures for determining the cause of contamination and for its elimination as well as measures for reducing the exposure of people.

# Article 162(Contaminated areas because of an emergency)

1. In the event of increased radioactive contamination of the air, drinking water, water, ground, foodstuff, animal feeding stuff and individual products or materials which had occurred because of an emergency, the Government shall determine:
2. the strategy and goals of the rehabilitation of the contaminated area;
3. the design and the programme for special monitoring;
4. the delineation of the contaminated area and the recognition of affected public;
5. possible introduction of surveillance or prohibition to enter the contaminated area;
6. possible limitations concerning living conditions in the contaminated area;
7. the assessment of exposure of different groups of the population and the assessment of the methods for individual surveillance of exposed individuals;
8. the planned protective measures; and
9. the method of reporting and informing the public.
10. The minister competent for the environment, the minister competent for health, and in case of foodstuff and animal feeding stuff, also the minister competent for agriculture, shall determine the content and the conditions for the acquisition of a document by which the holder proves that foodstuff, animal feeding stuff, individual products, metal scrapare not contaminated with radioactivity and the terms for obtaining the approval for the providers of monitoring.

# Article 163(Other measures related to increased radioactive contamination)

1. In case of increased radioactive contamination on the territory of the EU Member States or third countries, the prohibition, temporary restrictions and stricter conditions for the control of shipments within the EU, import or export of foodstuff, animal feeding stuff and agricultural products, the design and providers of these measures are regulated by the EU legal acts, which are valid on the territory of the EU directly.
2. The Government shall designate the authorities responsible for the implementation of the EU legal acts referred to in the preceding paragraph.

# Article 164(Prohibition of use)

1. The deliberate addition of radioactive substances in the production of animal feeding stuff, foodstuff, toys, personal jewellery and cosmetics, and the import or export of such products from or to EU Member States shall be prohibited.
2. The use of living and working environments and placing onto the market and the use of water, foodstuff, animal feed and products shall not be prohibited when these are contaminated with radionuclides so that the activity concentrations exceed the limits values referred to in Article 160 of this Act.
3. The activation of materials used in toys and personal jewellery to the level where at the time of their placing on the market cannot be disregarded from a radiation protection point of view shall be prohibited. Import and export of such goods or such materials is also prohibited.

# 9. REHABILITATION OF CONSEQUENCES OF EMERGENCY AND DECONTAMINATION

# Article 165(Rehabilitation)

1. A user of a radiation source or an operator of a facility shall carry out the rehabilitation of contaminated areas if radioactive contamination occurred due to the use of its radiation source or facility or because of therewith related emergency. Regarding this, it shall inform the authority competent for nuclear safety or the authority competent for radiation protection if involving a radiation practice in health or veterinary care.
2. The authority competent for nuclear safety may order as an exceptional measure the rehabilitation of the consequences of an emergency which is to be carried out by the operator carrying out a radiation practice who uses the radiation source or operates the facility causing emergency.
3. The rehabilitation of consequences due to an omission of prescribed action referred to in the preceding paragraph shall be ordered by the competent authority in case of ceasing to use the radiation source or the operation of a facility was not carried in accordance with regulations.
4. If a radiation source is used in health or veterinary care and not in a radiation facility, or in case of an emergency during radiological procedures, the special measures referred to in the preceding two paragraphs shall be ordered by the authority competent for radiation protection.

# Article 166(Subsidiary responsibility of the state)

1. If an operator of a facility or a user of a high-activity radiation source, due to bankruptcy, liquidation or another reason, cannot ensure the required performance of measures for the rehabilitation of the consequences of an emergency or the consequences for omitting the required handling of radioactive substances, or if an operator of a facility or a user of a high-activity radiation source cannot be determined, or if the perpetrator is not on the territory of the Republic of Slovenia, the State as a whole shall ensure that measures for the rehabilitation of the consequences are carried out as ordered by the competent authority referred to in preceding Article.
2. When the reasons described in the preceding paragraph cease to apply, the State shall demand from the operator of a facility or the user of a high-activity radiation source the recovery of costs it paid for covering the costs incurred by the ordered special measures. In the event of bankruptcy of the operator of a facility or the user of a high-activity radiation source, the costs of ordered special measures, paid by the State, is returned to the country in accordance with the rules regulating the payment of expenses of bankruptcy under the law governing insolvency proceedings.

# Article 167(Rehabilitation in case of permanent exposure)

1. The Government shall determine the area that is permanently exposed to an emergency, past radiation practices or past economic activities, the status of endangered zone and, for this zone, shall determine the regime of comprehensive rehabilitation in accordance with regulations governing environmental protection.
2. Within the regime of comprehensive rehabilitation, the Government shall also identify subjects responsible for their implementation and determine measures to prevent harmful effects of radiation on the territory of a State which had occurred because of the emergency caused by a radiation source abroad.
3. For areas referred to in the preceding two paragraphs, in which the contamination is long-term, the Government shall adapt an arrangement which shall regulate permanent surveillance of exposure as needed for establishing normal living conditions, including the determination of reference levels, the establishment of infrastructure giving support to permanent self-protective measures in the affected areas such as information, consultation and surveillance, rehabilitation measures, if appropriate, and marking areas, if appropriate.

# 10. REPORT ON IONISING RADIATION PROTECTION AND NUCLEAR SAFETY

**Article 168
(Report)**

1. The authority competent for nuclear safety, in cooperation with other authorities shall by 31 July of each year for the past year draw up a report on the protection against ionising radiation and on nuclear safety.
2. The report referred to in the preceding paragraph shall be debated and adopted by the Government and then passed on to the National Assembly.
3. After its adoption by the Government, the report shall be published in a way to be accessible to the public.

# Article 169(Information for the report)

1. The report referred to in the preceding Article shall include information on:
2. the operation of facilities of importance for radiation or nuclear safety;
3. radioactivity in the environment contained in the report on the monitoring of radioactivity in the environment, including the results of the monitoring of radioactive contamination of the air in living and working environments, and of foodstuff and animal feeding stuff;
4. the doses received contained in the report on the evaluation of doses received by the population, including information on exposure resulting from natural radiation sources;
5. carried out programmes of inspection under this Act and the main findings during these inspections;
6. the exposure of patients included in the report on exposure resulting from radiological procedures;
7. the shipment into and out of EU Member States, import, export and transit of radioactive waste and radioactive substances;
8. the management of radioactive waste and spent fuel;
9. health detriment to people resulting from radioactivity;
10. carrying out measures relating to radiation and nuclear safety;
11. international cooperation in the field of radiation and nuclear safety;
12. the work carried out by the expert councils and authorized experts in accordance with the provisions of this Act;
13. carrying out radiation practices and the use of nuclear energy around the world;
14. training of authorized experts, development studies, professional verifications and international professional cooperation in the field of radiation protection and nuclear safety;
15. attainment of goals of the resolution on the nuclear and radiation safety in the Republic of Slovenia and the resolution on national programme for the management of radioactive waste and spent fuel.
16. In addition to the information referred to in the preceding paragraph, the report on ionising radiation protection and nuclear safety shall also include the assessment of the performance by national authorities, on the prevention of the proliferation of nuclear weapons and the prohibited use of nuclear materials, as well as proposals for urgent and priority tasks related to the improvements in the radiation and nuclear safety.

# 11. RECORDS ON RADIATION SOURCES AND RADIATION PRACTICES

# Article 170(Records)

1. In accordance with this Act, the records of radiation practices, the register of radiation sources and the register of radiation, nuclear and less important radiation facilities and closed disposal facilities shall be kept.
2. As part of the register of radiation practices, the competent authorities referred to in paragraph 6 of this Article shall also keep records of personal information of responsible persons referred to in Article 52 of this Act and on exposed workers of the operator carrying out a radiation practice while the authority competent for nuclear safety shall keep also the records of personal information of workers in an organisational unit for radiation protection referred to in Article 51 of this Act as part of the register of radiation and nuclear facilities.
3. The authorized bodies shall keep the records of information referred to in the preceding paragraph to provide radiation protection of exposed workers and to determine compliance with prescribed conditions on education, expert qualifications, fitness for work and inclusion in the system of personal dosimetry of exposed workers.
4. The records referred to in paragraph 2 of this Article shall contain the following data:
* name and surname;
* occupation and education;
* information on the completed training (date of the validity of the certificate on completed training on radiation protection);
* fitness for work (date of the validity of medical certificate).
1. The information referred to in the preceding paragraph shall be kept throughout the performance of works by an exposed worker or a worker in an organisational unit for radiation protection and throughout the appointment of a person responsible for radiation protection.
2. The registers referred to in paragraph 1 of this Article shall be maintained as a public register by the authority competent for nuclear safety, except the register of radiation practices and less important radiation facilities in health and veterinary care, which shall be maintained as a public register by the authority competent for radiation protection.
3. The information from the register of radiation sources on high-activity radioactive sources and sources that are relevant for security and personal information referred to in paragraph 2 of this Article shall not be public.
4. Only the competent officials of the authorities referred to in paragraph 2 of this Article, of the ministry of internal affairs and of the police as well as competent inspectors referred to in Article 178 of this Act shall access to the information referred to in paragraph 7 of this Article. The owner and the holder of a radiation source shall access that information referred to in paragraph 7 of this Article which relates to their radiation source.
5. The minister competent for the environment and the minister competent for health shall determine the types of sources referred to in paragraph 7 of this Article for which the information in the registers is not public and which information on such sources is not public.

# Article 171 (Content of registers)

1. The register of radiation practices shall consist of records of persons carrying out a radiation practice and the related collection of documents.
2. The register of radiation sources shall consist of records of radiation sources registered in the register and radiation sources for which a licence for use was issued and the related collection of documents.
3. The register of nuclear, radiation, less important radiation facilities and closed disposal facilities shall consist of records of the facilities that have the status as a nuclear, radiation, less important radiation facility or a closed disposal facility and the related collection of documents.
4. The records referred to in the preceding paragraph shall contain information from documents, in particular following:
* the company name and registered place of business, or the name and surname of the person performing a radiation practice or of the user of a radiation source;
* the description of the radiation practice or the description of the radiation source;
* the conditions for carrying out a radiation practice and the conditions for the use of a radiation source;
* the information on the geo-location of the radiation source.
1. The collection of documents referred to in paragraphs 1, 2 and 3 of this Article shall consist of the documents relating to the registration, on the issuing of a licence for carrying out a radiation practice and a licence for the use of a radiation source, on the issuing of a decision on the status of a radiation, nuclear or less important facility or a closed disposal facility, on the issuing of opinions and consents on a nuclear and radiation practice in the procedure for the siting and building of radiation and nuclear facilities and on the operating permits for the facility.
2. The minister competent for the environment and the minister competent for health shall determine in detail the content of the registers, the format and the method for maintaining the registers, the method for determining material costs involved in conveying the information, the method for conveying documents and the reporting on the information contained in the registers.

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# 12. FINANCING OF IONISING RADIATION PROTECTION AND RADIATION SAFETY

**Article 172
(Costs of the operator of a radiation practice)**

1. An operator carrying out a radiation practice and an operator or user of a radiation source shall cover costs for:
2. their own measures relating to radiation and nuclear safety in accordance with this Act;
3. implementation of international missions in its own facility (Article 5);
4. drawing up of the assessment of justification (Article 32);
5. carrying out radiation protective measures (Article 29);
6. drawing up an evaluation on radiation protection (Article 40);
7. obligatory consultations and other services provided by authorized experts and organisations for radiation protection (Article 42);
8. services provided by approved providers of dosimetry services (Article 45);
9. maintenance of records on personal doses of exposed workers (Article 49);
10. work activities of an organisational unit or a person responsible for radiation protection (Articles 51 and 52);
11. the passing of a professional examination to carry out tasks on radiation protection by persons employed in an organisational unit responsible for radiation protection and by persons responsible for radiation protection (Article 53);
12. health surveillance carried out by authorized practitioners (Articles 56 and 57);
13. carrying out measures on reducing exposure due to building materials (Article 64);
14. carrying out measures on reducing exposure of workers or members of the public due to natural radiation sources (Article 65);
15. carrying out measures on reducing exposure due to radon (Articles 67, 68, 69 and 70)
16. carrying out radiological procedures (Article 76);
17. drawing up a programme of radiological procedures (Article 77);
18. services by authorized medical physics experts (Article 78);
19. evaluation and verification of radiological procedures (Article 82);
20. keeping of records on personal doses due to radiological procedures (Article 83);
21. services of authorized providers of radiation and nuclear safety (Article 88);
22. managing the programme on the monitoring of operational experiences in a radiation or nuclear facilities (Article 90);
23. provision of adequate financial resources and guarantees (Article 91);
24. provision of a sufficient number of qualified workers in the operation of radiation and nuclear facility (Article 92);
25. implementation of the management programme (Article 93);
26. regular, comprehensive and systematic evaluation and verification of radiation and nuclear safety (Article 112);
27. extraordinary safety review (Article 113);
28. special review of safety report (Article 119);
29. reporting of the operation of facilities (Article 120);
30. services of the commercial public service of radioactive waste management (point 1 and 3 paragraph 3 of Article 122);
31. planning and carrying out protection and rescue measures (Article 130);
32. services for physical protection (Article 144);
33. security vetting of persons being considered for employment (Article 149);
34. keeping of records and carrying out control of radioactive substances by the areas of material balances (Article 157);
35. services of providers of operational, pre-operational, post-operational and special monitoring of radioactivity and for the monitoring of the effects of rehabilitation measures ordered in an emergency (Article 158);
36. services in instances of increased radioactive contamination of products (Article 163);
37. ordering special measures for the rehabilitation of consequences of an emergency or for an omission of prescribed management of radioactive substances, including costs for the monitoring and control of the effects of rehabilitation (Article 165).
38. The services for the management of radioactive waste from NPP Krško referred to in points 2 and 3 paragraph 3 of Article 122 of this Act shall be financed from the fund referred to in paragraph 2 of Article 122 of this Act.

# Article 173(Public costs for ionising radiation protection and nuclear safety)

(1) The State shall ensure resources for the financing of:

1. administrative, expert and supervisory tasks of the State related to protection against ionising radiation and nuclear safety;
2. activities carried out by expert councils (Article 6);
3. carrying out the preparedness measures for orphaned sources (Article 26);
4. maintaining the central register of doses (Article 49);
5. health surveillance of exposed workers and the population in case of an emergency (Article 60);
6. systematic review of the working and living environment for radiation protection due to exposure to natural radiation sources and of existing exposure which cannot be disregarded from the radiation protection point of view (Articles 62 and 63);
7. systematic review and carrying out radon measurements (Article 66);
8. carrying out measures for reducing radon exposure in facilities used for the provision of childcare, education, cultural or health care programmes (paragraph 8 of Article 68);
9. keeping the record on radon measurements (Article 72);
10. keeping the register of medical physicists (Article 80);
11. management of central records of radiological procedures (Article 83);
12. drawing up of the report on doses received by the population (Article 84);
13. commissions for the verification of the fulfilment of prescribed conditions by qualified workers and the drawing up of programmes for the verification of professional qualifications, the psycho-physical characteristics of workers and the availability regarding the absence of alcohol and drugs of qualified workers in a radiation facility (Article 92);
14. management of radioactive waste and spent fuel if the polluter of radioactive waste or spent fuel is not known (Article 121);
15. keeping of the central records of radioactive waste and spent fuel (Article 121);
16. provision of the commercial public service of radioactive waste management in part not covered by the user of radiation source (point 1 of paragraph 3 of Article 122);
17. provision of the commercial public service of long-term control and maintenance of closed disposal facilities (points 4 and 5 paragraph 3 of Article 122 and Article 123);
18. provisions of protective measures where the user of radiation source cannot be identified, or the polluter is not in the Republic of Slovenia (Article 132);
19. keeping of records of nuclear material (Article 157);
20. monitoring of radioactivity in the environment, special monitoring of radioactivity and the monitoring of the effects of rehabilitation measures ordered in emergency (Article 158);
21. measures ordered for the rehabilitation of the consequences of an emergency or the omission of prescribed management of radioactive substances if the person who has used or managed the radiation source or failed to follow the prescribed management of the radiation source or radioactive waste cannot be determined, or when the consequences cannot be removed in any other way (Article 166);
22. commercial public service of radioactive waste management which provides services when users cannot be determined or the use of it cannot be measured (Article 166);
23. the regime for the comprehensive rehabilitation of an area of permanent exposure (Article 167);
24. drawing up the report on radiation protection and nuclear safety (Article 168);
25. keeping of registers of radiation practices, of radiation sources and of radiation and nuclear facilities in the form of public registers (Article 171);
26. planning of protective measures and the implementation thereof in accordance with the regulations on the protection against natural and other disasters;
27. other measures relating to radiation and nuclear safety when they are guaranteed by the State for the public benefit in accordance with this Act.

# Article 174(Ensuring qualifications of authorized experts and competent authorities)

1. The State shall ensure resources for the financing of:
2. training of authorized radiation protection experts;
3. training of authorized medical physics experts;
4. training of authorized radiation and nuclear safety experts;
5. development studies and independent expert reviews and international expert cooperation in the field of ionising radiation protection and nuclear safety;
6. training of public officials of competent authorities under this Act.
7. The resources referred to in the preceding paragraph shall be available to the authority competent for nuclear safety and the authority competent for radiation protection.

# 13. COMPENSATION FOR LIMITED USE OF SPACE DUE TO NUCLEAR FACILITY

**Article 175
(Area of limited use of land)**

1. The area of limited use of land due to a nuclear facility shall be the area where the use of land is limited due to measures relating to radiation and nuclear safety in a nuclear facility.
2. Measures for radiation and nuclear safety which limit the use of land in the vicinity of a nuclear facility shall be the limits of the use of land which reduce the possibility of occurrence of an industrial or any other accident outside the nuclear facility, which in turn could affect nuclear safety, and the limits relating to population density, as well as the requirements relating to local infrastructure facilities aimed at reducing the possibility of a health detriment arising in case of an emergency in the nuclear facility.
3. The extent of the area of limited use of land and the limits of the use of land in this area shall be determined in the opinion referred to in paragraph 4 Article 95 of this Act.

# Article 176(Entitled to compensation due to the limited use of land)

1. A person entitled to compensation for limited use of land is the local community on whose territory lies the area of limited use of land.
2. The compensation relating to the limited use of land shall be paid to the entitled as a compensation for reduced financial resources in the local community and as a compensation for reduced value of local infrastructure facilities.
3. The Government shall prescribe in detail the criteria for determining the amount of compensation due for the limited use of land, the method of levying, calculation and payment of the compensation, and the start and end of receiving the compensation.
4. The criteria for determining the amount of compensation referred to in the preceding paragraph shall consider:
* the type of nuclear facility,
* the number of nuclear installations whose areas of limited use overlap,
* the surface area of limited use,
* the area of municipality, which is in the area of limited use of space.

# Article 177(Persons liable to pay compensation)

1. The operator of a nuclear facility shall be deemed as the entity responsible to pay the compensation due to the limited use of land.
2. The compensation for limited use of land is paid monthly.

# INSPECTION CONTROL

**Article 178
(Inspection control)**

1. According to this Act, the inspection control includes the control over the implementation of the provisions of this Act and regulations issued in accordance with this Act and the measures imposed under this Act.
2. The inspection control under this Act, in their respective field of work, shall be carried out by the authority competent for nuclear safety and by the authority competent for radiation protection. Inspection control of physical protection shall be carried out by the inspectorate competent for the internal affairs.
3. Notwithstanding the provision of the act governing building of facilities, in addition to inspectors competent under the provisions of the act governing building, the authority competent for nuclear safety shall also be responsible for the supervision of a building of a radiation or nuclear facility in terms of nuclear and radiation safety of the facility.
4. The competent authority referred to in paragraph 2 of this Article shall prepare the annual programme on inspection control. Its preparation shall consider the meaning and the types of dangers due to carrying out a radiation practice under surveillance, the assessment of arrangements on radiation safety and the assessment on the application of provisions of this Act by providers of these practices.
5. The inspectors of the competent authority shall ensure that, when orphaned source is found, all the procedures prescribed by this Act are triggered from possible rehabilitation of the emergency, until the return into the country of origin when known or the delivery of the source found to the commercial public service of radioactive waste management for safe storage.
6. Inspections authorities referred to in paragraph 2 of this Article shall be coordinated in accordance with the principle of cooperation of inspections authorities due to the primary importance of ensuring nuclear and radiation safety.
7. Regarding an intended inspection in the field of physical protection under this Act, the inspectorate competent for the internal affairs shall inform the authority which issued a consent on the physical protection plan referred to in paragraph 2 of Article 145 of this Act.
8. Within the scope of inspection control an inspector may:
9. issue decisions and conclusions and order measures under the act governing the inspection;
10. order measures for radiation protection, measures for radiation and nuclear safety, measures in the area of physical protection of nuclear facilities and nuclear and radioactive substances pursuant to this Act;
11. order the cessation of carrying out a radioactive practice or the use of a radiation source when the inspector establishes that licences pursuant to this Act for carrying out a practice or for the use of radiation source have not been issued, or if there was an omission of prescribed methods on the management of the radiation source or radioactive waste;
12. seal radiological device if it does not comply with the acceptability criteria for correct functioning;
13. seal X-ray device if no longer used by the holder or if no authorization under this Act has been obtained for its use;
14. orders the prohibition or limitation on placing contaminated products on the market, or orders their withdrawal or recall from the market and orders additional measures to ensure the prohibition is observed;
15. in accordance with the regulation on secret information, conducts inspection of threat assessment and the documents on the physical protection containing secret information.
16. The competent inspector shall send to the external provider the record of inspections where deficiencies were detected regarding radiation protection of outside workers.
17. Before the proposal for initiating a procedure on minor offence, the competent inspector may confiscate the radiation source if it concludes that its management could cause harm to people’s health and the environment.
18. Records of inspections in the area of physical protection shall be secret and the level secrecy shall be determined in accordance with the regulations on secret information.
19. The records referred to in the preceding paragraph shall be, in addition to the facility operator or carrier, also conveyed to the authority which issued the consent to the physical protection plan referred to in Article 145 of this Act.
20. An appeal against the inspector’s decision to cease the operations or use of a radiation source referred to in paragraph 8 of this Article shall not stay its execution.
21. The minister competent for the internal affairs shall prescribe the equipment of inspectors who carry out the supervision of physical protection of nuclear and radioactive substances and facilities.
22. The administration competent for nuclear safety and the administration competent for radiation protection shall, each in its plan, ensure for fast conveying of information to the stakeholders, including producers and suppliers of radiation sources and international organisations where appropriate, regarding important findings during inspections and the information in the reports on emergencies concerning radiation protection and nuclear safety.

# 15. PENAL PROVISIONS

**Article 179
(Violations)**

1. A fine of between 5.000 and 250.000 EUR shall be imposed on a legal person for an offence, and if the legal person is a medium or large company under the law governing the companies, the fine shall be between 10.000 to 500.000 EUR if it:
2. carries out radiation a practice under this Act without the registration or a valid licence (Article 18);
3. uses a radiation source not registered in the register of radiation sources or without the licence to its use (paragraph 1 of Article 21);
4. has omitted control of radioactive substances without the consent of the competent authority (paragraph 1 of Article 24);
5. deliberately dilutes radioactive substances to fulfil the conditions for abandoning control over them (paragraph 1 of Article 25);
6. uses closed radiation sources or their containers which are mechanically damaged or regarding which it is suspected they could be leaking or are otherwise broken (paragraph 3 of Article 25);
7. uses smoke detectors with a radiation source, which has the progeny in a gaseous state (paragraph 4 of Article 25);
8. uses radioactive lightning conductor (paragraph 5 of Article 25);
9. as the operators of a large postal centre, airports and ports, through which goods are imported that could be contaminated with radioactivity or contain orphaned sources, waste and processing facilities for metal scrap, fails to install a system for detecting increased radioactivity contamination or increased ionising radiation, or fails to introduce processes for taking actions in such instances (paragraph 4 of Article 26);
10. in the event orphaned source is found, fails to inform the authority competent for nuclear safety or does not carry out measures ordered on radiation protection (paragraph 5 of Article 26);
11. as the provider of a radiation practice, does not ensure drawing-up of written processes for work related to carrying out a radiation practice (point 2 paragraph 1 of Article 29);
12. as the provider of a radiation practice, does not apply operating limits, written processes and rules for work related to carrying out a radiation practice (point 3 paragraph 1 of Article 29);
13. does not notify the exposed worker, apprentice or students of risks for health in their work, of the content of the general procedures related to carrying out an activity involving radiation, of the content of procedures and limitations related o particular workplace or work performed, of the content of those parts of plans or instructions for taking action in emergencies with which he must be notified, of the importance of complying with the technical, medical and administrative requirements and of the urgency of early notification of pregnancy or nursing (point 4 paragraph 1 of Article 29);
14. as the operator carrying out a radiation practice does not provide training of persons involved in carrying out an activity involving radiation, their further training and regular testing of training on radiation protection (point 5 paragraph 1 of Article 29);
15. as a provider of a radiation practice fails to categorise exposed workers into two categories regarding the probability and extent of potential exposure (point 6 paragraph 1 of Article 29);
16. fails to provide adequate protective equipment and personal safety equipment and verification of its effectiveness (point 7 paragraph 1 of Article 29);
17. fails to ensure the performance of control measures and measurements in controlled and monitored areas, including prescribed inspections of radiation sources, protective equipment, personal protective equipment, working conditions, radiation conditions and personal dosimetry, or fails to ensure the use of adequate equipment and measurements procedures, provide exposure assessment of exposed workers, individuals from the population and of the environmental contamination, or fails to provide verification of effectiveness and maintenance of measurement equipment, exposure assessment and regular calibration of the measuring equipment (points 8, 9 and 10 paragraph 1 of Article 29);
18. fails to provide medical surveillance of exposed workers (point 11 paragraph 1 of Article 29);
19. fails to immediately notify competent authorities when dose limits are exceeded, working environment is contaminated, upon loss, theft or incorrect use of radiation source and in case of an emergency (point 12 paragraph 1 of Article 29);
20. fails to perform the prescribed measures on radiation source protection (point 13 paragraph 1of Article 29);
21. fails to perform measures after disuse of radiation source or after ceasing to carry out a radiation practice (point 14 paragraph 1 of Article 29);
22. fails to develop or implement the plan of measures for the prevention of emergencies and instructions for acting in emergencies, or fails to implement rehabilitation measures after an emergency (points 15 and 16 paragraph 1 of Article 29);
23. fails to keep prescribed records or fails to report in accordance with the regulations (points 17 and 18 paragraph 1 of Article 29);
24. as the aircraft operator, fails to implement radiation protective measures for the protection of its crew against cosmic radiation where the expected exposure by a crew member exceeds dose limits applicable for a member of the population (paragraph 4 of Article 29);
25. as the operator carrying out a radiation practice who is responsible for high-activity radiation sources, does not ensure that the training and notifications of a worker, apprentice or student includes also specific requirements on the safe management and control of such sources (paragraph 8 of Article 29);
26. as the operator carrying out a radiation practice causes overexposure of workers, apprentices, students or members of the population, or does not optimise the protection of people and the environment against radiation, or does not apply dose constraints in the optimisation of radiation protection (Article 31);
27. as the producer or importer produces or imports consumer products without the approval of the competent authority, regarding which the intended use could constitute a new type of radiation practice (paragraph 1 of Article 33);
28. sells or makes available consumer products whose intended use is not justified in accordance with the provisions of Article 33 of this Act or their use does not fulfil the criteria for exemption from notification under Article 16 of this Act (paragraph 5 of Article 33);
29. without an approval of the competent authority, performs non-medical imaging involving exposure of an individual (Article 34);
30. as an employer, assigns a person under 18 years of age to the workplace where he would become an exposed worker or fails to re-assign a pregnant woman who herself does not wish to continue working with radiation sources as soon as she had informed an employer about her pregnancy, to a post where she does not work with radiation sources, or fails to re-assign a breastfeeding woman as soon as she had informed the employer of the condition to a workplace where there is risk of radioactive contamination of her body, or it causes a less favourable position because of re-assignment or conditions of work (Article 38);
31. assigns a worker against his will to a workplace to carrying out special tasks or if the worker, who had exceeded dose limits for having carried out special tasks, without his consent is assigned to a different workplace or prohibits the performance of his usual work (paragraphs 1 and 2 of Article 39);
32. as the provider of a radiation practice does not provide for the assessment of radiation protection (paragraphs 1 and 2 of Article 40);
33. fails to provide regular surveillance of workers’ exposure (paragraph 1 of Article 45);
34. provides data to the authorized practitioner for further treatment and to the central to the central records of personal doses of exposed workers without a written consent of the exposed workers, or assigns the worker, apprentice or student to a workplace where he is to radiation without his written consent (paragraphs 1 and 3 of Article 48);
35. as the operator carrying out a radiation practice operating a nuclear or radiation facility, fails to ensure the functioning of a special radiation protection organisational unit, or fails to ensure that the radiation protection organisational unit functions separately from other organisational units or if the organizational design of radiation protection organisational unit or the quality of the equipment, the scope or content of its work does not comply with the conditions prescribed (paragraphs 1 and 2 of Article 51);
36. as the operator carrying out a radiation practice fails to ensure that radiation protection of outside workers is regulated the same as for workers employed by the operator carrying out a radiation practice, including the activities carried out by the outside workers which are justified from a radiation protection point of view in accordance with the principles of this Act, that the exposure of outside workers is optimised, including by prescribing dose constraints and reference levels, and that their dose limits are not exceeded and that the limits for pregnant and nursing women, all practitioners and students are applied for outside workers (paragraph 2 of Article 54);
37. as the operator carrying out a radiation practice fails to verify whether an outside worker has had a medical examination and whether that worker fulfils the conditions for special medical requirements concerning the work to which he is assigned, or fails to verify that the outside worker has been categorised in the relevant category according to the nature of work and the magnitude of the expected exposure, or fails to assure that the outside worker has adequate qualifications and has been notified of radiation protective measures concerning the work performed similarly as employees of the provider of a radiation practice, or fails to ensure the outside worker uses adequate personal protection equipment, or fails to ensure that personal radiation exposure of an outside worker is established according to the nature and type of exposure and that information of his personal doses are conveyed to the authority competent for radiation protection, for entry in the central records of personal doses and to the external operator if the assessment of radiation operator carrying out a radiation practice does not include an outside worker (paragraph 3 of Article 54);
38. as the external operator does not ensure that an outside worker is notified of risks for health in their work, of the content of the general protective measures related to carrying out a radiation practice, the content of procedures and protective measures related to the workplace or work he performs, the contents of those parts of the protection and rescue plan or instructions for acting in case of an emergency, which must be aware of, the importance of complying with the technical, medical and administrative requirements and of the urgency of early notification of pregnancy or nursing in order to prevent the exposure of the fetus or the possibility of internal contamination or intake of the radioactivity in the body, and that it is trained for carrying out a radiation practice, and that he has medical surveillance to the extent determined by this Act, and that his personal doses are communicated to the authorized health inspector, and that he is assessed for his personal exposure to radiation and the assessment of the radiation protection for the outside workers is made (paragraph 4 of Article 54);
39. as the external operator fails to ensure that the operator of the facility or the operator carrying out a radiation practice before commencing works in the supervised area has the information referred to in paragraph 4 of Article 49 of this Act (paragraph 5 of Article 54);
40. as the operator carrying out a radiation practice commences work with exposed workers of the external operator despite not having conveyed the data described in paragraph 4 of Article 49 of this Act or not having conveyed the information showing that the workers of the external operator may not perform works in the radiation practice in accordance with the provisions of this Act (paragraph 6 of Article 54);
41. assigns a worker to work in supervised area despite failing to provide measurements of doses received from the approved provider of dosimetry services or assigns him to such a workplace despite the competent authority granted an appeal on the assignment (paragraphs 1 and 4 of Article 55);
42. as the employer or external operator of training fails to ensure medical surveillance of exposed workers, apprentices or students or fails to ensure it within the prescribed extent, or fails to ensure special medical surveillance of exposed workers whenever one of the dose limits has been or is suspected to have been exceeded, or following a request by the authority competent for radiation protection (paragraphs 4 and 7 of Article 56);
43. assigns a worker to a workplace despite the finding of a medical surveillance that he is not capable for work in that workplace (paragraph 3 of Article 56);
44. fails to convey to the authorized practitioner upon his request all the information related to work performed by a worker within the framework of radiation practice (paragraph 5 of Article 56);
45. as the employer, with whom a worker was exposed to radiation, fails to ensure for medical surveillance after the cessation of work (paragraph 1 of Article 57);
46. carries out radiological procedures without a licence or an approved programme of radiological procedures or contrary to the approved programme of radiological procedures (paragraph 1 of Article 75);
47. performs an unjustified radiological procedure (paragraph 2 of Article 75);
48. fails to ensure that radiological procedures involve only health care workers with adequate professional training and fails to define responsibilities and tasks of referrers, practitioners responsible for radiological procedures, engineers of radiology and medical physicists (paragraph 4 of Article 75);
49. radiological procedure is performed by a person who does has not taken the prescribed training and verification of training to be a provider of radiological procedures (paragraph 5 of Article 75);
50. radiological procedure is carried out with a source of radiation which does not meet the acceptance criteria for the correct functioning of the radiological equipment (paragraph 6 of Article 75);
51. fails to ensure regular control and the taking of parameter measurements of the radiation source activity used for the performance of radiological procedures (paragraph 7 of Article 75);
52. performs a radiological procedure which was not prescribe or authorize by a practitioner referred to in Article 76 of this Act (paragraph 1 of Article 76);
53. fails to provide to the referrer the criteria for referral, with the procedures for the planning of radiological procedures (paragraph 1 of Article 76);
54. carries out a radiological procedure without a consent or contrary to written processes for the procedure concerned (paragraph 3 of Article 76);
55. fails to ensure that radiological procedures are conducted in accordance with a good radiological practice on optimising exposure of a patient in diagnostic procedure to the extent that the dose is as low as practically achievable, while taking into account the expected goals of the procedure, that practitioner responsible for the radiological procedure, the authorized medical physics expert and the provider of the radiological procedure participate in the optimisation of the radiological procedure, that the information on the exposure of a patient due to the radiological procedure is the component part of the results, that the dose administered during radiotherapy is planned for each patient separately in such a way that exposure outside clinical volumes is as low as can reasonably be achieved while taking into account the purpose of the therapy, and that during a diagnostic procedure, the approved diagnostic reference levels are in average not exceeded, or if it does not immediately examine the possibility for optimising radiological procedures or does not introduce suitable changes for systematic review of diagnostic reference levels (paragraph 4 of Article 76);
56. carries out spatial interventions without a consent or an opinion of the authority competent for nuclear safety (paragraph 5 of Article 95, paragraph 2 of Article 96, paragraph 1 of Article 97, paragraph 1 of Article 98 and paragraph 1 of Article 105) or without a consent of the authority competent for radiation protection (Article 98);
57. commences with test operation of a facility without a consent of the authority competent for nuclear safety (paragraph 1 of Article 98);
58. commences or ceases the operation of a nuclear or radiation facility, or commences the disposal of spent fuel or radioactive waste, or closes a disposal facility for spent fuel or radioactive waste, or commences or completes decommissioning of a nuclear or radiation facility, or completes mining work relating to the cessation of the extraction of nuclear mineral raw materials, or commences the disposal of mining or hydro-metallurgical tailings, or closes a disposal facility for mining or hydro- metallurgical tailings without a licence of the authority competent for nuclear safety, or stores fresh fuel on-site of a nuclear power plant or a research reactor without a licence of the authority competent for nuclear safety, or performs long-term monitoring and maintenance of a disposal facility for mining or hydro-metallurgical tailings, a disposal facility for radioactive waste or spent fuel without a licence of the authority competent for nuclear safety (paragraph 1 of Article 109);
59. fails to act in accordance with a decision of a competent authority regarding the performance of special safety review or measures for improving radiation or nuclear safety of a facility (Article 113);
60. as the operator of a facility, introduces changes and improvements without prior written confirmation that is not necessary to obtain authorization or without the approval of the authority competent for nuclear safety (paragraph 5 of Article 116 and paragraph 2 of Article 117);
61. exceeds operational conditions and limitations without approval or contrary to the approval of the authority competent for nuclear safety (paragraphs 1 and 2 of Article 118);
62. stores or processes radioactive waste or spent fuel at the location of its generation without an approval of the authority competent for nuclear safety (paragraph 6 of Article 121);
63. enters from and exits to EU Member States radioactive substances contrary to EU laws which are directly applicable in the EU or imports or exports radioactive substances without a licence of the competent authority (paragraphs 1 and 2 of Article 126);
64. enters from and exits to EU Member States, imports, exports or conducts transit of nuclear material and radioactive waste or spent fuel without a licence or a consent of the authority competent for nuclear safety (paragraphs 1 and 4 of Article 126 and paragraph 1 of 127);
65. fails to ensure the planning or carrying out of measures on physical protection (paragraph 1 of Article 144, paragraph 8 of Article 145 and Article 148);
66. uses or possesses nuclear goods contrary to the provisions of Article 156 of this Act, or does not allow for inspection of nuclear goods, or does not participate during an inspection by representatives of international organisations when these inspections are performed in accordance with international agreements;
67. fails to provide operational, pre-operational or post operational monitoring of radioactivity or does not carry out monitoring of the effects of rehabilitation measures carried out in an emergency (paragraphs 4, 5, 6, 7 and 8 of Article 158);
68. intentionally adds radioactive substances to animal feeding stuff, foodstuff, toys, personal jewellery, cosmetics or enters from and exits to EU Member States, or imports or exports such goods (paragraph 1 of Article 164);
69. makes available for use living and working environments and places for trade, or uses water, foodstuff, feeding stuff and products that are contaminated with radionuclides so that the activity concentrations exceed the prescribed limits values (paragraph 2 of Article 164);
70. performs the activity in the process of which the material from which toys or personal ornaments are activated to the level where, at the time of their placing on the market, cannot be disregarded from a radiation protection point of view, or imports or exports such goods or material (paragraph 3 of Article 164);
71. fails to act in accordance with the decision of a competent inspector or uses sealed radiological or X-ray device (paragraphs 8 of Article 178).
72. A fine of between 5.000 and 150.000 EUR shall be imposed against a legal person, sole trader or self-employed person pursuing an activity for an offence listed in the preceding paragraph.
73. A fine of between 1.000 and 10.000 EUR shall be imposed also on the responsible person of a legal entity or a self-employed individual or an individual performing independent activity for an offence listed in paragraph 1 of this Article.

**Article 180
(Particularly serious offences)**

If the nature of the offence referred to in the preceding Article is particularly serious due to the level of damage caused or the level of illegally obtained proprietary benefit or the perpetrator's intent or purposeful exploitation, the legal person shall be fined between 15.000 and 750.000 EUR, or when the legal entity is a medium-large or large commercial company in accordance with the law governing commercial companies a fine of between 30.000 and 1.500.000 EUR, a fine of between 15.000 and 450.000 EUR shall be imposed on a self-employed individual or individual performing independent activity; a fine of between 3.000 and 30.000 EUR on the responsible person of a legal entity, self-employed or an individual performing independent activity.

**Article 181
(Minor violations)**

1. A fine of between 1.800 and 125.000 EUR shall be imposed on a legal person for an offence, and if the legal person is a medium or large commercial company under the law governing commercial companies, the fine shall be between 3.500 to 250.000 EUR if it:
2. fails to keep documentary records in the prescribed manner (paragraphs 1, 2 and 3 of Article 9);
3. fails to provide, in the prescribed instances, the review of an assessment or fails to provide a proposal of changes of radiation protective measures and in their regard fails to provide for the drawing up of changes of the radiation protection assessment in instances when this is necessary for improving radiation protection of exposed workers, apprentices and students, or the radiation practice has significantly changed, or fails to commence to carry out changes of radiation protective measures after obtaining a licence for performing a radiation practice (paragraphs 1, 2 and 6 of Article 41);
4. fails to consult with authorized radiation protection experts and radiation protection organizations regarding the protection of exposed workers (paragraph 2 of Article 42);
5. if does not send the results of measurements of doses of exposed workers to the authorized occupational health practitioner and does not inform the exposed workers with them (paragraph 3 of Article 47);
6. if in an emergency or in the event of exceeding the dose limits do not ensure that the information on personal doses of the worker are not as soon as possible available to the authority responsible for nuclear safety, authority responsible for radiation protection, operator of a radiation practice and authorized occupational health practitioner (paragraph 4 of Article 47);
7. as the approved provider of dosimetry service fails to convey the information on personal doses of exposed workers to the central records of personal doses within the prescribed time limits under Article 49 of this Act (paragraph 4 of Article 49);
8. as the employer in the prescribed time limits does not notify the authority responsible for radiation protection, in the central records of personal doses referred to in Article 49 of this Act, the doses received by the employed worker abroad (paragraph 4 of Article 50);
9. fails to appoint a responsible person for radiation protection or fails to inform the competent authority of such appointment, or fails to ensure the work of responsible person is professional and independent, and has suitable working conditions (paragraphs 1, 4 and 6 of Article 52);
10. as external contractor for its employees does not specify the person responsible for radiation protection or do not agree with the operator carrying out a radiation practice, where the outside worker works, that the care for the outside worker shall assume the person responsible for the operator carrying out a radiation practice (paragraph 5 of Article 52);
11. fails to ensure a review of working and living environment and prepare an assessment of doses received which was ordered by the competent authority (paragraph 4 of Article 63);
12. sells building material on the list of building materials types due to which reference levels for building materials may be exceeded without first ensuring the measurements and the assessment of suitability by an authorized radiation protection expert, or fails to apply measures and conditions for their use as prescribed by the authority competent for nuclear safety (paragraphs 2, 3 and 4 of Article 64);
13. fails to act in accordance with a decision of a competent authority regarding carrying out measures for reducing exposure of workers or members of the population, and carrying out measures on the protection of exposed workers (paragraphs 1 and 2 of Article 65);
14. fails to ensure radon and thoron measurements in area with more radon in working environments on the ground floor or in basements or in working environments in the whole area of the Republic of Slovenia at locations where increased radon or thoron concentration can be expected (paragraphs 1 and 2 of Article 67 in the connection with Article 74);
15. fails to provide exposure assessment in case of exceeding the reference levels or does not implement the measures for reducing radon or thoron exposure or, if in the cases referred to in paragraph 5 of Article 68 of this Act, does not monitor the situation affecting the exposure and does not reassess the dose when changed or while retaking the measurements fails to verify the effectiveness of implemented measures within time limits set out in Article 68 of this Act (paragraphs 1, 2, 4, 5, 6 and 7 of Article 67 in the connection with Article 74);
16. fails to act in accordance with a decision of a competent authority regarding carrying out measures for reducing exposure of workers to radon or thoron (Article 69 in the connection with Article 74);
17. as a designer, when planning or as a contactor in the execution of new building or rebuilding of the building, does not comply with the prescribed requirements for ensuring the protection of human health against harmful effects of radon or thoron (paragraphs 1 and 2 of Article 70 in the connection with Article 74);
18. there is no established monitoring system for events that include actual or potentially unintentional exposure (paragraph 2 of Article 81);
19. does not inform the authority competent for radiation protection of any important unintentional exposures and of the findings of the investigation of the event and the measures taken to prevent them (paragraphs 4 and 5 of Article 81);
20. does not provide a clinical judgement while performing a radiological procedure or if does not provide it after every emergency (paragraphs 1 and 2 of Article 82);
21. does not provide the patient with information on doses received during the radiological interventions at his request (paragraph 6 of Article 83);
22. fails to obtain an opinion from an authorized radiation and nuclear safety expert regarding specific issues related to radiation and nuclear safety (paragraph 1 of Article 88);
23. fails to conduct a monitoring programme on operational experiences in radiation or nuclear facilities, or fails to apply the findings from these programmes in the evaluation, verification and improvement of radiation and nuclear safety (paragraphs 1 and 2 of Article 90);
24. as the operator of a facility, fails to ensure there is a sufficient number of qualified workers to manage the technological process or fails to ensure regular upkeep of professional knowledge of qualified workers or verify their qualifications, mental and physical properties, addiction to alcohol, drugs or other psychoactive products, or fails to keep records of completed training, including assessments of expert qualifications achieved in relation to the requirements for a suitable workplace for each worker performing work, important for safety, or fails to keep these records for one year after the employee ceases to work for him, or if works and tasks concerning the management of technological process are performed by a worker who does not have a licence from the authority competent for nuclear safety (paragraphs 1, 2, 3, 4 and 9 of Article 92);
25. as the operator of a facility, fails to set up or implement management system, or fails to incorporate safety culture and security culture, control over the supplier of the equipment or providers, control over contractors or in procedures for ensuring entry or installation of suitable equipment (Article 93);
26. fails to amend the safety report when, during building or decommissioning of a facility or during test operation or during mining work related to the exploitation or the cessation of the exploitation of nuclear mineral raw materials, changes arise which affect the content of the safety analysis report (paragraph 3 of Article 101 and paragraph 3 of Article 110);
27. fails to ensure operation or test operation in accordance with the approved operational conditions and limitations, or use written procedures for the operation, test operation, cessation of operation or decommissioning of a facility, or fails to monitor their own and foreign operational experience, operational indicators, the processes of aging of equipment or implement the measures to reduce or eliminate the effects of aging processes or maintenance, fails to review or test facility’s systems and components, does not complement the safety report during the facility’s operation, including all the changes in the facility, if as a manager of a nuclear power plant, after the completion of each maintenance work when the fuel is exchanges, it does not obtain the opinion of the authorized expert of radiation and nuclear safety, if it does not draw up and use the optimisation plan for radiation protection, or fails to control suppliers of equipment and providers of works, if does not use the safety analysis for security vetting, when required, if does not provide training and advanced training for employees and outside workers in a radiation or nuclear facility, if does not manage radioactive waste to minimize radioactive waste and release of waste into the environment by activity and by volume or of it is not processed and stored in such way that is suitable for disposal and in accordance with the National program for the management of radioactive waste and spent fuel (paragraph 1 of Article 111);
28. fails to draw up a report on periodic safety review or fails to prepare proposal for necessary changes based on this report or does not forward amendments to the approval or notification to the authority competent for nuclear safety, when necessary, or fails to inform the authority competent for nuclear safety (paragraphs 1 and 2 of Article 114);
29. as an operator of a facility, within twelve months of work carried out fails to inform the authority competent for nuclear safety of changes (paragraph 6 of Article 116);
30. fails to ensure a special review of a safety report or fails to draw up a proposal of changes of the safety report based on assessment and verification of safety (paragraphs 1 and 3 of Article 119);
31. fails to report on the operation of a facility in the prescribed way (Article 120);
32. fails to manage radioactive waste and spent fuel in the prescribed manner (paragraphs 1, 2, 3, 5, 12 and 13 of Article 121);
33. fails to implement management, long-term control and maintenance of closed disposal facility in accordance with conditions set out in a safety report (paragraph 2 of Article 123);
34. fails to draw up guidelines for acting in case of emergency or does not provide the technical and other conditions to make during an emergency the assessment of consequences of the emergency and determine the extent of necessary protective measures (paragraphs 1, 2 and 3 of Article 130);
35. does not provide to the others responsible for planning emergency response all available technical data on the radiation source, the data contained in the safety report and operational data (paragraph 4 of Article 130);
36. fails to ensure the fastest possible shutdown of the release of radioactivity or the radionuclides into the environment, to reduce the spread of radioactive substances into the environment via different transmission routes or reduction of human exposure (paragraph 5 of Article 130);
37. while making protection and rescue plans and in the implementation of the planned protective measures does not optimize the protective measures (Article 131);
38. fails to ensure qualifications and regular informing of providers of protective measures of risks to health and of important preventative measures during intervention in emergency (Article 133);
39. fails to regularly inform the public of important facts in the protection and rescue plans, especially of planned protective measures and the methods of their implementation (Article 134);
40. fails to inform the public and the competent authorities of an emergency (Article 135);
41. as the licence holder, fails to convey changes to its information to the authority that had issued the licence (paragraph 6 of Article 137);
42. in a controlled facility or space, physically supervised facility or area and vital facility or area of a nuclear facility are working individuals who do not fulfil the prescribed conditions or who are subject to security concerns or if they carry out the carriage of nuclear materials by persons who do not meet the prescribed conditions or for whom there are security concerns (paragraphs 1 and 2 of Article 149 in conjunction with Article 154);
43. fails to keep records of personal information of persons working or to be working in the nuclear facility or fails to convey the information in the records to the competent authorities upon their request (paragraph 1 of Article 152);
44. fails to conduct a procedure on interim security vetting when conditions to do so are fulfilled under Article 153 of this Act;
45. fails to maintain records of nuclear materials, or fails to ensure undisturbed functioning of the equipment used for the maintenance of the records, or fails to protect nuclear materials and fails to organise its storage in the prescribed manner, or fails to inform the police and the authority competent for nuclear safety of the loss of control over nuclear materials (paragraphs 3, 6, 7 and 8 of Article 157);
46. fails to report on the results of operational, pre-operational, post-operational monitoring, monitoring of the radioactivity of the closed disposal or the monitoring of the effects of rehabilitation measures (paragraph 10 of Article 159);
47. fails to provide the emergency monitoring of radioactivity or does not carry out the measures to determine the causes of contamination and their elimination or measures to reduce human exposure (Article 161);
48. fails to carry out rehabilitation of consequences of emergency or decontamination related to the use of its radiation source or facility, or when it was ordered by the competent authority as a special measure or consequence for omitting prescribed management (Article 165).
49. A fine of between 1.800 and EUR 75.000 EUR shall be imposed against a self-employed person or an individual performing independent activity pursuing an activity for an offence listed in the preceding paragraph.
50. A fine of between 350 and 5.000 EUR shall be imposed also on the responsible person of a legal entity or the responsible person a self-employed person or on the responsible person of an individual performing independent activity for an offence listed in paragraph 1 of this Article.
51. A fine of between 500 and 1.000 EUR shall be imposed on the individual who does not report changes of information relevant to security vetting to the legal entity which conducted security vetting and at which worker is employed (paragraph 3 of Article 150).

**Article 182**

**(Amount of fine in the rapid procedure)**

For offences under this Act, a fine that is greater than the lowest prescribed fine under this Act may also be issued in rapid proceedings.

# 16. TRANSITIONAL AND FINAL PROVISIONS

# Article 183(Procedures and authorization)

1. The procedures for obtaining a licence to carry out a radiation practice, a licence to use a radiation source, an approval for the building of a facility or building or mining works, an operating permit which have not been completed by the time this Act enters into force or regarding to which, at the time of this Act entering into force, an appeal has already been filed, shall all be completed in accordance with the current regulations.
2. The existing authorized experts for radiation protection, the existing authorized experts on radiation and nuclear safety, the existing approved dosimetry services provider, the existing authorized practitioners, and the commission approved in accordance with the provisions of the Act on Radiation Protection and Nuclear Safety (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text, 70/08 – ZVO-1B, 60/11 and 74/15) shall carry on performing their work until the day of the expiry of their authorization or appointment.
3. Until the issue of the authorizations referred to in Article 71 of this Act the radon measurements are carried out by the authorized radiation experts referred to in Article 42 of this Act, which have a valid authorization in the field of radon exposure.
4. Specialisation of authorized medical physics experts shall be recognised for the area of the current authorization.
5. The tasks of the commercial public service of radioactive waste management referred to in Article 122 of this Act, until the Act referred to in point 12 paragraph 1 of Article 184 of this Act enters into force, shall be conducted by ARAO – Agency for Radioactive Waste Management, Ljubljana.

# Article 184(Government regulations)

1. The Government shall no later than within 9 months of this Act entering into force, issue the regulations referred to in:
2. paragraphs 8 and 10 of Article 16,
3. paragraphs 4 and 5 Article 18,
4. paragraph 4 of Article 21,
5. paragraph 8 of Article 26,
6. paragraph 7 of Article 33,
7. paragraph 7 of Article 35,
8. paragraph 5 of Article 37,
9. paragraph 2 of Article 60,
10. paragraph 1 of Article 64,
11. paragraph 2 of Article 85,
12. paragraph 5 of Article 122,
13. paragraph 11 of Article 122,
14. paragraph 2 of Article 132,
15. paragraph 3 of Article 138,
16. paragraph 2 of Article 144,
17. paragraph 9 of Article 158 and
18. Article 160 of this Act.
19. The Government shall no later than within 18 months of this Act entering into force, adopt:
* the strategy for managing increased exposure due to natural radiation exposure with the programme on systematic surveillance of working and living environment referred to in paragraph 3 of Article 63 of this Act,
* the national radon programme referred to in paragraph 1 of Article 73 of this Act.

# Article 185(Extension of validity of implementing regulations)

1. The minister competent for the environment shall no later than within 9 months of this Act entering into force issue the regulations referred to in paragraph 13 of Article 121 of this Act.
2. The minister competent for health shall no later than within 9 months of this Act entering into force, issue the regulations referred to in:
3. paragraph 3 of Article 30,
4. paragraph 5 of Article 32,
5. paragraph 4 of Article 34,
6. paragraph 4 of Article 39,
7. paragraph 6 of Article 40,
8. paragraph 7 of Article 41,
9. paragraph 3 of Article 45,
10. paragraph 4 of Article 46,
11. paragraph 5 of Article 47,
12. paragraph 5 of Article 50,
13. paragraph 3 of Article 71,
14. paragraph 10 of Article 75,
15. paragraph 8 of Article 76,
16. paragraph 4 of Article 77,
17. paragraph 3 of Article 78,
18. paragraph 3 of Article 82,
19. paragraph 4 of Article 84 of this Act.
20. The minister competent for the environment and the minister competent for health shall, no later than within 9 months of this Act entering into force, issue the regulations referred to in:
21. paragraph 4 of Article 9,
22. paragraph 16 of Article 16,
23. paragraph 2 of Article 17,
24. paragraph 3 of Article 19,
25. paragraph 2 of Article 20,
26. paragraph 2 of Article 24,
27. paragraph 1 of Article 30,
28. paragraph 8 of Article 33,
29. paragraph 4 of Article 44,
30. paragraph 9 of Article 170 and
31. paragraph 6 of Article 171 of this Act.
32. The minister competent for health, with consent of the minister competent for the environment shall, no later than within 9 months of this Act entering into force, issue the regulations referred to in:
33. paragraph 2 of Article 30,
34. paragraph 8 of Article 35,
35. paragraphs 1 and 6 of Article 43,
36. paragraph 4 of Article 51 and
37. paragraph 6 of Article 53 of this Act.
38. The minister competent for the environment, the minister competent for health and the minister competent for agriculture shall, no later than within 9 months of this Act entering into force, issue the regulations referred to in:
* paragraph 11 of Article 159 and
* paragraph 2 of Article 162 of this Act.

**Article 187**

**(Extension of validity of implementing regulations)**

1. Rules on the Expert Council for Radiation and Nuclear Safety (Official Gazette of the Republic of Slovenia, No. 35/03) remain in force as regulation issued based on paragraph 5 of Article 7 of this Act.
2. Rules on the Expert Council on issues of protection of people against ionizing radiation, radiological activities, and the use of radiation sources in medicine and veterinary medicine (Official Gazette of the Republic of Slovenia, No. 62/03) remain in force as regulation issued based on the paragraph 5 of Article 7 of this Act.
3. Rules on radiation and nuclear safety factors (Official Gazette of the Republic of Slovenia, No. 74/16) remain in force as regulation issued based on paragraph 4 of Article 9, paragraph 8 of Article 93, paragraph 4 of Article 100, paragraph 6 of Article 101, paragraph 5 of Article 108, paragraph 5 of Article 110 and paragraph 5 of Article 115 of this Act.
4. Rules on the implementation of medical surveillance of exposed workers (Official Gazette of the Republic of Slovenia, No. 2/04) remain in force as regulation issued based on paragraph 8 of Article 56, paragraph 2 of Article 57 and paragraph 4 of Article 58 of this Act.
5. Rules on authorized experts on radiation and nuclear safety (Official Gazette of the Republic of Slovenia, No. 50/16) remain in force as regulation issued based on paragraphs 5 and 7 of Article 89 of this Act.
6. Rules on safety assurance of radiation and nuclear facilities (Official Gazette of the Republic of Slovenia, No. 81/16) remain in force as regulation issued based on paragraph 3 of Article 90, paragraph 2 of Article 111, paragraph 5 of Article 112, paragraph 8 of Article 116, paragraph 3 of Article 118, paragraph 5 of Article 119 and paragraph 3 of Article 120 of this Act.
7. Rules on providing qualification for workers in radiation and nuclear facilities (Official Gazette of the Republic of Slovenia, No. 32/11) remain in force as regulation issued based on paragraph 14 of Articles 92 of this Act.
8. Rules on the transboundary shipments of radioactive waste and spent fuel (Official Gazette of the Republic of Slovenia, No. 22/09) remain in force as regulation issued based on paragraph 1 of Article 129 of this Act.
9. Rules on the transboundary shipment of nuclear and radioactive substances (Official Gazette of the Republic of Slovenia, No. 75/08 and 41/14) remain in force as regulation issued based on paragraph 1 and 2 of Article 129 of this Act.
10. Rules on the physical protection nuclear facility and nuclear and radioactive substances and transport of nuclear material (Official Gazette of the Republic of Slovenia, No. 17/13) remain in force as regulation issued based on Article 146 of this Act.
11. Rules on determining the programme for basic initial professional training and program periodic professional training security staff performing works, physical protection of nuclear facility and nuclear and radioactive substances and transport of nuclear material (Official Gazette of the Republic of Slovenia, No. 12/13) remain in force as regulation issued based on Article 146 of this Act.
12. Rules on monitoring radioactivity in drinking water (Official Gazette of the Republic of Slovenia, No. 74/15) remain in force as regulation issued based on paragraph 11 of Article 159 of this Act.
13. Rules of the equipment for inspectors carrying out inspection on physical protection of nuclear and radioactive substances and facilities (Official Gazette of the Republic of Slovenia, No. 42/12) remain in force as regulation issued based on paragraph 14 of Article 178 of this Act.

# Article 188(End of validity)

1. On day this Act enters into force the Ionising Radiation Protection and Nuclear Safety Act (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text, 70/08 – ZVO-1B, 60/11 and 74/15) shall cease to have effect.
2. On day this Act enters into force, the following regulations shall cease to have effect:
3. Decree on activities involving radiation (Official Gazette of the Republic of Slovenia, No. 48/04 and 9/06),
4. Decree on dose limits, radioactive contamination and intervention levels (Official Gazette of the Republic of Slovenia, No. 49/04),
5. Decree on the programme of the systematic monitoring of working and residential environments and raising awareness about measures on reducing the exposure of the public to natural radiation sources (Official Gazette of the Republic of Slovenia, No. 19/16),
6. Decree on checking the radioactivity for shipments of metal scrap (Official Gazette of the Republic of Slovenia, No. 84/07),
7. Decree on the method and subject of and conditions for performing a public utility service of radioactive waste management (Official Gazette of the Republic of Slovenia, No. 32/99 and 41/04 – ZVO-1),
8. Decree on the method, subject and conditions for the provision of obligatory public utility service of long-term monitoring and maintenance of the landfills of mining and hydro-metallurgical tailings from extraction and exploitation of nuclear minerals (Official Gazette of the Republic of Slovenia, No. 76/15),
9. Rules on the use of radiation sources and on activities involving radiation (Official Gazette of the Republic of Slovenia, No. 27/06),
10. Rules on radioactive waste and spent fuel management (Official Gazette of the Republic of Slovenia, No. 49/06),
11. Rules on the monitoring of radioactivity (Official Gazette of the Republic of Slovenia, No. 20/07 and 97/09),
12. Rules on the method of keeping records of personal doses due to exposure to ionising radiation (Official Gazette of the Republic of Slovenia, No. 81/16),
13. Rules on the criteria of using ionising radiation sources for medical purposes (Official Gazette of the Republic of Slovenia, No. 111/03 and 75/15),
14. Rules on the requirements and methodology of dose assessment for the radiation protection of the population and exposed workers (Official Gazette of the Republic of Slovenia, No. 115/03 and 83/16),
15. Rules on approving of experts performing professional tasks in the field of ionising radiation (Official Gazette of the Republic of Slovenia, No. 18/04),
16. Rules on the obligations of the person carrying out a radiation practices and person possessing ionizing radiation source (Official Gazette of the Republic of Slovenia, No. 3/17 and 8/17).

# Article 189(Entry into force and suspension of application of certain provisions of the Act)

1. This Act shall enter into force on 15th day after its publication in the Official Gazette of the Republic of Slovenia.
2. The provisions of paragraph 4 of Article 26 of this Act shall apply one year after the regulation referred to in paragraph 8 of Article 26 of this Act enter into force.
3. The provisions of Articles 33, 64 and 70 of this Act shall apply from 1st January 2020.
4. The provisions of Articles 95 and 96 of this Act shall apply from the date of application of the provisions of the Spatial Planning Act (Official Gazette of the Republic of Slovenia, No. 61/17).
5. Pending application of the provisions of the preceding paragraph, the provisions of Articles 64, 64.a, 65.b and 65.a of the Act on Radiation Protection and Nuclear Safety (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text, 70/08 – EPA-1B, 60/11 and 74/15).
6. The provisions of Articles from 97 till 100 of this Act shall apply from the date of application of the provisions of the Building Act (Official Gazette of the Republic of Slovenia, No. 61/17).
7. Pending application of the provisions of the preceding paragraph, the provisions of Articles 68 till 70.a of the Act on Radiation Protection and Nuclear Safety (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text, 70/08 – ZVO-1B, 60/11 and 74/15) shall apply.
8. Pending application of the provisions in the paragraph 6 of this article, the references to the opinion of Articles 97 or 98 of this Act, as set out in the paragraphs 1 and 4 of Article 101 of this Act, paragraph 3 of Article 103 of this Act, paragraphs 1 and 6 of Article 107 of this Act and paragraph 3 of Article 109 of this Act, be construed as consent of Articles 68 and 69 of the Act on Radiation Protection and Nuclear Safety (Official Gazette of the Republic of Slovenia, No. 102/04 – official consolidated text, 70/08 – ZVO-1B, 60/11 and 74/15).

No. 801-10/16-6/31

Ljubljana, 12th December 2017

EPA 2115-VII

 **National Assembly of**

 **the Republic of Slovenia**

 dr. Miran Brgelz

 The President

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The Ionising Radiation Protection and Nuclear Safety Act (Official Gazette of the Republic of Slovenia, No. 26/19) has following transitional and final provisions:

»TRANSITIONAL AND FINAL PROVISION

Article 13

The authorities responsible for the protection of classified information shall, within one month of the entry into force of this Act, submit to the ministry responsible for internal affairs all documentation relating to security vetting procedures in accordance with the Ionising Radiation Protection and Nuclear Safety Act (Official Gazette of the Republic of Slovenia, No. 76/17). Security vetting start in accordance with the existing regulations that have not yet been completed, they are completed according to the old regulations.

Article 14

This Act shall enter into force on the 15th day after its publication in the Official Gazette of the republic of Slovenia.«.