

**LAW OF GEORGIA**  
**ON NUCLEAR AND RADIATION SAFETY**

**Chapter I - General Provisions**

**Article 1 - Scope of the Law**

1. This Law governs legal relations between public authorities and natural and legal persons, who perform activities related to nuclear and radioactive materials and other sources of ionising radiation, and who implement other safety measures for nuclear materials and other sources of ionising radiation.

2. This Law defines:

- a) safety principles for performing activities related to radioactive materials and other sources of ionising radiation and any other activity causing radiation exposure;
- b) a system of protecting humans and the environment from harmful exposure to ionising radiation;
- c) obligations to implement measures to reduce exposure to radiation resulting from a radiological emergency;
- d) obligations to safely handle radioactive waste;
- e) obligations to develop and implement, to the extent possible, natural radiation exposure reduction measures;
- f) state control and surveillance of the following nuclear and radiation activities related to radioactive materials and other sources of ionising radiation (except for the use of the sources of ionising radiation for military purposes):
  - f.a) production, possession, storage, use, consumption, import, export, transit, and transportation of radioactive materials, as well as export and import of nuclear technologies and nuclear technological novelties;
  - f.b) selection, development and design of the parcels of land, radiation safety assessments, business or business project modifications for nuclear and radiation facilities, removing from service and decommissioning of nuclear and radiation facilities;
  - f.c) processing, storage, warehousing, and storage of radioactive waste;
  - f.d) use of the sources of ionising radiation in medicine, industry, and scientific research;
  - f.e) any other activity related to the sources of ionising radiation (including the activities related to the commissioning and maintenance of nuclear and radiation facilities, mining-related activities, and matters related to uncontrolled radioactive sources).

3. This Law shall not apply to radioactive sources and activities removed, exempted, or excluded from regulation, the levels of which shall be set by the Technical Regulation on Radiation Safety Standards and Basic Requirements for Handling Sources of Ionising Radiation. Legal Entity under Public Law (LEPL) – the Agency of Nuclear and Radiation Safety (the ‘Regulatory body’) may, in case of emergency, based on the actual situation, set different values of these levels for the given case.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

**Article 2 - Goals and objectives of the Law**

1. The goals of this Law shall be as follows:

- a) ensure peaceful use of nuclear materials, the respective equipment and machinery by adhering to their non-proliferation regime;
- b) lay down basic requirements for the safe handling of nuclear materials and other sources of ionising radiation;
- c) ensure the avoidance and prevention of all illegal activities related to nuclear materials and other sources of ionising radiation in compliance with the legislation of Georgia and the commitments of Georgia under international agreements;
- d) ensure the safety of all types of activities related to nuclear materials and other sources of ionising radiation and the use of such nuclear materials and other sources of ionising radiation for peaceful purposes only, protect humans and the environment from harmful exposure to ionising radiation in compliance with the legislation of Georgia, including the Constitution of Georgia, and the commitments of Georgia under international agreements.

2. The objective of this Law shall be to ensure the fulfillment of nuclear and radiation safety requirements on the territory of Georgia through harmonization with the international standards.

**Article 3 - Definition of terms**

1. Emergency exposure – irradiation, to which a natural person was exposed during an emergency. For persons participating in disaster mitigation



measures, it is an aggregate value of irradiation to which such person had been exposed in an emergency situation and in normal working conditions.

2. Emergency area – a specific area, where nuclear and radiation disaster mitigation special measures are being implemented, in compliance with the nuclear and radiation safety requirements.

3. Authorisation – the procedure of issuing a document (licence and permit) by a regulatory body, granting the authority for performing nuclear and radiation activities.

4. Nuclear non-proliferation safeguards – a system of obligations based on an agreement between the International Atomic Energy Agency (IAEA) and its member-countries, under which a member-country shall not use nuclear materials for military purposes, and the International Atomic Energy Agency may exercise control over the fulfillment by the member-country of its obligations under the agreement.

5. Nuclear and radiation facility – a facility (including buildings and equipment), where the sources of ionising radiation are handled.

6. Nuclear and radiation safety – the integrity of organisational and technical measures ensuring the protection of humans and the environment from harmful exposure to ionising radiation.

7. Nuclear and radiation safety assessment – a comprehensive assessment of ensuring the nuclear and radiation safety of an activity subject to licensing.

8. Nuclear (fissile) material – uranium-233; uranium enriched with uranium-235 or uranium-233; the uranium containing these isotopes, the composition of which matches that of natural uranium but is not ore or ore waste; depleted uranium; plutonium other than plutonium-238, in which isotopic concentration exceeds 80%; thorium in the form of metal, alloy, sample, chemical admixture or concentrate; any material becoming fissile as a result of the interaction of its constituent isotopes with neutrons and generating ionising radiation during nuclear fission.

9. Natural radiation – the aggregate of radiation of radionuclides in nature and cosmic radiation.

10. Observation area – the area not being a control area, where occupational radiation exposure is monitored despite the absence of radiation protection and special safety requirements.

11. Permissible dose limit – an ionising radiation dose limit value that should not be exceeded, that an individual has been exposed to as a result of performing a practical activity.

12. Decommissioning – the integrity of administrative and technical measures intended to remove, in whole or in part, from regulatory control, a nuclear and radiation facility (other than a radioactive waste dump site, the facilities accommodating the equipment generating ionising radiation, the enterprises processing mining waste and radioactive sources, that can discontinue their activity without decommissioning).

13. Qualified expert – a natural person who, based on a certificate, professional licence or academic qualification, obtained from competent institutions, and experience, under the established procedure, is recognised as a person authorised to conduct an examination in the respective field.

14. Ionising radiation – the radiation capable of creating ion pairs in the environment.

15. Generator of ionising radiation – a device or part thereof not containing any radioactive materials but technically capable of generating ionising radiation.

16. Source of ionising radiation – any radioactive substance or any device containing or generating such substance that radiates or is capable of ionising a substance through radiation.

17. Regulatory control – any form of control and regulation of nuclear and radiation facilities or activities by a regulatory body, aiming at determining the compliance of ionising radiation protection and/or radioactive sources safety and protection with the existing requirements.

18. The Ministry – the Ministry of Environment and Natural Resources Protection of Georgia.

19. Monitored area – an area, in different segments of which the irradiation dose and contamination level are measured to control and/or assess irradiation.

20. Exposure of humans to radiation – irradiation of individuals as a result of exposure to the source of ionising radiation other than occupational, medical, and local normal natural background radiation.

21. Worker – a natural person working with ionising radiation in any activity regulated by this Law.

22. Operator – a natural or legal person who has filed an application or notice for obtaining or has already obtained the authority to perform any activity regulated by this Law.

23. Occupational radiation – the radiation that the worker has been exposed to while performing professional activity, other than the radiation excluded from regulation or the radiation from the radioactive sources or activities exempted from regulation.

24. Radiation accident – an unexpected event, including nuclear and radiation facility management errors, equipment failure, and other disruption, the consequences of which cannot be ignored in terms of radiation protection and safety. A radiation accident may affect a facility only, or be of local, national, or trans-border significance.

25. Radiation exposure – any act or conditions, where a human being is exposed to ionising radiation. Radiation exposure may be external (radiation from sources outside the body) and internal (radiation from sources within the body).

26. Radiation protection programme – a set of documents submitted by a licence applicant or licence holder, which confirms the licence applicant's or licence holder's guarantees for providing the radiation safety measures defined by this Law for a specific type of nuclear and radiation activity.

27. Radiation incident – any unplanned incident caused by an operator's error, equipment failure; pre-emergency situation, a lost radioactive source, any



unauthorised act, either premeditated or inadvertent, the consequences of which cannot be ignored in terms of nuclear and radiation protection and safety.

28. Radiation risk – a probability of a danger, hazard, or harmful consequences of an existing or potential radiation exposure.

29. Radioactive contamination – the presence of radioactive substances on surfaces or within solids, liquids or gases, where their presence is unintended or undesirable, as well as the processes contributing to their subsequent development.

30. Radioactive waste – items, including a radioactive source, a device removed from service, a substance in any state of matter containing radionuclides with the activity concentration in excess of the level of removal from regulation, or contaminated with such radionuclides, and subsequent use of which is not considered.

30<sup>1</sup>) Burial of radioactive waste – a complex of structures where radioactive waste is permanently placed for safe storage without the intention of removing it subsequently.

30<sup>2</sup>) Storage for radioactive waste – a complex of structures where radioactive waste may be temporarily placed for safe storage, except for the radioactive waste in possession of the State, with consideration of the possibility of removing it subsequently.

30<sup>3</sup>) Repository for radioactive waste – a complex of structures where radioactive waste may be temporarily placed for safe storage, including the radioactive waste in possession the State, with consideration of the possibility of removing it subsequently

31. Radioactive substance – any substance (radioactive source or material) which, under ordinary conditions, is a source of ionising radiation.

32. Removal from regulation – removal by the regulatory body of radioactive materials or nuclear and radiation facilities from the sphere of further regulation, within the scope of permitted activities.

33. Level of removal from regulation – a level determined by the regulatory body expressed in specific activity or total activity units, at or below which a radiation source can be removed from regulation.

34. Exclusion from regulation – intentionally excluding special categories of radiation exposure from the sphere of control. Such radiation exposure is denoted with the term ‘excluded radiation exposure’.

35. Exemption from regulation – any case where certain safety requirements may be ignored.

36. Level of exemption from regulation – a value determined by the regulatory body expressed in specific activity, total activity, dose strength, or radiation energy units, at or below which a radiation source can be released from the sphere subject to control.

37. Emergency – a situation at nuclear and radiation facilities, on a particular area or water area arising as a result of natural phenomena, natural disasters, fires, accidents, catastrophes, or other calamities, as well as of using weapons of destruction, disrupting normal conditions for human life and activity, posing a threat to human life and health, causing damage to people and the environment.

38. Control area – a specific area, where special protection measures or safety requirements have been or may be introduced to control occupational radiation exposure (radiation exposure during a normal mode of operation of a nuclear and radiation facility) so as to prevent, in normal working conditions, the spread of radioactive contamination and radiation exposure, as well as to limit the level of potential radiation exposure.

39. Medical radiation – the radiation absorbed by a patient during medical diagnostics or treatment, by a person willfully and voluntarily assisting the patient in creating comfortable conditions (other than a person exposed to occupational radiation), by a student or a volunteer involved in medical-biological programmes in the framework of their studies.

40. Uncontrolled (abandoned) radioactive source – a radioactive source outside the state control (such source either has never been under regulatory control or has been abandoned, lost, or displaced and/or has been subjected to an illegal act).

41. Physical protection – a system of protection measures for the sources of ionising radiation at authorised facilities, intended to prevent the seizure or illegal transportation of nuclear and radioactive materials or sabotage against the system.

42. Physical security (protection) system – legal, research, and engineering measures aimed at preventing nuclear terrorism, and seizure or illegal handling of nuclear and radioactive materials.

43. Notice – a detailed report describing an emergency or potential emergency, timely submitted to a government body or an international organisation concerned; or the measures that have been implemented to clarify the conditions resulting from the emergency with the purpose of sending an alarm notice to all the organisations responsible for responding to such an emergency.

44. Intervention – any act aimed to mitigate or prevent the radiation exposure actual or potential risk induced by the sources of ionising radiation that are not under control or have not been controlled since a radiation accident.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 4 - Basic principles of nuclear and radiation safety**

The acts of a person performing nuclear and radiation activities and of the regulatory body, laid down in Article 1(2)(f) of this Law shall be based on the following core principles of nuclear and radiation safety:



- a) responsibility for safety – the responsibility for radiation safety shall rest primarily with the legal and natural persons performing risk involving radiation activities regulated by this Law;
- b) safety administration and management – establishing, implementation, and maintenance of effective safety administration and management of all interested organisations and high radiation risk facilities, as well as of radiation risk operations;
- c) feasibility – potential damage from the operation of a radiation risk facility and from the operations involving such risk shall not exceed the benefit gained;
- d) radiation protection optimisation – radiation protection shall be optimised so as to achieve the highest reasonably achievable level of radiation safety;
- e) limiting risk for certain individuals – ensuring the prevention of any impermissible risk or injury/damage to certain individuals by implementing radiation risk control measures;
- f) protection of present and future generations – protecting humans and the environment, present and future generations from radiation risks;
- g) radiation accident prevention – implementing all necessary radiation accident prevention measures;
- h) radiation accidents preparedness and response – ensuring preparedness for responding to nuclear and radiation accidents, and implementing the measures necessary for disaster mitigation and liquidation;
- i) protection measures to minimize present and non-regulated radiation risks – justification and optimisation of protection measures to be implemented to minimize present and non-regulated radiation risks;
- j) physical security (protection) principle – guaranteed protection provided by the safeguards of the State against any unauthorised use or abuse, misappropriation, and sabotage of nuclear and radiation materials, other sources of ionising exposure, and know-how, as well as the prevention of terrorist acts, unauthorised transportation of nuclear and radiation materials, and possible damage during their storage and transportation. The basis for physical security (protection) on the part of the State shall be the state requirements based on a gradual approach arising from the assessment of potential hazards.

## **Chapter II - State Regulation of Nuclear and Radiation Activity**

### **Article 5 - Core goal of regulating the safety of nuclear and radiation activity**

1. The implementation of the core principles of nuclear and radiation safety laid down in Article 4 of this Law shall ensure the core goal of safety to protect human beings and the environment from the harmful impact of ionising radiation.
2. The core principles of nuclear and radiation safety laid down in Article 4 of this Law shall be implemented through the following basic actions:
  - a) formulating a national policy for nuclear and radiation safety and developing a strategy;
  - b) developing and approving national programmes in the field of nuclear and radiation safety;
  - c) developing an integrated control system for nuclear and radiation safety and delegating the right to system coordination to the regulatory body;
  - d) fulfilling the obligations under international agreements concluded in the sphere of nuclear and radiation safety;
  - e) determining special emergency conditions for household and economic activities in the areas contaminated as a result of a radiation accident;
  - f) formulating a radioactive waste management policy and identifying a radioactive waste management strategy;
  - g) identifying the levels for removing and exempting radioactive materials and sources from regulation for their unlimited or limited use;
  - h) adopting normative acts in the spheres of nuclear and radiation security (protection) and physical protection.

### **Article 6 - State regulation of nuclear and radiation safety**

1. For the purpose of the state regulation of nuclear and radiation safety, the Legal Entity under Public Law (LEPL) – the Agency for Nuclear and Radiation Safety (the Regulatory body) shall be established within the system of the Ministry.
2. Functions of the Regulatory body shall be as follows:
  - a) implementation of the state regulation measures for ensuring nuclear and radiation safety;
  - b) authorisation of nuclear and radiation activities according to Chapter IV of this Law;
  - c) state control of nuclear and radiation activities by conducting inspection;
  - d) where licence and permit conditions of nuclear and radiation activities are violated, and unauthorised nuclear and radiation activities are detected, implementation of compulsory measures according to the legislation of Georgia;



- e) control of operation of the system for physical protection (security) of radioactive substances and appropriate nuclear and radiation facilities;
- f) participation in nuclear and radiation accident and incident preparedness and response measures under the procedure established by the legislation of Georgia;
- g) within its competence, ensuring of compliance with the requirements of international agreements of Georgia concluded in the field of nuclear and radiation safety;
- h) preparation of an annual report on the current radiation situation in the country, and its submission to the Ministry;
- i) implementation of public awareness measures with regard to nuclear and radiation safety under the procedure established by the legislation of Georgia;
- j) provision of services determined by the legislation of Georgia in the field of nuclear and radiation safety;
- k) performance of other functions provided for under the legislation of Georgia.

3. For performing the function of state management of radioactive waste, the Radioactive Waste Management department shall be established within the system of the Regulatory body. The head of Department shall be appointed and dismissed by the Minister of Environment of Natural Resources Protection of Georgia (the Minister) under the procedure established by the legislation of Georgia.

4. The functions of the Radioactive Waste Management department shall be defined by the Law of Georgia on Radioactive Waste and other legal and subordinate-normative acts of Georgia.

5. The Radioactive Waste Management department shall:

- a) be accountable, including to the Minister;
- b) every six months, submit an activity report to the Minister;
- 6) Types of services provided by the Regulatory body and amounts of fee shall be defined by an ordinance of the Government of Georgia.
- 7) The following shall fall within the competence of the Ministry in the field of nuclear and radiation safety:
  - a) implementation of the state policy in the field of nuclear and radiation safety;
  - b) state control of the Regulatory body activities;
  - c) oversight over the fulfilment of international agreements of Georgia concluded in the field of nuclear and radiation safety, and other legal and subordinate-normative acts of Georgia;
  - d) coordination of the development of draft laws, and other draft normative acts in the field of nuclear and radiation safety;
  - e) issuance of an environmental audit report/environmental impact permit defined under the Law of Georgia on Environmental Impact Permits to appropriate nuclear and radiation facilities;
  - f) control of the performance of state programmes in the field of nuclear and radiation safety;
  - g) submission of an annual report on the current radiation situation in the country prepared by the Regulatory body to the Government of Georgia.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 7 – (Deleted)**

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 8 - Competence of the relevant bodies of the Autonomous Republics of Abkhazia and Ajara in the field of nuclear and radiation safety**

1. The competence of the relevant bodies of the Autonomous Republics of Abkhazia and Ajara in the field of nuclear and radiation safety shall be defined by the Constitution of Georgia, this Law, and other normative acts.

2. Based on purposes of this Law, the following shall fall within the competence of the relevant bodies of the Autonomous Republics of Abkhazia and Ajara in the field of nuclear and radiation safety:

- a) facilitation of the implementation of the state policy in the field of nuclear and radiation safety;
- b) participation in the implementation of state programmes in the field of nuclear and radiation safety;
- c) in the territories under their jurisdiction, support of the regulatory body in exercising its powers within the scope defined by the legislation of Georgia;



d) provision of assistance to the population affected by the harmful exposure to ionising radiation, under the procedure established by the legislation of Georgia;

e) in the territories under their jurisdiction, participation in making decision on placing nuclear and radiation facilities with high radiation risk, or terminating their operation.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 9 - Other executive authorities in the field of nuclear and radiation safety**

The executive authorities in the field of nuclear and radiation safety shall be the following:

a) the Ministry of Economy and Sustainable Development of Georgia – providing metrological assurance of the construction of nuclear and radiation facilities, and ionising radiation control devices;

b) the Ministry of Internal Affairs of Georgia – ensuring and supervising the preparedness for national and trans-border radiation accidents and the liquidation of their consequences, the physical protection of nuclear and radiation facilities (other than the facilities containing ionising radiation generators); ensuring the safety of the transportation, import, export, and transit of radioactive materials; coordinating the efforts aimed to prevent and suppress the illicit traffic of radioactive materials;

b<sup>1</sup>) the State Security Service of Georgia – ensuring nuclear, radiation, chemical and biological safety at border checkpoints;

c) the Ministry of Defence of Georgia – ensuring the safety and physical protection of the nuclear and radiation facilities subordinate to the Ministry of Defence, in the event of a nuclear accident – taking part in the liquidation of the consequences of the accident and in other activities provided for by the Law, under the emergency response plan;

d) (deleted – 25.3.2013, No 488);

e) the Ministry of Labour, Health, and Social Affairs of Georgia – in the event of a nuclear and radiation accident, determining the dose limits, taking part in the liquidation of the consequences of the accident under the emergency response plan, registering radiopharmaceuticals, establishing the procedure for conducting a periodic medical examination of workers exposed to radiation;

f) the Ministry of Agriculture of Georgia – exercising control over the content of radionuclides in food, potable water, feed, and soil;

g) the Ministry of Foreign Affairs of Georgia – exercising control over the fulfilment of the commitments of Georgia under international agreements, coordinating relations with international organisations;

h) the Ministry of Finance of Georgia – issuing permits for the export, import, or transit of dual-use goods, controlling nuclear and radioactive materials export from, import to, and transit through the territory of Georgia.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3969 of 8 July 2015 – website, 15.7.2015*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 10 – (Delete)**

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Chapter III - Nuclear and Radiation Safety**

#### **Article 11 - Nuclear and radiation safety requirements**

1. Nuclear and radiation activity may not be performed without the authorisation under Chapter IV of this Law. The nuclear and radiation safety requirements shall be defined by the Technical Regulation – Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionising Radiation.

2. To obtain authorisation, an operator (a person performing activities) shall submit to the Regulatory body a radiation protection programme or, based on the radiation risk of a nuclear and radiation activity, a nuclear and radiation safety assessment report to include the ways of fulfilling the nuclear and radiation safety requirements.

3. A holder of a licence for a high radiation risk nuclear and radiation activity shall, once every ten years, submit an updated nuclear and radiation assessment report to the regulatory body for approval.

4. The nuclear and radiation assessment report may be submitted to the regulatory body as requested and within the terms set by the regulatory body. In order to review the report, the regulatory body may request additional information and either approve or reject the report.

5. The main requirements for the assessment of the safety of a high radiation risk nuclear and radiation activity, as well as for the report of such an



assessment, shall be defined by the respective normative act of the Minister for Environment and Natural Resources Protection of Georgia.

6. Without the consent of the Regulatory body, an operator may not make such changes in its activity that may affect the radiation safety of workers and/or the environment.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 12 - Limiting radiation caused by food, potable and mineral water, raw materials, and soil**

1. Permissible levels of the content of radionuclides in food, potable water, mineral water, raw material, and soil shall be defined by the Technical Regulation – Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionising Radiation.

2. The import, export, and processing of radioactively contaminated raw materials, food, potable and mineral water, as well as of any other product and goods having had contact with them shall be prohibited, if the level of contamination exceeds the established permissible levels of contamination.

3. Any natural or legal person providing potable water supply shall be responsible for monitoring the content of radionuclides in the supplied water, as well as for keeping and analysing the monitoring results.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 13 - Limiting radiation induced by natural sources**

1. In order to limit the radiation exposure of the population to natural radionuclides, the procedure of measuring natural radiation in a building, at a workplace, at a mining site, and in the environment shall be defined by the Technical Regulation – Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionising Radiation.

2. Mining operations shall be performed based on nuclear and radiation safety assessment, as prescribed by the legislation of Georgia.

3. Permissible level of the volumetric activity of radon at a workplace, conditions for assessing the radiation situation of a parcel of land allocated for construction activities, permissible radioactive contamination levels for construction materials, and products intended for construction shall be determined by the Technical Regulation – Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionising Radiation. These materials and products shall be subject to radiation control.

4. The manufacturers of construction materials shall ensure radionuclides content measuring in construction materials, register measurement records, and assess the results obtained.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 14 - Medical radiation**

1. Only the radiopharmaceuticals registered by the Ministry of Labour, Health, and Social Affairs of Georgia shall be used for medical (diagnostic, therapeutic) purposes.

2. The subordinate normative act referred to in Article 11(1) of this Law shall define the requirements for medical radiation, recommended radiation levels, radiation quality assurance, and the requirements for special vocational education of workers.

### **Chapter IV - Authorisation System for Nuclear and Radiation Activity**

#### **Article 15 - Authorisation of nuclear and radiation activity**

The authorisation system in the field of nuclear and radiation safety shall consist of the procedures for granting licences and permits.

#### **Article 16 - Licence for nuclear and radiation activity**

1. The Regulatory body shall grant the licence for nuclear and radiation activity under the procedure established by the Law of Georgia on Licences and Permits. The licence shall be issued for an indefinite term.

2. The licence for nuclear and radiation activity shall be granted for the following activities:

a) designing a high risk nuclear and radiation facility;

b) operation of a high risk nuclear and radiation facility;



- c) removal from service and decommissioning of a high risk nuclear and radiation facility;
- d) production (preparation), possession, temporary storage, use and sale of radioactive materials;
- e) using an ionising radiation generator for medical purposes;
- f) using a source of ionising radiation for medical (therapeutic) purposes;
- g) using radioactive substances (radiopharmaceuticals) for medical diagnostics;
- h) using radioactive substances (radiopharmaceuticals) for medical treatment;
- i) using an ionising radiation generator and/or radioactive substances for service delivery;
- j) using an ionising radiation generator for industrial purposes;
- k) using a source of ionising radiation for industrial purposes;
- l) using an ionising radiation generator for research and education purposes;
- m) using a source of ionising radiation for research and education purposes;
- n) maintenance and repair of an ionising radiation generator and equipment containing radioactive material;
- o) transportation of nuclear materials, radioactive sources, and radioactive waste;
- p) conditioning, storage, and burial of radioactive sources and waste, decontamination of equipment, territory and/or depository contaminated with radioactive substances;
- q) preparation of containers for transportation and storage of radioactive sources and waste;
- r) expert and instrumental measurements, metrology, adjustment, and installation of the sources of ionising radiation.

3. The licence for nuclear and radiation activity may be granted both for all or any of the activities listed in the second paragraph of this article, or for individual stages of any of such activities.

4. The criteria for identifying high risk nuclear and radiation facilities shall be determined by the subordinate normative act referred to in Article 11(1) of this Law.

5. The licence for nuclear and radiation activity shall not be granted for the activities excluded from regulation under Article 1(3) of this Law and for the transportation and storage of the sources generating ionising exposure.

6. Article 2(4) of the Law of Georgia on Licences and Permits shall regulate the recognition of a licence and permit granted by a foreign country.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 17 - Licensing procedure**

1. To obtain a licence, an operator shall submit a written application to the Regulatory body. The application shall be submitted, reviewed, and accepted for processing under the procedure established by the Law of Georgia on Licences and Permits.

2. In addition to the documents required by the Law of Georgia on Licences and Permits, the following shall be appended to the application for a licence:

- a) data (description of a specific type of activity, details on the source of ionising radiation and its location, information on the person responsible for radiation safety, information on waste and its handling);
- b) radiation protection programme that, taking into consideration the source category, potential risk, and type of activity, defines the conditions and methods of adhering to the core principles of radiation safety, specifications of the equipment and/or source, as well as physical security (protection) conditions;
- c) list of workers and the documents certifying their qualifications and expertise;
- d) recorded data on medical examination of workers;
- e) schedule for import and export of radioactive sources to and from the territory of Georgia;
- f) in case of licensing of the activity of a foreign company in Georgia, in addition to the abovementioned, the following shall be appended to the application for a licence:
  - f.a) a copy of the contract or project for performing a specific activity on the territory of Georgia;
  - f.b) a letter of guarantee by the company on exporting the imported radioactive sources after accomplishing the activity, containing the indication of the date of export.





3. In case of licensing a high radiation risk activity, a nuclear and radiation safety assessment, containing a radiation protection programme and a decommissioning (or, facility closedown, depending on the type of activity) plan, shall be submitted instead of a radiation protection programme.

4. The Ministry of Internal Affairs of Georgia shall participate in the administrative proceedings initiated by the Regulatory body for granting a licence (except as provided for in Article 16(2)(e),(g),(h),(j),(l),(n),(q),(r) of this Law) as an interested administrative authority, in accordance with the Law of Georgia on Licences and Permits.

5. Following the analysis of documents submitted by the operator, the Regulatory body shall make the decision to grant a licence, or to deny granting a licence.

5<sup>1</sup>. The list of documents submitted by an operator to and agreed with the regulatory body, and the requirements defined by Article 23 of this Law shall be the licence conditions, compliance with which shall be binding for a licence holder in the course of performing nuclear and radiation activity.

6. The Regulatory body shall exercise control over fulfilling the licence conditions.

*Law of Georgia No 2932 of 12 December 2014 – website, 23.12.2014*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 18 - Conditions for issuing permits**

1. The Regulatory body shall make the decision to grant a permit under the procedure established by the Law of Georgia on Licences and Permits.

2. A permit shall be granted as the right to perform a onetime act within the scope of a licence, and shall be valid for maximum one year, except as provided for by paragraph 7 of this article.

3. A permit shall be required for the following:

a) purchase and transfer of radioactive substances;

b) import and export of radioactive materials, raw materials, from which a nuclear material can be obtained or produced, equipment containing radioactive substances, nuclear technologies or know-how, as well as export, import and transit of radioactive sources;

c) export of radioactive waste.

4. In addition to the documents required by the Law of Georgia on Licences and Permits, the following shall be appended to an application submitted for a permit for the activity indicated in paragraph (3)(a) of this article:

a) copies of the buyer's and seller's licences for nuclear and radiation activities;

b) details of radioactive material or a source of ionising radiation (type, activity and other passport details, aggregate condition), the source location and description of its physical protection system;

c) a copy of the transportation licence, as required;

d) in case of transit of a nuclear material, additionally, the agreement (contract) between the consignor and the consignee.

5. The documents to be submitted for the activities under paragraph (3)(b) of this article, in addition to the documents required by the Law of Georgia on Licences and Permits, shall be defined in Articles 39, 40, and 41 of this Law.

6. The documents to be submitted for the activities under paragraph (3)(c) of this article, in addition to the documents required by the Law of Georgia on Licences and Permits, shall be defined in Article 39 of this Law.

7. The permit under paragraph (3)(b) of this article for import of radiopharmaceuticals for medical purposes may be granted for performing repeated acts for a period of one year when such activity is performed by a holder of the licence for nuclear and radiation activity performing the activity referred to in Article 16(2)(g) and/or (h) of this Law.

8. In the case provided for in paragraph 7 of this article, based on the permit for the activity specified in paragraph (3)(b) of the same article, during one year of its validity, the Legal Entity under Public Law operating within the Ministry of Finance of Georgia – the Revenue Service shall submit the relevant information to the Regulatory body and the Standing Commission for Military and Technical Issues of the Ministry of Defence of Georgia. The list of the information to be submitted, the procedure and form of submitting information shall be defined by an ordinance of the Government of Georgia.

*Law of Georgia No 3672 of 29 May 2015 – website, 4.6.2015*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 19 - Denial of licence or permit**

The Law of Georgia on Licences and Permits shall define the basis for denying a licence or permit and the procedure for appealing such denial.



## **Article 20 - Exercising control over the fulfilment of licence and permit conditions, revocation of a licence or permit**

1. The Regulatory body shall exercise control over fulfilling the permit and licence conditions.
2. In view of an increased risk related to a specific activity, to protect human beings and the environment from harmful effect of ionising radiation, the Regulatory body may decide to cancel a licence and/or a permit.
3. The Law of Georgia on Licences and Permits shall determine the procedures for exercising control over fulfilling the licence and permit conditions, as well as for cancelling licences and permits.
4. Cancelling a licence shall not release a licence holder from the obligation to ensure radiation security or physical security of ionising radiation sources and duly submit results of the inventory and information on the occupational radiation doses to the Regulatory body.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

## **Article 21 - Loss of or damage to a licence or permit certificate**

In case of loss of or damage to a licence or permit certificate, the Law of Georgia on Licences and Permits shall define the procedure for issuing a duplicate.

## **Chapter V - Rights and Obligations of a Licence Holder**

### **Article 22 - Rights of a licence holder**

The licence holder may:

- a) perform the activity defined by the licence;
- b) if the licence is denied, obtain a written explanation for such denial;
- c) if the licence is denied or revoked, appeal such denial or revocation in the manner laid down by the legislation of Georgia.

### **Article 23 - Obligations of a licence holder**

Pursuant to the activity identified in the licence, the licence holder shall be obliged to observe the following licence conditions:

- a) ensure nuclear and radiation safety, physical protection, and emergency preparedness;
- b) systematically assess, in view of the modern technical and scientific research level, nuclear and radiation safety, and introduce the assessment findings in practice;
- c) immediately investigate any violation, take actions to prevent such violations and prevent their recurrence; conduct an inquiry into every case of exceeding the permissible radiation level and report the findings in writing to the Regulatory body;
- d) give a written notice of any change in or expansion of an activity and present the respective documents pertaining to such change, as well as an updated radiation protection programme, to the regulatory body;
- e) at all stages of handling the sources of ionising radiation, fulfill the commitments under the radiation protection programme comprising quality assurance and monitoring programmes and a radiation accident response plan;
- f) comply with the measuring and measuring devices unification requirements defined by administrative and technological conditions;
- g) accept only those sources of ionising radiation that are accompanied by the respective documents and a benchmark placed in a respectively labeled protective packaging (container);
- h) grant the right to handle the sources of ionising radiation and radioactive waste only to persons having special professional expertise, meeting the conditions laid down by the legislation of Georgia and having no medical contraindications to performing such activity;
- i) immediately inform the Regulatory body of any deviations occurring in technological processes, and of violations in the physical protection conditions and/or emergency preparedness, significant for nuclear and radiation safety;
- j) keep the public informed on nuclear and radiation safety issues not constituting a state or commercial secret;
- k) provide adequate conditions to the Regulatory body for it to conduct an unimpeded inspection;
- l) organise and finance annual occupational health examination of workers, and transfer of a worker to another profile job, should the examination yield negative results;
- m) provide communication with appropriate bodies for timely notification of any nuclear and radiation accidents;



- n) prepare and forward, in compliance with requirements of the legislation of Georgia, to an appropriate natural or legal person, radioactive materials, radioactive sources intended for transportation, and the radioactive waste to be placed in a repository for radioactive waste, or a storage for radioactive waste;
- o) provide radiation safety of the persons present and working under contracts at the facilities;
- p) to ensure an uninterrupted control over fulfilling nuclear and radiation safety, as well as physical protection requirements, appoint a worker having adequate knowledge as a person responsible for radiation protection, and set up a radiation safety unit at a high radiation risk facility;
- q) provide special occupational education and regular training for workers in nuclear and radiation safety, and in physical protection issues;
- r) carry out the procedure of transferring or selling nuclear materials or other sources of ionising radiation only after receiving the respective notice and obtaining the respective permission;
- s) record sources of ionising radiation, nuclear materials and generated radioactive waste, as well as occupational radiation doses of workers (including contract workers), and annually report inventory results to the Regulatory body;
- t) for a nuclear and radiation facility with high radiation risk, develop a decommissioning plan, for which it shall perform an adequate study and monitoring of the facility and ensure the appropriate notice is submitted to the Regulatory body;
- u) comply with all requirements set by the Regulatory body for the prevention of harmful effect on the health of humans and the environment, and for ensuring radiation safety and physical protection;
- v) when a high radiation risk activity is performed, conduct a nuclear and radiation safety assessment in every ten years and submit an appropriate report to the Regulatory body;
- w) ensure the production of documents related to nuclear and radiation activities;
- x) annually, between 1 April and 1 May, submit to the Regulatory body a report on fulfilling the licence conditions, except when a licence holder obtains a licence within six months before commencement of a reporting period.

*Law of Georgia No 2932 of 12 December 2014 – website, 23.12.2014*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 24 - Obligations of licence holder in the event of radiation accident and/or incident**

In the event of a radiation accident and/or incident, the licence holder shall:

- a) in cases of a radiation incident and a radiation accident, notify the Regulatory body and other bodies provided for by the legislation of Georgia, according to the facility radiation accidents response plan;
- b) in the event of a radiation accident, immediately inform the population of the potential hazard;
- c) mitigate the consequences of a radiation accident and/or incident and take actions to protect workers and other persons from its harmful impact;
- d) monitor the irradiation of workers and the spread of radionuclides in the environment;
- e) limit and control the radiation exposure for workers involved in the liquidation of the radiation accident and/or incident consequences;
- f) carry out measures defined by the legislation of Georgia to prevent a radiation accident and/or incident and liquidate its consequences.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Chapter VI - Inspection**

#### **Article 25 - Inspection conditions**

1. The Regulatory body shall conduct an inspection in accordance with the Order of the Minister of Environment and Natural Resources Protection of Georgia on Approval of the Procedure for Inspection of Nuclear and Radiation Activity.
2. The Regulatory body shall be entitled to assign an inspector to the site of conducting the activity specified in the licence, or to the site of performing the activity/works for which the necessity for inspection will be established.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*



## **Article 26 - Conducting inspection**

1. The Regulatory body shall be entitled to conduct an inspection and all measures that are necessary to establish compliance with the requirements of the legislation of Georgia and the licence conditions.
2. Any area of a nuclear and radiation facility where the respective activity is being conducted must be accessible for inspectors for them to:
  - a) perform the instrumental measurements required and obtain the information necessary for determining the compliance of nuclear and radiation safety conditions with the requirements;
  - b) make sure the compliance requirements of the legislation of Georgia are met and the licence conditions are fulfilled;
  - c) determine the degree of preparedness for radiation accidents and/or incidents and the compliance of the performed response liquidation works with the approved plan;
  - d) interview any worker who can potentially provide any information useful for inspection.
3. Inspection shall be conducted:
  - a) to assess the safety conditions of a nuclear and radiation activity;
  - b) during execution of an activity defined by a licence;
  - c) in case of revoking a licence;
  - d) in case of revoking the right for an individual type of activity under the licence.
4. There may be a planned inspection and a random inspection:
  - a) a planned inspection shall be conducted pursuant to the developed and approved inspection programme. Before conducting such an inspection, the Regulatory body shall notify the licence holder or its authorised employee about conducting the inspection.
  - b) an inspection, in case of both a licensed and unlicensed activity, may be performed without taking into consideration the schedule provided for by the inspection programme (random inspection), as required.
5. In case of a radiation accident, an unforeseen event, or an alleged violation of law, an operational inspection may be conducted without giving any prior notice to the licence holder.
6. By the decision of the Regulatory body, a comprehensive inspection may be conducted together with the employees of the Regulatory body with the participation of other, invited specialists.
7. Based on current conditions, the Regulatory body shall have the right to inspect a particular portion of the nuclear and radiation activity.
8. Proceeding from the existing situation, an inspection may be conducted without giving any prior notice to the licensee.
9. The results of inspection shall be reflected in an inspection report executed on site. Fines imposed on the licensee shall be recorded in the respective administrative offence report.
10. The Regulatory body shall register, document and assess the inspection results. Based on the assessment, the Regulatory body shall draft a report and submit it to a licence holder. A person conducting nuclear and radiation activities shall comply with the requirements specified in the report.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

## **Chapter VII - Coercive Measures**

### **Article 27 - Coercive measures**

1. The holder of the licence for the activity defined in Article 1(2)(f) of this Law shall comply with the requirements of the legislation of Georgia and fulfil the licence conditions. Otherwise, the licence holder shall be subject to the coercive measures prescribed by law.
2. The legislation of Georgia shall determine the responsibility for any unauthorised nuclear and radiation activity.
3. In case of detecting violation of the requirements of the legislation of Georgia and/or the licence conditions by a physical or legal person, the Regulatory body shall be obliged to carry out the actions provided for by the Code of Administrative Offences of Georgia.
4. The Regulatory body shall set a reasonable term for rectifying the revealed violations and give the offender a respective written notice.
5. The Regulatory body shall be entitled to set additional conditions to a licence holder, whose activity may inflict damage on the population, and/or contaminate the environment, and/or cancel the licence as determined by the legislation of Georgia.
6. A physical and/or legal person shall bear responsibility for committing a criminal offence while performing an activity regulated by this Law, as prescribed by the Criminal Code of Georgia.



### **Article 28 - Taking coercive measures during inspection**

1. If the activity of a facility regulated in the field of nuclear and radiation safety is performed in violation of radiation safety standards and/or such activity may cause any instant and direct hazard to human life or health, the environment, or any respective evidence, an inspector may suspend the activity of the regulated facility in the area (seal the facility, plant, unit, equipment, as necessary) and immediately notify the Regulatory body. The Regulatory body shall file an appropriate application with a court, in accordance with the legislation of Georgia.
2. An inspector shall have the right to request that the licence holder does not permit a worker, failing to comply with the work requirements, access his/her workplace.
3. In provided for by the first paragraph of this article, the licence holder shall not be released from the obligation to ensure the safety and physical protection of the radioactive materials remaining as a result of the activity performed by such licence holder and suspended by an inspector.
4. To carry out coercive measures, the inspector shall execute the respective report based on inspection materials, including instrumental measurements, test results, the licence holder's statements, and other information.

Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015

## **Chapter VIII - Radiation Accident Preparedness and Response**

### **Article 29 - National radiation accident response policy**

1. The Government of Georgia shall define the national strategy for radiation accident response.
2. In case of a facility radiation accident, the licence holder shall proceed in accordance with the radiation accident response plan.
3. The radiation accident response plan shall provide for the probability of the occurrence and scale of a radiation accident and/or incident, assessment of a possible damage, and the probability of incurring damage to the population and territory under risk.
4. The radiation accident response plan shall reflect intervention levels and conditions, and the criteria for selecting the protective measures to be implemented.

### **Article 30 - Facility radiation accident response plan**

1. To respond to radiation accidents, a licence holder shall:
  - a) define procedures for obtaining assistance from first responder organisations, including the preparatory work necessary for maintaining communication with them;
  - b) immediately inform the Regulatory body of any situation that due to a radiological risk creates preconditions for declaration of emergency;
  - c) provide a description of the methodology of assessing a potential radiation accident and/or incident and its consequences, taking into consideration the equipment necessary for its liquidation;
  - d) define the requirements for providing teaching and practical training to service personnel to ensure emergency preparedness;
  - e) ensure fulfillment of accident zoning requirements;
  - f) define procedures for giving prior notice to the part of the population, which may be affected by the radiation accident.
2. A licence holder shall periodically review and, if necessary, update the radiation accident response plan.

Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015

### **Article 31 - National radiation accident**

The national radiation accident response plan shall define all necessary obligations and actions and distribute them among the respective public authorities and non-governmental organisations, including the preparatory work to be carried out to ensure communication among them and notifying the public.

### **Article 32 - Trans-border radiation accident**

1. In the event of a radiation accident that may present a risk of radioactive contamination beyond the borders of Georgia, the Government of Georgia



shall be obliged to send an immediate notice to the International Atomic Energy Agency and to the respective authorities of the countries for whom the consequences of the accident are significant in terms of radiology.

2. The Regulatory body shall be the contact institution with respect to fulfilling the conditions of international documents ratified by Georgia in the field of nuclear and radiation accident preparedness and response.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Article 33 - Investigation of radiation accidents and incidents**

1. Any radiation accident and/or incident, regardless of its scale, must be investigated, to identify its causes and prevent its recurrence.

2. A licence holder shall be obliged to investigate a facility radiation accident and/or incident having occurred in the course of performance of any activity defined in the licence, in compliance with the requirements of Article 23 of this Law.

3. The Regulatory body shall organise an investigation of a radiation accident to be conducted together with other responsible agencies, according to the radiation accident response plan, and evaluate the results of the investigation conducted.

4. The damage inflicted on humans and the environment as a result of a radiation accident must be assessed by the Regulatory body together with other responsible agencies..

5. In the event of a radiation accident, the Regulatory body shall submit an appropriate report to the Ministry for presenting it to the Government of Georgia, as well as to the International Atomic Energy Agency, and to any country that may be affected by the consequences of the radiation accident.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

## **Chapter IX - Radioactive Waste**

### **Article 34 - Radioactive waste Management**

1. Radioactive waste management shall be executed in accordance with the principles and requirements laid down by this Law, the Law of Georgia on Radioactive Waste and the respective normative acts.

2. The Government of Georgia shall develop the national radioactive waste management strategy to ensure safety of the radioactive waste management, and its physical protection (security).

3. In implementing the national radioactive waste management strategy, the Regulatory body shall ensure compliance with the radioactive waste management safety and security requirements to protect human health and the environment from harmful effect of radioactive waste.

4. Transit of radioactive waste, import of radioactive waste generated outside Georgia, and re-export of radioactive waste for any purpose shall be prohibited in the whole territory of Georgia.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Article 35 - Responsibility for ensuring the safety and physical protection of radioactive waste**

1. A licence holder shall be responsible for ensuring the safety and physical protection of radioactive waste.

2. The State shall be responsible for ensuring the safety and physical security (safety) of radioactive waste (including uncontrolled (abandoned) radioactive sources), whose owner cannot be identified.

### **Article 36 - Radioactive waste export**

1. (Deleted – 11.11.2015, No4486).

2. Export of radioactive waste may only be allowed based on an appropriate permit issued by the Regulatory body.

3. It shall be prohibited to export any radioactive waste produced in Georgia for its storage and disposal south from 60 degrees south.

4. If radioactive waste cannot be exported in compliance with the requirements of the legislation of Georgia and the permit conditions, it shall be returned to its owner until the safety and physical protection requirements provided for by the legislation of Georgia are ensured.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*



**Article 37 - Regulation of radioactive materials transportation**

1. This law and the respective subordinate normative acts shall establish the requirements for safe transportation of radioactive materials.
2. Safe transportation of radioactive materials requires the implementation of the respective physical protection measures.
3. Transportation of radioactive materials without an appropriate licence issued by the Regulatory body shall be prohibited.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

**Chapter XI - Export, Import, and Transit of Radioactive Materials**

**Article 38 - Control over the export, import, and transit of radioactive materials**

1. To achieve the goals laid down by this Law, the State shall establish control over the export, import, and transit of radioactive materials from, to, or through the territory of Georgia.
2. To obtain a permit for the import and export of nuclear technologies or know-how, copies of the licences of the issuer and recipient of such technologies need not be submitted.

**Article 39 - Export of radioactive materials**

1. Radioactive materials shall be exported from the territory of Georgia in compliance with the international standards and in the manner laid down by the legislation of Georgia.
2. The basis for exporting radioactive materials shall be an appropriate permit granted by the Regulatory body under the procedure established by Article 18 of this Law and the Law of Georgia on Licences and Permits.
3. Granting a permit for export of radioactive materials shall imply:
  - a) the consignor's notification on sending radioactive materials;
  - b) the consignee's assurance on receiving the radioactive materials;
  - c) a copy of the licence of the carrier of the radioactive materials;
  - d) information on the specifications of the radioactive materials to be carried and on the specifications of the protective containers;
  - e) ensuring the safety and physical protection of radioactive materials during transportation.
4. Granting a permit for the export of nuclear material shall additionally imply:
  - a) fulfillment by the consignee and consignor of international obligations under the Nuclear Non-proliferation Safeguards for nuclear materials;
  - b) transportation of nuclear materials in accordance with the international obligations under Nuclear Non-proliferation Safeguards.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

**Article 40 - Import of radioactive materials**

1. Import of radioactive materials in the territory of Georgia may be allowed on the basis of a permit issued by the Regulatory body. The permit shall be issued under the procedure established by Article 18 of this Law and the Law of Georgia on Licences and Permits.
2. Granting a permit for import of radioactive materials shall imply:
  - a) holding by the consignee of radioactive material of a licence for nuclear and radiation activity;
  - b) information on the specifications of the radioactive materials to be transported and of the protective containers;
  - c) ensuring the safety and physical protection of radioactive materials during transportation.
3. Granting a permit for import of nuclear material shall additionally imply:
  - a) fulfilment by the consignee of international obligations under Nuclear Non-proliferation Safeguards for nuclear materials to be received;



b) transportation of nuclear materials in accordance with the international obligations under Nuclear Non-proliferation Safeguards.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 41 - Transit of radioactive materials**

1. Transit of radioactive materials through the territory of Georgia may be allowed on the basis of a permit issued by the Regulatory body. The permit shall be issued under the procedure established by Article 18 of this Law and the Law of Georgia on Licences and Permits.

2. Granting a permit for transit of radioactive materials shall imply:

- a) provision of information on the point of destination of the radioactive materials;
- b) the consignee's assurance on accepting the radioactive materials;
- c) ensuring the carrier's fulfillment of the requirements of the legislation of Georgia;
- d) submission of a copy of a contract between the consignor and the consignee of radioactive materials;
- e) information on the specifications of the radioactive materials to be transported and of the protective containers;
- f) ensuring the safety and physical protection of radioactive materials during transportation.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Chapter XII - Decommissioning**

#### **Article 42 - Decommissioning of nuclear and radiation facilities**

1. Any activity referred to in Article 1(2)(f) of this Law shall be completed by decommissioning of the respective nuclear and radiation facility (other than a radioactive waste burial) that shall be ensured by the licence holder in accordance with the licence conditions.

2. Decommissioning requirements for a nuclear and radiation facility shall be determined by the Technical Regulation – Radioactive Waste Handling Procedure.

3. In the course of decommissioning, a nuclear and radiation facility shall be subject to regulatory control until a licence holder submits the Regulatory body the evidence of having reached the final state specified in the decommissioning plan, and of having complied with any additional legal requirement.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 43 - Decommissioning plan**

1. At the stage of construction of a nuclear and radiation facility, in view of the planned activity, the operator shall be obliged to prepare a decommissioning plan. The decommissioning plan shall be agreed upon with the respective state authorities, within their competence.

2. If the current circumstances have provided for the necessity to make significant changes in the original decommissioning plan, a licence holder shall revise the plan and update it reflecting the changed circumstances. An updated decommissioning plan shall be submitted to the Regulatory body.

3. The licence holder shall be responsible for implementing the measures under the decommissioning plan in a safe manner and ensuring the safety of the service personnel involved in decommissioning operations.

4. The Regulatory body shall exercise state control of the locations of the decommissioned nuclear and radiation facilities that are permitted for restricted use.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

### **Chapter XIII - Nuclear Non-Proliferation Safeguards**

#### **Article 44 - Obligation to use nuclear materials for peaceful purposes**

1. Pursuant to Georgia's international commitments, nuclear materials may be used for peaceful purposes only.

2. Preparation, possession, and transfer of nuclear weapons and other explosive devices containing nuclear materials, as well as seeking and receiving assistance for the creation of nuclear weapons and other explosive devices containing nuclear materials shall be prohibited on the territory of Georgia.





#### **Article 45 - Execution of nuclear non-proliferation safeguards**

1. To ensure the fulfilment of Georgia's commitments under the Agreement between the Republic of Georgia and the International Atomic Energy Agency for Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (ratified by Resolution of the Parliament of Georgia No 211 1-II of 24 April 2003) (the Agreement), the International Atomic Energy Agency shall be entitled to implement safety measures in Georgia for the non-proliferation of nuclear weapons and nuclear materials.

2. The Ministry shall organize and coordinate the fulfilment of Georgia's commitments under the Agreement and the Additional Protocol to the Agreement between the Republic of Georgia and the International Atomic Energy Agency on Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons ratified by Resolution of the Parliament of Georgia No 211 2-II of 24 April 2003 (the Additional Protocol).

3. The Ministry shall ensure:

a) fulfilling Georgia's commitments under the Agreement and the Additional Protocol;

b) gathering the information necessary for the fulfilment of the Agreement and the Additional Protocol and submitting it to the International Atomic Energy Agency;

c) performance of the activities of the inspectors of the International Atomic Energy Agency in accordance with the requirements of the Agreement and the Additional Protocol;

d) coordinating efforts with the Ministry of Foreign Affairs, the Ministry of Internal Affairs and the Ministry of Finance of Georgia, in connection with the information dissemination (provision) under the Agreement and the Additional Protocol;

e) for the effective implementation of nuclear non-proliferation safeguards, creating and introducing a state system for registration and control of nuclear materials in Georgia by the Order of the Minister of Environment and Natural Resources Protection of Georgia on Approval of the Procedure for the Implementation of Activities Related to Nuclear Non-proliferation Safeguards.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 46 - Cooperation in the field of nuclear non-proliferation safeguards**

The respective agencies of the Government of Georgia and the licence holders shall cooperate with the International Atomic Energy Agency in the sphere of the application of nuclear non-proliferation safeguards. Such cooperation shall imply:

a) timely provision of the information under the Agreement and the Additional Protocol;

b) access to the inspection site for the International Atomic Energy Agency inspectors under the Agreement and the Additional Protocol;

c) supporting the inspectors in accomplishing their tasks;

d) providing assistance to the inspectors, as necessary.

#### **Article 47 - Inspection in the field of nuclear non-proliferation safeguards**

1. Under the Agreement and the Additional Protocol, an authorised representative of the Regulatory body and inspectors designated by the International Atomic Energy Agency shall have the right to access any facility or any building of such facility, as well as the right to inspect any activity specified in the licence.

2. Under the Agreement and the Additional Protocol, any person performing a regulated activity shall allow the inspectors designated by the International Atomic Energy Agency to carry out measures in order for Georgia to fulfill its commitments under the aforementioned documents.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Article 48 - Obligations of licence holders in the field of application of nuclear non-proliferation safeguards**

Pursuant to the requirements of the legislation of Georgia, the Agreement and the Additional Protocol, persons holding the licence for possession, use, processing or handling of the nuclear materials, being the subject of regulation by the Agreement, shall be obliged to:

a) take their inventory in accordance with the requirements of the Agreement and the Additional Protocol;

b) timely provide the Regulatory body with the documents in the respective form, under the procedure established by the Ministry concerning the existing nuclear materials;

c) take measurements of nuclear materials and ensure the effectiveness of the measurement system control programme in the prescribed manner;

d) inform the Regulatory body on the draft layout of a facility, taking into consideration any changes made;



- e) maintain the register of nuclear materials in the prescribed manner;
- f) preliminarily notify the Regulatory body and the Ministry of Finance of Georgia under the established procedure about the import or export of nuclear materials or the related equipment;
- g) ensure the physical protection of nuclear materials and take safety measures in the prescribed manner;
- h) immediately notify the Regulatory body and the Ministry of Internal Affairs of Georgia about the loss of nuclear materials beyond permissible limits;
- i) provide the Regulatory body under the established procedure with the information on any planned activities.

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

#### **Chapter XIV - Rights and Obligations of Georgian Citizens, Stateless Persons, and Aliens in the Field of Nuclear and Radiation Safety**

##### **Article 49 - Rights and obligations of Georgian citizens, stateless persons, and aliens in the field of nuclear and radiation safety**

1. Georgian citizens, stateless persons and aliens shall be obliged to:
  - a) comply with the requirements of the legislation of Georgia in the field of nuclear and radiation safety;
  - b) take measures provided for by the legislation of Georgia to ensure nuclear and radiation safety and radiation accident preparedness.
2. Georgian citizens, stateless persons and aliens shall have the right to:
  - a) live and work in the environment safe in terms of radiation;
  - b) obtain from competent authorities reliable and timely information on the nuclear and radiation situation.

#### **Chapter XV - Physical Security (Protection) System**

##### **Article 50 - Regulation of physical security (protection)**

1. The Government of Georgia shall be responsible for defining the national strategy for regulation of physical security (protection).
2. The core principles of physical security (protection) shall be:
  - a) responsibility of the State – establishing, putting into practice and maintenance of a physical security (protection) system;
  - b) responsibility for international transportation – in the case of the international transportation of radiation materials, Georgia's responsibility for their adequate protection shall extend until such responsibility respectively transfers to another country;
  - c) legal and regulatory system – the Government of Georgia shall create and maintain a legal framework for management of physical security (protection) that provides requirements to a licence holder for ensuring physical security (protection) of nuclear and radiation facilities, as well as a mechanism for fulfilling such requirements;
  - d) responsibility of a licence holder – the responsibility of a licence holder for implementing various elements of physical security (protection);
  - e) security (protection) culture – recognising ensuring physical security (protection) as a priority by all organisations involved in its implementation;
  - f) gradual approach – a sequence of acts that implies the assessment of danger and stage-by-stage implementation of measures ensuring physical security (protection);
  - g) deep protection – reflecting the multilevel security and security methods (structural and technical, individual, and organisational) in physical security (protection) requirements, that an offender will have to overcome to achieve his/her goals;
  - h) quality assurance – development and implementation of a physical security (protection) quality assurance programme to ensure the fulfillment of the established requirements;
  - i) radiological emergency response plans – development, by a licence applicant, of plans to respond to illegal transportation of radiation materials, sabotage of nuclear and radiation facilities or nuclear materials or attempts to perform such acts; the obligation of the competent public authorities to establish control over drafting the plans;
  - j) confidentiality – formulation of data protection requirements to prevent violation of the safety conditions of nuclear materials and nuclear and radiation facilities.



#### **Article 51 - Responsibility for physical security (prevention), prevention of violations**

A physical security (protection) system shall be developed in order to ensure the implementation of the physical security (protection) policy and the core principles of physical security (protection). Such system shall ensure:

- a) the conditions minimising the chances of taking an unauthorised possession of and committing acts of sabotage in relation to radioactive materials and other sources of ionising radiation;
- b) technical assistance and provision of information on lost nuclear materials and other sources of ionising radiation; if they are found, taking prompt measures to return them, and the minimisation of the consequences of any act of sabotage;
- c) prohibition of transit if the transit country does not have safeguards in place to ensure the protection of nuclear materials and other sources of ionising radiation;
- d) measures to protect information on the physical security (protection) of nuclear and radiation materials.

### **Chapter XVI - Responsibility for Violation of the Requirements of the Legislation of Georgia in the field of Nuclear and Radiation Safety**

#### **Article 52 - Responsibility for violation of the requirements of the legislation of Georgia in the field of nuclear and radiation safety**

The responsibility for violation of the requirements of the legislation of Georgia in the field of nuclear and radiation safety shall be defined by the legislation currently in force, including the Criminal Code of Georgia, and the Code of Administrative Offences of Georgia.

### **Chapter XVII - Transitional and Final Provisions**

#### **Article 53 - Normative acts to be enacted (issued) in connection with entering into force of the Law**

1. In connection with entering into force of this Law, the Law of Georgia on Radioactive Waste shall be adopted before 1 January 2016.
2. The Government of Georgia shall, before 1 September 2013, ensure the approval of the list of the information to be submitted by the Revenue Service to the Ministry of Environment and Natural Resources Protection of Georgia and to the Standing Commission for Military-Technical Affairs set up at the Ministry of Defence of Georgia.
3. The following subordinate normative acts of the Minister of Environment and Natural Resources Protection of Georgia shall be issued before 1 January 2015:
  - a) on Approval of the Procedure for Conducting Inspection of Nuclear and Radiation Activities;
  - b) (Deleted – 12.12.2014, No 2932);
  - c) (Deleted – 12.12.2014, No 2932);
  - d) (Deleted – 12.12.2014, No 2932);
  - e) (Deleted – 12.12.2014, No 2932);
  - f) (Deleted – 12.12.2014, No 2932);
  - g) Procedure for Responding to Illicit Trafficking of Nuclear and Radioactive Substances;
  - h) (Deleted – 12.12.2014, No 2932);
  - i) (Deleted – 12.12.2014, No 2932);
  - j) (Deleted – 12.12.2014, No 2932);
  - k) (Deleted – 12.12.2014, No 2932);
  - l) (Deleted – 12.12.2014, No 2932);
  - m) (Deleted – 12.12.2014, No 2932);
  - n) (Deleted – 12.12.2014, No 2932).
4. The Government of Georgia shall adopt the following ordinances before 1 January 2015:
  - a) Scrap Metal Radiation Monitoring Procedure;
  - b) Procedure for Authorisation and Creating and Maintaining of the Departmental Register of Sources of Ionising Radiation and Radioactive Waste;



5. The Minister for Environment and Natural Resources Protection of Georgia shall issue the following orders by 1 January 2016:

- a) (Deleted – 11.11.2015, No 4486);
- b) (Deleted – 11.11.2015, No 4486);
- c) on Approval of the Form of Reporting on Complying with Licence Requirements for Nuclear and Radiation Activities.

5<sup>1</sup>. The Minister of Environment and Natural Resources Protection of Georgia shall issue the following orders before 1 January 2018:

- a) on Approval of the Procedure for the Implementation of Activities Related to Nuclear Non-proliferation Safeguards;
- b) on Physical Protection (Security) of Nuclear and Radiation Facilities, Radioactive Sources, Radioactive Waste and Other Sources of Ionising Radiation;

6. The Government of Georgia shall adopt the following ordinances before 1 September 2016:

- a) (Deleted – 11.11.2015, No 4486);
- b) (Deleted – 11.11.2015, No 4486);
- c) (Deleted – 11.11.2015, No 4486);
- d) (Deleted – 11.11.2015, No 4486);
- e) (Deleted – 11.11.2015, No 4486);
- f) on approval of the technical regulation on Radiation Safety Standards and Basic Requirements for Handling Sources of Ionising Radiation;
- g) on approval of the technical regulation on Procedure for Conducting Individual Monitoring and Its Control.

7. The Government of Georgia shall adopt the following ordinances before 1 January 2018:

- a) on Approval of the Technical Regulation – Nuclear and Radiation Accident Preparedness and Response Plan;
- b) on Approval of the Technical Regulation – Radiation Safety Requirements in the Field of Medical Radiation;
- c) on Approval of the Technical Regulation – Radiation Safety Requirements in Industry, Science, and Education;
- d) on Approval of the Technical Regulation – Procedure for Transportation of Nuclear and Radioactive Substances;
- e) on Approval of the Technical Regulation – Basic Requirements for Quality Assurance and Quality Control of Sources of Ionising Radiation;
- f) on Approval of Types of, and Amounts of Fee for Services Provided by the Legal Entity under Public Law within the Ministry of Environment and Natural Resources Protection of Georgia – Agency for Nuclear and Radiation Safety.

*Law of Georgia No 488 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2932 of 12 December 2014 – website, 23.12.2014*

*Law of Georgia No 4486 of 11 November 2015 – website, 24.11.2015*

*Law of Georgia No 4486 of 21 December 2016 – website, 29.12.2016*

#### **Article 54 - Nuclear and radiation safety licences and permits issued prior to entering into force of the Law**

The licences and permits issued prior to entering into force of this Law under the Law of Georgia on Nuclear and Radiation Safety of 30 October 1998 and Resolution No 135 of the Government of Georgia of 11 August 2005 On Approval of the Regulations on the Procedure and Conditions for Issuing Permits and Licences for Nuclear and Radiation Activity shall remain in force and be subject to the requirements laid down by this Law.

#### **Article 55 - Final provisions**

- 1. The Law of Georgia on Nuclear and Radiation Safety of 30 October 1998 (Legislative Herald of Georgia No 5, 1998, Article 40) shall be declared null and void.
- 2. This Law, except Articles 1-52, Article 54, and Article 55(1) of this Law shall enter into force upon promulgation.
- 3. Articles 1-52, Article 54, and Article 55(1) of this Law shall enter into force as from 1 May 2012.



President of Georgia

M. Saakashvili

Tbilisi

20 March 2012

No 5912 – ES

