

On Nuclear and Radiation Safety

Chapter I. General Provisions

Article 1 - Scope of the Law

1. This Law shall govern legal relations between public authorities and natural and legal persons performing activities related to nuclear and radioactive materials and other sources of ionizing radiation, as well as other safety measures for nuclear materials and other sources of ionizing radiation.
2. This Law shall lay down:
 - a) safety principles for performing activities related to radioactive materials and other sources of ionizing radiation and any other activity causing radiation exposure;
 - b) a system of protecting humans and the environment from harmful exposure to ionizing 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 over the following nuclear and radiation activities related to radioactive materials and other sources of ionizing radiation (other than the use of the sources of ionizing 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 ionizing radiation in medicine, industry, and scientific research;
 - f.e) any other activity related to the sources of ionizing 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 fixed by the normative act on Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation. In special cases, proceeding from the actual situation, a regulatory authority shall be entitled to fix different level values for a given case.

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 ionizing radiation;
 - c) ensure the avoidance and prevention of all illegal activities related to nuclear materials and other sources of ionizing 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 ionizing radiation and the use of such nuclear materials and other sources of ionizing radiation for peaceful purposes only, protect humans and the environment from harmful exposure to ionizing 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 ionizing 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 ionizing 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 ionizing 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 ionizing 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 ionizing 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. Ionizing radiation – the radiation capable of creating ion pairs in the environment.
15. Generator of ionizing radiation – a device or part thereof not containing any radioactive materials but technically capable of generating ionizing radiation.
16. Source of ionizing radiation – any radioactive substance or any device containing or generating such substance that radiates or is capable of ionizing 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 ionizing radiation protection and/or radioactive sources safety and protection with the existing requirements.
18. Regulatory authority – the Ministry of Environment and Natural Resources Protection of Georgia (the Ministry).
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 ionizing radiation other than occupational, medical, and local normal natural background radiation.
21. Worker – a natural person working with ionizing 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 ionizing 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 – any radioactive material, the subsequent use of which is not provided for.
31. Radioactive substance – any substance (radioactive source or material) which under ordinary conditions is a source of ionizing radiation.
32. Removal from regulation – removal by the regulatory authority 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 authority 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 authority 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 ionizing 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 ionizing radiation that are not under control or have not been controlled since a radiation accident.

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Article 4 - Basic principles of nuclear and radiation safety

The acts of a person performing nuclear and radiation activities and of the regulatory authority, 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 emergency 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 ionizing 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 ionizing 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 authority;
 - 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. The Ministry shall implement state regulation of nuclear and radiation safety.
2. Operating within the Ministry, the Department for Nuclear and Radiation Safety (the Department) shall provide immediate control over nuclear and radiation safety.
3. The Ministry, as a regulatory authority, shall be responsible for protecting human beings and the environment from the harmful impact of ionizing radiation, state control over the activities regulated by this Law, determining radiation dose limits, formulating legislative bases and drafting normative acts for regulatory measures, controlling the radiation situation on the territory of Georgia, planning the measures necessary for radiation accident prevention and executing control over their implementation, approving emergency response plans, and developing legal frameworks for ensuring physical security (protection). The Ministry shall ensure providing information to interested countries through the Ministry for Foreign Affairs of Georgia. The Ministry shall be authorized to establish direct contact with the International Atomic Energy Agency (IAEA) both in a routine activity mode and in an emergency mode, without the Ministry for Foreign Affairs of Georgia, informing the latter later on.

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Article 7 - Core functions of the regulatory authority

Under the responsibilities set forth in Article 6(3) of this Law, the Ministry shall:

- a) ensure implementing the international agreements and treaties of Georgia and the legislation of Georgia in the sphere of nuclear and radiation safety;
- b) draft laws and normative acts in the sphere of regulation of radiation safety;
- c) implement state regulation and control in the field of nuclear and radiation safety;
- d) authorise the nuclear and radiation activities laid down in Article 1(2)(f) of this Law;



- e) exercise control over nuclear and radiation facilities, the state of the environmental, sources of ionizing radiation, nuclear materials, and activities generating radiation; for this, conduct inspections under the requirements set forth in Chapter VI of this Law;
- f) determine the levels of and identify the criteria for the radioactive sources and activities removed, exempted, and excluded from regulation, as set forth in Article 1(3) of this Law;
- g) coordinate the activities of public, private, and non-governmental organisations engaged in the field of nuclear and radiation safety;
- h) exercise control over the implementation of state programmes of nuclear and radiation safety;
- i) create the departmental register of radioactive materials, generators of ionizing radiation, radioactive waste, licensed organisations possessing them, and occupational doses, and approve the procedure for maintaining such a register;
- j) formulate and approve a radiation emergency response plan and the respective procedures, in agreement with the Ministry for Internal Affairs of Georgia;
- k) approve emergency response plans for local radiation accidents;
- l) in case of major radiation accidents, submit the respective recommendations to the Government Commission for Emergency Management and/or Inter-departmental Operational Crisis Management Center;
- m) establish contacts with international organisations and develop regulations for the procedure for reporting radiation situations to them;
- n) establish procedures for the examination of a land parcel allocated and a design developed for the construction of a high radiation risk facility under the subordinate normative act Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation;
- o) in case of a licensee's bankruptcy, identify, as necessary, a relevant competent organisation for conducting deactivation and decommissioning of the facility;
- p) revoke a licence for nuclear and radiation activity and/or make a decision on removal of such activity from regulation;
- q) identify a non-licensed activity of nuclear and radiation facilities and take actions provided for by the legislation of Georgia;
- r) submit an annual report on the radiation situation in the country to the Government of Georgia;
- s) inform the public on the aspects of the radiation situation that are not a state and/or a commercial secret;
- t) exercise control over the radioactive waste safe management, in the manner provided for by the laws of Georgia;
- u) grant and revoke the respective licences and permits related to nuclear and radiation activities;
- v) take measures provided for by the legislation of Georgia against the licence holder, in case of violation of the licence conditions for nuclear and radiation activity;
- w) ensure, within its competence, the responsibility of Georgia for nuclear non-proliferation safeguards.

Article 8 - Competence of the Autonomous Republics of Abkhazia and Ajara and of relevant local self-government authorities in the sphere of nuclear and radiation safety

1. The Constitution of Georgia, this Law, and other normative acts shall define the competence of the Autonomous Republics of Abkhazia and Ajara, and of the respective local self-government bodies in the sphere of nuclear and radiation safety.
2. Proceeding from the goals of this Law, the following shall fall within the competence of the Autonomous Republics of Abkhazia and Ajara and of the respective local self-government bodies in the sphere of nuclear and radiation safety:
 - a) promote the implementation of the state policy;
 - b) take part in the implementation of the state programmes;
 - c) support the regulatory authority in implementing its powers on the territory under their jurisdiction, to the extent provided for by the legislation of Georgia;
 - d) provide assistance to the population affected by harmful exposure to ionizing radiation, as provided for by the legislation of Georgia;
 - e) take part in making decisions on placing or decommissioning the increased radiation risk nuclear and radiation facilities, on the territory under their jurisdiction.

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 for Economy and Sustainable Development of Georgia – issuing a permit for construction of nuclear and radiation facilities and export, import, re-export, or transit of dual-use goods, and metrological support to ionizing radiation control devices;



b) the Ministry for 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 ionizing 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;

c) the Ministry for Defence of Georgia – ensuring the safety and physical protection of the nuclear and radiation facilities subordinate to the Ministry for 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 for 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 for Agriculture of Georgia – exercising control over the content of radionuclides in food, potable water, feed, and soil;

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

h) the Ministry for Finance of Georgia – exercising control over nuclear and radioactive materials export from, import to, and transit through the territory of Georgia.

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Article 10 - Regulatory and controlling functions of the Ministry

1. The regulatory functions of the Ministry shall be to:

a) draft normative acts and promote their enforcement;

b) coordinate the development of radiation safety monitoring programmes, the maintenance of a register of the ionizing radiation sources and nuclear materials, the management of occupational radiation and radioactive waste, the determination of permissible and control levels of radiation and levels subject to removal from regulation, the development of physical security (protection) conditions and methods and local radiation accident response plans;

c) enforce the necessary coercive measures in response to the violation of safety requirements;

d) coordinate the monitoring of the radiation situation in Georgia;

e) exchange information, within its competence, with public authorities and non-governmental organisations, private agencies, local self-government bodies, and the mass media;

f) initiate, coordinate, and monitor research work in the field of safety, in order to strengthen its regulatory functions;

g) ensure the monitoring of the individual doses and conducting medical examinations for the Department personnel;

h) exercise control over non-proliferation of nuclear weapons and nuclear materials.

2. The controlling functions of the Ministry for the safety of nuclear and radiation activity shall be to:

a) exercise state control over the fulfillment of the requirements provided for by the legislation of Georgia;

b) carry out regular assessment of the information on the safety of nuclear and radiation activity, provided by a licence (permit) holder, both before and after granting a licence (permit) for such activity;

c) conduct planned and random inspections of nuclear and radiation facilities (for the nuclear and radiation activities listed in Article 1(2)(f) of this Law) for exercising control over the fulfillment of safety and physical security (protection) requirements of nuclear and radiation activity;

d) exercise control over change of the owner of a radioactive source;

e) exercise control over radioactive waste management;

f), ensure implementing of adequate prevention measures in case of detecting a potentially dangerous nuclear and radiation situation;

g) exercise control over the fitness of the containers intended for the transportation and storage/warehousing of nuclear and radiation materials and other ionizing radiation sources (other than ionizing radiation generators);

h) review a licensee's annual safety report and safety assessment for subsequent follow-up response;

i) exercise control over the assessment of radiation exposure during the daily working conditions and in the event of accidents;

j) exercise control over the monitoring of individual occupational radiation dose rate in order to optimise occupational dose rates;



k) exercise control over the handling of uncontrolled (abandoned) radioactive sources and implementation of urgent restoration works during emergency.

2. To assess safety, the Ministry shall be authorised to exercise the following additional functions:

- a) conduct independent radiological monitoring on the areas adjacent to nuclear and radiation facilities;
- b) perform independent surveys and quality control measurements.

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 in the subordinate normative act Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation.

2. To obtain authorisation, the person performing an activity (operator) shall submit to the Ministry a radiation protection programme or, proceeding from the radiation risk of the activity, a nuclear and radiation safety assessment describing 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 authority for approval.

4. The nuclear and radiation assessment report may be submitted to the regulatory authority as requested and within the terms set by the regulatory authority. In order to review the report, the regulatory authority 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 from the Ministry, the operator may not introduce any changes in its activity that may affect the radiation safety of workers and/or the environment.

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

1. The subordinate normative act Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation shall define the permissible levels of the content of radionuclides in food, potable and mineral water, raw materials, and soil.

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.

Article 13 - Limiting radiation induced by natural sources

1. In order to limit the irradiation of the population with natural radionuclides, the subordinate normative act Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation shall define the procedure of measuring the natural radiation in the buildings, at the workplace, at mining sites, and in the environment.

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

3. Under the respective subordinate normative act, the Ministry shall determine the permissible level of the volumetric activity of radon at the workplace and the conditions for assessing the radiation situation of the parcels of land allocated for construction works. The subordinate normative act Radiation Safety Standards and Basic Requirements for Handling the Sources of Ionizing Radiation shall define the permissible contamination levels for construction materials and products intended for construction. Such 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.

Article 14 - Medical radiation

1. Only the radiopharmaceuticals registered by the Ministry for 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 Ministry shall grant the licence for nuclear and radiation activity as laid down by the Law of Georgia on Licences and Permits. The licence shall be issued for an indefinite period of time.

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 ionizing radiation generator for medical purposes;
- f) using a source of ionizing radiation for medical (therapeutic) purposes;
- g) using radioactive substances (radiopharmaceuticals) for medical diagnostics;
- h) using radioactive substances (radiopharmaceuticals) for medical treatment;
- i) using an ionizing radiation generator and/or radioactive substances for service delivery;
- j) using an ionizing radiation generator for industrial purposes;
- k) using a source of ionizing radiation for industrial purposes;
- l) using an ionizing radiation generator for research and education purposes;
- m) using a source of ionizing radiation for research and education purposes;
- n) maintenance and repair of an ionizing 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 ionizing 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 ionizing 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.

Article 17 - Licensing procedure

1. To obtain a licence, the operator shall submit an application in writing to the Ministry. Applications shall be submitted, considered, and filed for processing in the manner laid down 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 ionizing 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. In the administrative proceedings opened by the Ministry for granting a licence (except in cases provided for by Article 16(2)(e),(g),(h),(j),(l),(n),(q),(r) of this Law), the Ministry for Internal Affairs of Georgia shall participate as an interested administrative authority, in accordance with the Law of Georgia on Licences and Permits.

5. Based on the analysis of documents submitted by the operator, the Ministry shall make a decision on granting or denying granting a licence.

6. The Ministry shall execute control over the fulfillment of the licence conditions.

Article 18 - Conditions for issuing permits

1. The Ministry shall make a decision on granting a permit in the manner laid down 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 ionizing 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 by the seventh paragraph of this article, based on the permit for the activity referred to in paragraph (3)(b) of the same article, during one year of its activity, for import of radiopharmaceuticals, the Revenue Service shall submit the relevant information to the Ministry and the



Standing Commission for Military-Technical Issues set up at the Ministry for Defence of Georgia. An ordinance of the Government of Georgia shall define the list of the information to be submitted.

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 fulfillment of licence and permit conditions, revocation of a licence or permit

1. The Ministry shall provide control over the fulfillment of permit and licence conditions.
2. In view of any increased risk related to a specific activity, to protect human beings and the environment from a harmful impact of ionizing radiation, the Ministry may decide on revocation of the licence and/or permit.
3. The Law of Georgia on Licences and Permits shall determine the procedures for exercising control over the fulfillment of licence and permit conditions, as well as for the revocation of licences and permits.
4. The revocation of a licence shall not release its holder from responsibility to ensure radiation or physical protection of the sources of ionizing radiation and duly submit the inventory and occupational radiation doses details to the Ministry.

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:

- a) ensure nuclear and radiation safety, physical protection, and emergency preparedness;
- b) systematically assess, in view of the modern technical and research level, the fulfillment of the licence conditions and introduce the assessment findings in practice;
- c) comply with the licence conditions, immediately investigate any violation of such conditions, 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 Ministry;
- d) give the regulatory authority a written notice of any change or expansion of an activity and present the respective documents pertaining to such change, as well as an updated radiation protection programme;
- e) at all stages of handling the sources of ionizing radiation, adhere to the commitments under the radiation protection programme comprising quality assurance and monitoring programs 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 ionizing radiation that are accompanied by the respective documents and a mark placed in a respectively labeled protective packaging (container);
- h) grant the right to handle the sources of ionizing 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 such activity;
- i) immediately inform the Ministry of any deviations occurring in technological processes, and of violations in the physical protection conditions and/or emergency preparedness, significant in terms of 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 for the Ministry to conduct unimpeded inspections;
- l) organise and finance annual occupational health examination of workers; transfer the worker to another profile job, should the examination yield negative results;
- m) arrange communication with local self-government bodies to ensure timely notification on nuclear and radiation accidents;
- n) prepare and hand over, in compliance with the requirements laid down by the legislation of Georgia, to the respective natural or legal person, radiation materials, radioactive sources intended for transportation and radioactive waste to be assigned to a storage facility;
- o) provide radiation safety of the persons present and working under contracts at the facilities;
- p) provide an uninterrupted control over the fulfillment of 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) in transferring or selling nuclear materials or other sources of ionizing radiation, carry out the procedure only after receiving the respective notice and obtaining the respective permission;
- s) keep a record of the sources of ionizing 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 Ministry;
- t) for a high radiation risk facility, develop a decommissioning plan, for which it shall perform an adequate study and monitoring of the nuclear and radiation facility and give the Ministry the relevant notice;
- u) comply with all the requirements set by the Ministry to prevent harmful impact on the health of the population and on the environment and to ensure radiation safety and physical protection;
- v) for a high radiation risk activity, conduct a safety assessment once every ten years and submit the respective reports to the Ministry.

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 the event of a radiation incident, pursuant to the local radiation emergency response plan, give notice to the Ministry, and in the event of a radiation accident – additionally, to the local self-government bodies, as well as to any other authorities identified in the radiation emergency response plan, for them to take adequate emergency measures;
- 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.

Chapter VI. Inspection

Article 25 - Inspection conditions

1. Pursuant to Article 10(2)(c) of this Law, the Ministry shall conduct an inspection in accordance with the subordinate normative act of the Minister for Environment and Natural Resources Protection of Georgia on Approval of the Procedure for Inspection of Nuclear and Radiation Activity.
2. The Ministry shall develop the qualification requirements for employees carrying out inspections (inspectors) and facilitate the organisation of training courses for them.
3. The Ministry may assign an inspector to a site of a licensed activity or a site of an activity or works, for which the necessity for such inspection has been determined.
4. To conduct an inspection, the Ministry shall facilitate inspection execution by providing support in terms of adequate financial, technical, and human resources.

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Article 26 - Conducting inspection

1. The Ministry may conduct an inspection and all measures necessary for determining 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. Inspection may be planned and random:
 - a) A planned inspection shall be conducted pursuant to a developed and approved inspection programme. The Ministry shall give the licence holder a well-grounded notice in advance of conducting such 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 Ministry, a comprehensive inspection may be conducted with the joint participation of the Ministry employees and other, invited specialists (including IAEA inspectors).
7. Proceeding from the present conditions, the Ministry may inspect a particular area of 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 Ministry shall record, document and assess the inspection results. Based on the assessment, the Ministry shall draft a report and submit it to the licence holder. The requirements defined in the report shall be binding on the operator.

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 fulfill 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 revealing violation of the requirements of the legislation of Georgia and/or the licence conditions on the part of a physical or legal person, the Ministry shall be obliged to carry out the actions provided for by the Code of Administrative Offences of Georgia.
4. The Ministry shall set a reasonable term for rectifying the revealed violations and give the offender a respective written notice.
5. The Ministry shall be entitled to set additional conditions to a licence holder whose activity may incur damage to the population and/or contaminate the environment and/or revoke the licence, as prescribed 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 Ministry. The Ministry shall file a respective application in 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.

Chapter VIII. Radiation Emergency Preparedness and Response

Article 29 - National radiation accident response policy

1. The Government of Georgia shall define the national strategy for radiation emergency response.
2. In case of a facility radiation accident, the licence holder shall proceed in accordance with the radiation emergency response plan.
3. The radiation emergency 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 emergency response plan shall reflect intervention levels and conditions, and the criteria for selecting the protective measures to be implemented.

Article 30 - Facility radiation emergency response plan

1. To respond to radiation emergencies, 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 Ministry 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 emergency response plan.

Article 31 - National radiation accident

The national radiation emergency 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 Ministry shall be the contact institution with respect to the fulfillment of the terms and conditions of international documents ratified by Georgia in the field of nuclear and radiation emergency preparedness and response.



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 Ministry shall be obliged to organise an investigation of a radiation accident to be carried out jointly with other responsible agencies, according to the existing response plan, and assess the results of the investigation.
4. The Ministry, jointly with other responsible agencies, must assess the consequences of a radiation accident, to determine the damage incurred to the environment.
5. In the event of a radiation accident, the Ministry shall be obliged to submit a report to the Government of Georgia and the International Atomic Energy Agency, as well as to any foreign country that may be affected by the consequences of the accident.

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 formulate a state strategy to ensure the safety and physical security (protection) of radioactive waste.
3. Based on the state strategy of radioactive waste management, the Ministry shall establish:
 - a) radiation safety and physical security (protection) requirements and rules aimed at protecting human health and the environment from any harmful impact resulting from handling of radioactive waste;
 - b) a system of authorisation of activities related to handling of radioactive waste;
 - c) a system of institutional control, inspection, documentation, and reporting on activities related to handling of radioactive waste;
 - d) coercive measures to ensure the compliance of activities related to handling of radioactive waste with the rules and requirements laid down by the legislation of Georgia, as well as with the authorisation terms and conditions.
4. The re-export of radioactive waste for any purposes shall be prohibited on the whole territory of Georgia.

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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. Transit of any radioactive waste across the territory of Georgia or import into Georgia of any radioactive waste produced beyond its borders shall be prohibited.
2. Radioactive waste may be exported only based on a respective permit issued by the Ministry.
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.

Chapter X. Transportation of Radioactive Materials

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. The transportation of radioactive materials without the respective licence granted by the Ministry shall be prohibited.

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 the permit granted by the Ministry in the manner laid down 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.

Article 40 - Import of radioactive materials

1. Radioactive materials may be imported to the territory of Georgia on the basis of a permit issued by the Ministry. The procedure for granting the permit is laid down 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) fulfillment 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.

Article 41 - Transit of radioactive materials

1. Radioactive materials may be transited through the territory of Georgia on the basis of a permit issued by the Ministry. The procedure for granting the permit is laid down 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.

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. The Ministry shall lay down decommissioning requirements for a nuclear and radiation facility under the subordinate normative act on Decommissioning of Nuclear and Radiation Facilities and shall define the status for further use of the facility area.
3. The nuclear and radiation facility shall be subject to regulatory control until the licence holder furnishes the Ministry with the evidence of having reached the final state, specified by the decommissioning plan and for having complied with any additional legal requirement.

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 existing circumstances have necessitated significant changes in the original decommissioning plan, the licence holder shall be obliged to revise the plan and update it by reflecting the changed circumstances. An updated decommissioning plan shall be submitted to the Ministry.
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 Ministry shall exercise state control over the sites of the decommissioned nuclear and radiation facilities that are permitted for restricted use.

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 fulfillment 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-IIs 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 fulfillment 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-IIs 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 fulfillment 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 for Foreign Affairs, the Ministry for Internal Affairs and the Ministry for Finance of Georgia, in connection with the information dissemination (provision) under the Agreement and the Additional Protocol;
- e) creating and putting into practice a state system for registration and control of nuclear materials in Georgia by drafting a respective legal act to ensure an effective application of nuclear non-proliferation safeguards.

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 Ministry 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.

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 Ministry 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 Ministry on the layout of the facility, taking into consideration any changes made;
- e) maintain the register of nuclear materials in the prescribed manner;
- f) give the Ministry and the Ministry for Economy and Sustainable Development of Georgia a prior notice of import or export of nuclear materials or related equipment in the prescribed manner;
- g) ensure the physical protection of nuclear materials and take safety measures in the prescribed manner;
- h) immediately inform the Ministry and the Ministry for Internal Affairs of Georgia on the loss of nuclear materials beyond permissible limits;
- i) provide the Ministry with the information on any planned future activities, in the prescribed manner.

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 emergency 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 ionizing radiation;
- b) technical assistance and provision of information on lost nuclear materials and other sources of ionizing 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 ionizing 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.



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 the Radioactive Waste and the Law of Georgia on the Nuclear and Radioactive Substances Transportation shall be adopted by 1 January 2015.

2., The Government of Georgia shall, by 1 September 2013, ensure the approval of the list of the information to be submitted by the Revenue Service to the Ministry for Environment and Natural Resources Protection of Georgia and to the Standing Commission for Military-Technical Affairs set up at the Ministry for Defence of Georgia.

3. The following subordinate normative acts of the Ministry of Environment and Natural Resources Protection of Georgia shall be issued by 1 January 2015:

- a) On Approval of the Procedure for Inspection of Nuclear and Radiation Activity
- b) Radiation Safety Requirements in Industry, Science, and Education
- c) Scrap Metal Radiation Monitoring Procedure
- d) Procedure for Authorisation and Creating and Maintaining of the Departmental Register of Sources of Ionizing Radiation and Radioactive Waste; Ionizing Radiation Sources Categorisation
- e) Procedure for Conducting Individual Monitoring and Its Control
- f) Nuclear and Radiation Accident Preparedness and Response Plan
- g) Procedure for Responding to the Illegal Traffic of Nuclear and Radioactive Substances
- h) Procedure for Transportation of Nuclear and Radioactive Substances
- i) On Physical Security (Protection) of Nuclear and Radiation Facilities, Radioactive Sources and Waste, and Other Sources of Ionizing Radiation
- j) Procedure for Performing Activities Related to Nuclear Non-Proliferation Safeguards
- k) On Decommissioning of Nuclear and Radiation Facilities
- l) On Optimising Exposure to Natural Radiation
- m) Basic Requirements for Assessment of Safety of High Radiation Risk Nuclear and Radiation Activity and Assessment Report
- n) Basic Requirements for Quality Assessment and Quality Control of Sources of Ionizing Radiation.

4. The Minister for Labour, Health and Social Affairs of Georgia and the Minister for Environment and Natural Resources Protection of Georgia shall issue the following joint subordinate normative acts by 1 January 2015:

- a) Radiation Safety Standards and Basic Requirements for Handling Sources of Ionizing Radiation
- b) Radiation Safety Requirements for Medical Radiation.

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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.



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