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NUCLEAR LEGISLATION IN OECD COUNTRIES

Regulatory and Institutional Framework for Nuclear Activities

Poland

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

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The OECD Nuclear Energy Agency (NEA) was established on 1st February 1958 under the name of the OEEC European Nuclear Energy Agency. It received its present designation on 20th April 1972, when Japan became its first non-European full member. NEA membership today consists of 28 OECD member countries: Australia, Austria, Belgium, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, the Netherlands, Norway, Portugal, the Republic of Korea, the Slovak Republic, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The Commission of the European Communities also takes part in the work of the Agency.

The mission of the NEA is:

- to assist its member countries in maintaining and further developing, through international co-operation, the scientific, technological and legal bases required for a safe, environmentally friendly and economical use of nuclear energy for peaceful purposes, as well as
- to provide authoritative assessments and to forge common understandings on key issues as input to government decisions on nuclear energy policy and to broader OECD policy analyses in areas such as energy and sustainable development.

Specific areas of competence of the NEA include safety and regulation of nuclear activities, radioactive waste management, radiological protection, nuclear science, economic and technical analyses of the nuclear fuel cycle, nuclear law and liability, and public information. The NEA Data Bank provides nuclear data and computer program services for participating countries.

In these and related tasks, the NEA works in close collaboration with the International Atomic Energy Agency in Vienna, with which it has a Co-operation Agreement, as well as with other international organisations in the nuclear field.

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POLAND

This chapter was last revised in 2003 and is correct as of that date.

The NEA Secretariat is currently revising this chapter in close consultation with the national authorities and plans to issue a new version in the near future.

POLAND

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I. GENERAL REGULATORY REGIME

1. Introduction

There are no nuclear power plants in Poland at present. There are, however, two research reactors: the EWA reactor (TANK WWR type of 1 MWe), the decommissioning of which commenced on 24 February 1995, and the MARIA reactor (pool type), located at the Institute of Atomic Energy at Swierk. In addition, there is a radioisotope processing centre and a spent fuel storage facility in Swierk and a radioactive waste facility at Rozan.

The Atomic Energy Act of 29 November 2000 [Dz. U.[1] of 2001 No. 3, poz. 18, hereinafter referred to as "the Act"], which entered into force on 1 January 2002, is a framework act governing all nuclear activities in Poland. It sets out provisions governing the main supervisory body in the nuclear field, the National Atomic Energy Agency (*Prezes Panstwowej Agencji Atomistyki*, hereinafter referred to as "the NAEA"). The NAEA is a government body under the authority of the Minister of the Environment. In addition, there are various other competent bodies, such as the Central Laboratory for Radiological Protection (see Part II, Section 3 "Research Institutes" *infra*).

The Act recognises the need to develop nuclear energy for peaceful purposes, but in a manner which protects life, health, property and the environment. It establishes a licensing system which applies to:

- nuclear installations (from site selection to decommissioning) [Chapter 4];
- manufacture, use of and trade in nuclear materials [Chapter 5];
- manufacture and use of ionising radiation sources [Chapter 6];
- radioactive waste and spent nuclear fuel [Chapter 7];
- transport of nuclear materials, radioactive sources and waste [Chapter 8];
- nuclear third party liability [Chapter 12]; and
- construction and operation of radioactive waste repositories [Chapter 14].

In addition, the Act covers nuclear safety and radiation protection control, as well as training and protection of workers; assessment of the national radiological situation; radiological emergency management; functions of the president of the NAEA, and penal regulations. Several orders,

1. Dz. U.: *Dziennik Ustaw* = Law Bulletin of the Republic of Poland.

ordinances and decrees have supplemented the Act since it has come into force. The licensing procedures for nuclear installations are further detailed in decrees issued by the Council of Ministers.

The new Criminal Code, which entered into force in Poland on 1 September 1998 [Dz. U. No. 88, poz. 2677], contains two provisions pertaining to nuclear energy and ionising radiation. A person responsible for an event which poses a threat to the life and health of a significant number of persons or considerable damage to property, through release of nuclear energy or ionising radiation, will be liable to imprisonment for a period of one to ten years [Chapter XX, Article 163(4)]. The Criminal Code further provides that whoever, without permission or contrary to stipulated conditions, possesses, uses, produces, reprocesses, collects or deals with explosion devices or substances, radioactive materials, ionising sources or other objects dangerous to the life or health of a significant number of persons or subject to cause considerable damage to property, will be liable to imprisonment for a period of six months to eight years [Article 170(1)].

2. Mining Regime

There is no legislation dealing specifically with the prospecting for and mining of radioactive ores in Poland. These activities are therefore governed by the Mining and Geological Act of 4 February 1994 [Dz. U. No. 67, poz. 342].

3. Radioactive Substances, Nuclear Fuel and Equipment

a) Licensing

The Atomic Energy Act provides that a licence from the competent nuclear safety and radiation protection authority is required to carry out activities related to the application of atomic energy [Chapter 2, Article 4(1)]. Amongst the activities listed are the production, conversion, storage or use of nuclear materials and radioactive sources. Also included are the manufacture and use of devices incorporating radioactive sources or emitting ionising radiation, the manufacture of dosimetric equipment and equipment and devices for protection against ionising radiation. Practices involving the addition of radioactive substances to foodstuff, toys, personal jewellery or cosmetic products, as well as the import of such products into, and export from the territory controlled by Polish customs, are prohibited [Article 4(2)]. The Council of Ministers may exempt certain activities from the licence requirements [Article 6]. The Regulation exempting Certain Activities from Licensing was adopted on 6 August 2002. It exempts activities where the radiation source is of very low activity or concentration, or where low-level sources are contained in equipment in conformity to specified construction requirements, thereby assuring a satisfactory level of radiation protection. Although exempt from licensing, these activities must nevertheless be registered to permit some level of control by the NAEA.

"Nuclear material" is defined in the Act as material containing fissionable isotopes (nuclides), in particular the isotopes of uranium, plutonium or thorium, in quantities which may not be disregarded from the viewpoint of nuclear material accountancy, including nuclear fuel [Article 3(11)]. "Radioactive source" is defined in the Act as any radioactive substance prepared in such a manner as to allow use to be made of the ionising radiation it emits [Article 3(33)]. Licences are issued by the president of the National Atomic Energy Agency [Article 5(2)], with the exception of licences to manufacture, purchase, install and use X-ray apparatus emitting radiation of energy equal to or less than 300 keV, which are granted by the local sanitary inspector [Article 5(3)].

b) Registration and Monitoring of Nuclear Materials and Radioactive Sources

The Act requires any organisational unit licensed to manufacture, convert, store, use and trade nuclear materials, to register and monitor such materials [Article 5(4)]. The rules governing such registration and control are established by the Council of Ministers, pursuant to the Regulation of the Council of Ministers adopted on 31 July 2001 on the Physical Protection of Nuclear Materials [Mon. Pol.[2] No. 90, poz. 997] and the Regulation of the Council of Ministers adopted on 31 July 2001 on the Accounting of Nuclear Materials [Mon. Pol. No. 87, poz. 955].

The rules set out the principles which apply to the keeping of records and the control of nuclear materials during manufacture, processing, use, removal from one place to another and storage on national territory. Nuclear materials passing in transit through Polish territory are excluded from the application of these rules.

The system for recording and controlling nuclear materials includes internal plant records and audits of nuclear materials, as well as central record keeping and audit by the National Atomic Energy Agency.

4. Nuclear Installations

a) Licensing and inspection, including nuclear safety

"Nuclear facility" is defined in the Act as a facility or an installation designed for manufacturing, use, processing, storage or disposal of nuclear materials in quantities allowing a self-sustained nuclear fusion chain reaction [Article 3(13)]. This definition is further elaborated in Article 34 of the Act, which refers in particular to nuclear power plants, thermal-electric power plants and heating plants equipped with nuclear power reactors, research, experimental and other nuclear reactors.

In accordance with the Act, the obligation to fulfil the requirements of nuclear safety, radiological protection and physical protection of a nuclear facility applies during the stages of the lifetime of the nuclear installation [Article 35]. The respective licences to engage in these activities are granted by the president of the NAEA on the request of the investor until operation begins, and subsequently on the request of the operator.

Inspection powers are described in Chapter 9 of the Act, as part of a wider nuclear surveillance function. The nuclear surveillance tasks, including inspections, are performed by the president of the NAEA, the chief nuclear regulatory inspector and the regulatory inspectors responsible for nuclear control [Article 64]. The principal inspector for nuclear surveillance is appointed by and responsible to the president of the Agency, and directs the work of the inspectors responsible for nuclear surveillance [Article 52]. The president of the Agency may entrust the surveillance tasks to officials of organisational units subject to nuclear surveillance, who will have the same rights as inspectors responsible for nuclear surveillance.

Pursuant to Article 66, the inspectors are entitled to:

2. Mon. Pol.: *Monitor Polski* : Bulletin of the Council of Ministers of Poland.

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- around the clock access to transport vehicles and the sites of organisational entities where nuclear materials, ionising radiation sources, radioactive waste and spent nuclear fuel are produced, used, stored, disposed of or transported;
- review the documentation concerning nuclear safety and radiological protection in the controlled organisational entity;
- check if the activities referred to in article 4(1) are conducted in compliance with nuclear safety and radiological protection regulations and with the requirements and conditions established in the licence;
- conduct independent technical and dosimetric measurements whenever needed;
- request written or oral information if this is necessary to clear up an issue.

The procedure to be followed in surveillance matters is governed by the Code of Administrative Procedure. Any decision involving nuclear safety and radiation protection may be contested before the Supreme Administrative Court (*Naczelny Sad Administracyjny*). "Nuclear safety" is defined in the Act as the conditions reached through the organisational and technical measures undertaken to prevent radiological emergencies related to practices involving nuclear materials, and to mitigate their consequences [Article 3].

Poland is Party to the Convention on Nuclear Safety, which it ratified on 14 June 1995.

b) Emergency response

The Act distinguishes the following types of radiological emergencies according to the extent of their impact:

- an on-site emergency is a radiological emergency occurring on the site of the organisational entity, with the impact limited to the area within the site boundaries of the organisational entity;
- a public emergency on a regional scale is a radiological emergency occurring on the site of the organisational entity or off-site during field works or during the transportation of nuclear materials, ionising radiation sources, radioactive waste and spent nuclear fuel, with the impact limited to the territory of one region only; and
- a public emergency on a national scale, which is a radiological emergency referred to in the preceding paragraph, if its impact extends or may extend to a territory larger than that of the region.

The Agency's president shall issue an order decreasing the power or stopping the operation of a nuclear facility if, in his assessment, further operation of this facility shall endanger nuclear safety. A subsequent increase of power or start-up of the facility shall require the consent of the Agency's president [Article 39].

If an inspection of the installation reveals a direct threat to nuclear safety or radiation protection, the president of the NAEA, the chief nuclear regulatory inspector or the regulatory inspectors responsible for nuclear control are required to impose emergency measures designed to eliminate the danger [Article 84].

Poland is party to the following international conventions dealing with emergency response:

- 1986 Convention on Early Notification of a Nuclear Accident (ratified on 24 March 1988);
- 1986 Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency (ratified on 24 March 1988);
- Bilateral agreements on early notification of a nuclear accident and on co-operation in nuclear safety and radiological protection concluded with: Denmark (1987), Austria (1987), Norway (1989), Ukraine (1993), Belarus (1994), Russian Federation (1995), Lithuania (1995) and Slovak Republic (1996).

By order of the president of the NAEA, the International Contact Point (ICP) of the early warning system was established. The ICP operates on a 24-hour basis and serves as a channel for the exchange of information on radiation emergencies with the International Atomic Energy Agency (IAEA) in Vienna and neighbouring countries, in accordance with international conventions and bilateral agreements.

5. Trade in Nuclear Materials and Equipment

Under Article 62 of the Act, import into and export from the territory controlled by Polish customs of nuclear materials, radioactive sources and devices containing such sources, import of consumer goods emitting ionising radiation, as well as import and export of radioactive waste and spent nuclear fuel, shall be conducted on the basis of licensing conditions provided in Article 4(1)(2).

In addition, two Regulations of the Council of Ministers of 5 November 2002 lay down rules on imports into, exports from and transit through the Polish customs of radioactive waste and spent nuclear fuel and also of nuclear materials, radiation sources and devices containing such sources.

Nuclear materials, radioactive sources and equipment containing radioactive sources may be imported from abroad by an entity that has been licensed under Article 4 of the Act to:

- use such items;
- deal in nuclear materials or radioactive sources;
- manufacture and process nuclear materials and radioactive sources;
- manufacture devices containing radioactive sources; or
- manufacture articles of general use which emit ionising radiation.

Similarly, nuclear materials, radioactive sources or devices containing radioactive sources may be exported to foreign countries by an entity that has been licensed under Article 4 of the Act to:

- distribute nuclear materials or radioactive sources;
- manufacture devices containing radioactive sources;
- use nuclear materials and radioactive sources; or
- manufacture nuclear materials and radioactive sources.

An Act of 2 December 1993 provides for special control rules for the import, export and transit of certain goods and technologies in accordance with international agreements concluded by Poland [Dz. U. No. 129 of 24 December 1993]. These control rules apply to a variety of goods and

technologies, including those belonging to the nuclear fuel cycle and those capable of producing nuclear explosive devices. The list of such goods and technologies is established by the Minister for the Economy and the Minister for Foreign Affairs. The Minister for the Economy issues import and export certificates after the licence has been granted. The directors of customs offices issue permits for the transit of such goods. Control teams appointed by the Minister for the Economy, and which include a member of the National Atomic Energy Agency, carry out licence checks on Polish territory. The Minister for the Economy issued an Order on special controls in foreign trade pursuant to the 1993 Act [Dz. U. No. 19 of 25 March 1994]. This order contains provisions relating to articles capable of producing nuclear explosive devices.

6. Radiation Protection

Ongoing surveillance of nuclear safety and radiation protection is dealt with in Chapters 3 and 9 of the Act, with general responsibility being given to the president of the NAEA, the chief nuclear regulatory inspector and other regulatory inspectors responsible for nuclear surveillance. For further details of the nuclear surveillance tasks of the Principal Inspector and the inspectors, see *supra*, Section 4 “Nuclear Installations”, subsection (a) “Licensing and Inspections”.

Detailed rules for this surveillance function are set out in the Regulation of the Council of Ministers adopted on 3 December 2001 on the subsidy for activities in the field of nuclear safety and radiological protection [Dz. U. No. 145, poz. 1626].

The chief nuclear regulatory inspector and the other regulatory inspectors examine the documentation relating to nuclear safety and radiation protection submitted by applicants in licensing proceedings, provide opinions on the siting of nuclear plants and waste disposal facilities, review training programmes for employees in nuclear installations and give periodic reports on the nuclear safety and radiation protection situation in the country.

Chapter 3 of the Act deals with training and health protection of workers in the nuclear industry. Workers may only carry out activities involving nuclear materials, sources of ionising radiation or radioactive waste, if they have adequate knowledge of nuclear safety and radiation protection requirements in light of their position. Medical examinations are required to ensure that the worker is suitable for the post, and training programmes must be periodically organised to educate workers on nuclear safety and radiation protection issues. The Minister for Health and Welfare is responsible for establishing the general content and principles of the training programme for persons responsible for ensuring protection against ionising radiation in X-ray centres [Article 12]. The Act also requires medical surveillance of workers likely to be exposed to ionising radiation, and provides for compulsory systematic dosimetric readings as part of this surveillance.

The standards for such medical surveillance and dosimetric recordings in the workplace are set out in the Regulation of the Council of Ministers adopted on 3 December 2001 on the subsidy for activities in the field of nuclear safety and radiological protection [Mon. Pol. No. 145, poz. 1626]. Under that regulation, the results of measurements concerning the level of exposure for individuals must be kept for at least 30 years after termination of the work involving exposure to ionising radiation. Similarly, the results of atmospheric dosimetric measurements taken at the workplace must be kept for at least 30 years, unless such results have been handed over to the state nuclear safety and radiation protection surveillance body.

The relevant radiation dose limits are set out in the Regulation of the Council of Ministers adopted on 28 May 2002 on dose limits of ionising radiation [Mon. Pol. No. 111, poz. 969]. These

dose limits are for workers employed under conditions where there is a likelihood of exposure to ionising radiation and for persons residing in the proximity of ionising radiation sources, including nuclear installations.

The Appendices to the regulation set out the formulas used to calculate the applicable dose limits under the regulation. Generally, to identify ionising radiation hazards for workers, there is an annual limit on intake corresponding to one of the following:

- overall effective dose equivalent of 50 mSv;
- 100 mSv for lenses of the eyes; and
- 500 mSv for other tissues or organs.

In 1965, Poland ratified the 1960 ILO Convention No. 115 on Workers Protection against Ionising Radiation. As a result, the international safety standards for radiation protection and their amended versions were implemented in Poland. The present law is based on the 1994 Basic Safety Standards for Protection against Ionising Radiation and for the Safety of Radiation Sources (BSS) as approved by the IAEA. The recent revision of the BSS is the basis for bringing the existing regulations in Poland into line with European Union directives.

7. Radioactive Waste Management

Chapter 7 of the act sets out the general framework for the regulation of radioactive waste. Radioactive waste from the manufacture, conversion, temporary or final storage or use of nuclear materials and radioactive sources, and from the operation and decommissioning of nuclear installations, must be treated in such a way as to prevent its constituting a risk to persons or the environment [Article 50].

Radioactive waste must be registered at the place where it is produced or stored, and the rules governing the classification of waste, its characterisation and registration, and the conditions for its treatment and storage are determined by rules made by the Council of Ministers [Article 51]. Licences for the construction and operation of radioactive waste repositories are granted by the president of the NAEA [Article 53]. Further, a Regulation of the Council of Ministers of 3 December 2002 lays down rules on classification of radioactive wastes, their characterisation, controlling and records keeping as well as on conditions for the storage of radioactive waste and spent fuel.

At the international level, Poland ratified the 1997 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management on 5 May 2000. Poland also ratified the 1972 London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter on 23 January 1979.

8. Non-Proliferation and Physical Protection

Poland is party to the following international conventions, treaties and agreements dealing with non-proliferation and physical protection in the nuclear field:

- 1968 Treaty on the Non-Proliferation of Nuclear Weapons (ratified on 12 June 1969);
- Safeguards Agreement with the IAEA (ratified in 1972; published in INFCIRC/179);

- 1979 Convention on the Physical Protection of Nuclear Material (ratified on 5 October 1983); and

- 1996 Comprehensive Nuclear Test Ban Treaty (ratified on 25 May 1999).

Poland is also a member country of the Nuclear Suppliers Group (NSG – London Club) and, as a result, observes the NSG guidelines set out in IAEA publication INFCIRC 254/rev.2/Part 1 and Part 2 (export and import control by the state, as laid down by the Act of 2 December 1993; see *infra*).

As discussed *supra*, under Section 5 "Trade in Nuclear Materials and Equipment", an Act of 2 December 1993 provides for special control rules for the import, export and transit of certain goods and technologies in accordance with international agreements concluded by Poland [Dz. U. No. 129 of 24 December 1993].

Under the Act, the physical protection of nuclear materials is the responsibility of the organisational unit to which a licence has been granted to manufacture, convert, store, use or trade in those materials [Article 41].

Detailed rules governing physical protection of nuclear materials are provided by the Regulations of the Council of Ministers of 31 July 2001 on physical protection of nuclear materials and on accountancy of nuclear materials; which took effect on 1 January 2002. Regulation on Physical Protection of Nuclear Materials sets out the various categories of nuclear materials and establishes adequate protection levels for each of them. It further determines the organisational methods and technologies which should be used in the field of physical protection, as well as the appropriate procedures for the periodic controls carried out by the president of the NAEA. The Regulation on the Accountancy of Nuclear Materials defines nuclear materials subject to accountancy requirements, specifies methods and means of maintaining balance, establishes control procedures and presents detailed models of the documents to be submitted.

9. Transport

Chapter 8 of the Act deals in particular with the transport of nuclear materials and radioactive sources and waste. Licences to transport nuclear materials and radioactive sources are granted by the president of the NAEA. The nuclear materials must be prepared for transport and transported in such a way as to prevent any possibility of a self-sustained fission reaction. To the extent that they are not regulated by separate provisions, the conditions for the safe transport of nuclear materials and radioactive sources and waste are determined by the Minister responsible for the mode of transport in question, in agreement with the Minister for Internal Affairs and the president of the NAEA. The radiation doses to which persons involved in the transport operation are exposed must be monitored and must not exceed the dose limits specified under the Act.

The Regulation of the Council of Ministers of 31 July 2001 on Physical Protection of Nuclear Materials contains specific provisions to ensure safety during the transport of nuclear material falling into one of the three categories set out in the Appendix to that regulation.

The conditions and requirements applying to transport within the site of the entities which produce, store or use nuclear materials or radioactive sources and waste are to be specified by the president of the NAEA in the licence for the activity authorised.

10. Nuclear Third Party Liability

Poland acceded to the 1963 Vienna Convention on Civil Liability for Nuclear Damage and the 1988 Joint Protocol on the Application of the Vienna Convention and the Paris Convention on 23 January 1990. The legislative provisions to meet its obligations under the Vienna Convention were already largely in place under Chapter 12 of the Act, although there are provisions in the Convention which are not specifically addressed under the Act. As a matter of basic principle, however, the Act, like the Convention, channels liability for nuclear damage to the operator of a nuclear installation, with the exception of damage caused directly by acts of war or armed conflict [Article 101(1)].

If a person who suffers nuclear damage, by intentional behaviour has caused or aggravated that damage, the court of justice may relieve the operator, wholly or partially, from his obligation to pay compensation in respect of the damages suffered by such individual.

Pursuant to Article 100(5) nuclear damage includes any one of the following:

- personal injury;
- damage to property;
- damage to the environment – the costs of measures of reinstatement which aim to restore the impaired environment viewed as common property to its natural state, unless such impairment is insignificant;
- loss of potential income which the injured party could have obtained if it were not for the damages referred to in subparagraphs (a) and (b), as well as the loss of income related to the damage to the environment viewed as common property.

In the event of nuclear damage occurring during the transport of nuclear materials, the operator sending the material remains liable for third party damage unless an agreement between nuclear operators provides for the liability of the other person [Article 101(2)].

The operator's liability is limited to the amount of 150 million Special Drawing Rights (SDR) [Article 102(1)].

The operator of a nuclear installation is required to maintain a financial security covering this liability [Article 103(1)]. The National Treasury shall guarantee the payment of compensation for nuclear damage incurred by an individual, where such amount could not be settled from the financial security [Article 103(3)].

The right to compensation for personal injury due to nuclear damage is not subject to a prescriptive time limit. Nuclear damage to property or the environment is subject to a ten-year prescription period and to a three year discovery rule, i.e. the injured party must file suit within three years of the date that he knew or should have known of the injury [Article 105].

To the extent not covered by Chapter 12 of the Act, the provisions of the Civil Code apply to claims for nuclear damage [Article 107]. Similarly, the provisions of Chapter 12 of the Act do not prejudice the application of other provisions on benefits for industrial injuries or occupational illness [Article 108].

II. INSTITUTIONAL FRAMEWORK

1. Regulatory and Supervisory Authorities

a) National Atomic Energy Agency (NAEA)

The National Atomic Energy Agency – NAEA (*Panstwowa Agencja Atomistyki*) is the governmental agency responsible for the use of nuclear energy in Poland. As such, it is responsible for the co-ordination and control of activities related to the research and safe use of nuclear energy, safeguards for nuclear materials, storage of radioactive waste, education and information of the public, as well as international co-operation in the field of nuclear energy.

The NAEA is directed by its president, who is appointed by the Prime Minister upon proposal of the Minister competent in environmental matters and reports to this Minister. The president of the NAEA is assisted by an advisory body, the Atomic Energy Council.

The Act sets out the powers and responsibilities of the NAEA and the president of the NAEA [Chapter 13]. In addition, various decrees and regulations specify the NAEA powers and functions, in particular the Regulation of the Minister of Environment of 15 July 2002 on the Statute of the National Atomic Energy Agency [Mon. Pol. No. 33, poz. 519].

The nuclear legislative scheme attributes a particularly important role to the president of the NAEA, especially with relation to the granting of licences and the overall supervision of the nuclear sector [Article110]. The president is responsible for governmental supervision of all aspects of the peaceful uses of atomic energy related to nuclear safety and radiation protection. He is also responsible for radiological emergency preparedness and for decontamination measures. In the event of a radiation emergency, the president puts the emergency plan into operation and establishes protective zones around nuclear facilities. The president also supervises control over foreign trade in and transit through Polish territory of nuclear materials and equipment. Finally, the president, in co-operation with the Minister for Foreign Affairs, co-ordinates international relations in the field of the peaceful and safe use of atomic energy, and represents the government of Poland in the governing bodies of specialised international organisations.

In addition, the National Atomic Agency Board is the consultative body of the Agency. It is composed of a chairperson, who is also the president of the Agency, a vice-president (chief nuclear regulatory inspector) along with representative of the Ministers in charge of Economic Affairs, National Education, Defence, Internal Affairs and Administration, Foreign Affairs, Health and Environment. The aim of the Board is to resolve problems encountered in the Agency's various activities by preparing programmes of action and studying the Agency's annual activity reports.

b) Minister for Health and Welfare

The Minister for Health and Welfare is responsible under the Act for making regulations laying down the conditions for the safe application of ionising radiation for medical purposes. Pursuant to the Act, the Minister establishes conditions for the safe use of ionising radiation in medical applications, and methods of internal control for the fulfilment of these conditions. To this end, he enacted the

Regulation of 24 December 2002 [Mon. pol. No. 241, poz. 2098], which has been in force since 1 January 2003.

c) Minister for the Environment

According to Atomic Energy Act (as modified by the Act on the Organisation of the Central Authorities in the Republic of Poland of 21 December 2001), the Minister of the Environment supervises the president of the NAEA and nominates the deputy presidents. Pursuant to the Regulation of 30 December 2002 [Dz. U. No. 241, poz. 2094], in force since 1 January 2003, the Minister established detailed rules regarding restricted access around nuclear facilities.

2. Advisory Bodies

Council for Atomic Affairs

The Council for Atomic Affairs is an advisory body which assists the president of the National Atomic Energy Agency by providing its opinion on questions relating to the NAEA's activities and in particular on radiological protection and nuclear safety [Article 112]. It comprises a chairperson appointed by the Prime Minister on the recommendation of the president of the NAEA, together with members of the Council appointed by the president of the NAEA.

3. Public and Semi public Bodies

Radioactive Waste Management Plant

This plant, established by the Atomic Energy Law of 2000, is a state-owned public utility located in Otwock-Swierk. It shall be established to conduct activities involving radioactive waste management and spent nuclear fuel management and, above all, ensuring permanent feasibility of radioactive waste and spent nuclear fuel disposal.

Radioactive Waste Management Plant shall be supervised by the Minister for the Economy, and is headed by a director nominated by this Minister. The Minister for the Economy shall control the plant's activities and submit those activities to an annual evaluation which he shall present to the Prime Minister.

4. Research Institutes

a) Central Laboratory for Radiological Protection

Regulation No. 164 of 13 July 1957 of the Prime Minister established the Central Laboratory, and the president of the NAEA approved its Statute on 12 February 1993. Its main activities include supervision and control of radiation hazards, the scientific research programme in radiation protection, the formulation of standards on radiation protection, the safe handling of radioactive sources and the personal dose monitoring service. It also serves as an emergency service centre and an international contact point of the early warning system, in the event of a nuclear accident.

b) Institute of Atomic Energy

The Institute was founded by Regulation No. 31 of 13 December 1982 of the Prime Minister, and the president of the NAEA approved its Statute on 29 January 1993. Its main activities include VVER reactor safety studies, fuel and structural material studies for gas-cooled reactors, analysis of nuclear safety and radiological protection, processing of radioactive wastes and production of equipment applied in reactor technology.

c) Institute of Nuclear Physics

The Institute was founded by decision of the Council of Ministers of 20 July 1960, and its Statute was approved by the president of the NAEA on 7 April 1992. It is responsible for conducting research in high and low energy physics, condensed matter physics, accelerator techniques and applied nuclear physics.

d) Institute of Nuclear Chemistry and Technology

The Institute was founded by Regulation No. 31 of 13 December 1982 of the Prime Minister, and the president of the NAEA approved its Statute on 14 July 1992. Its main fields of activity include material studies, studies on the use of radioisotope instruments and research and studies in the areas of radiochemistry, radiobiology and health protection, chemical engineering, metallurgy, hydrology and environmental protection.

e) Institute for Nuclear Studies

The Institute was founded by Regulation No. 31 of 13 December 1982 of the Prime Minister, and the president of the NAEA approved its Statute on 8 October 1996. Its main fields of activity include basic and applied physics and work on nuclear electronic instrumentation and nuclear apparatus.

f) Radioisotope Centre

The Centre was founded by Regulation No. 8 of 18 September 1989 of the president of the NAEA, and the president of the NAEA approved its Statute on 30 May 1997. The activities of the Centre consist of production of radioactive materials for biochemical and industrial purposes and research work in the fields of radioimmunology, radioactive preparations, ionising radiation sources, metrology and analysis.

g) Institute of Plasma Physics and Laser Microfusion

The Institute was founded by Regulation No. 44 of 25 July 1975 of the Prime Minister, and the president of the NAEA approved its Statute on 1 July 1993. Its main fields of research are basic and applied sciences in the nuclear field.