

**LAW No. 06/L-029**

**ON RADIATION PROTECTION AND NUCLEAR SAFETY**

**The Assembly of the Republic of Kosovo,**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves:

**LAW ON RADIATION PROTECTION AND NUCLEAR SAFETY**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Aim**

1. The purpose of this Law is to protect the health of individuals subject to professional medical, public and environmental exposure against the dangers arising from ionizing and non-ionizing radiation, to assure high level of nuclear safety and to fulfil the international obligations of the Republic of Kosovo in this area.

2. This Law is in accordance with the EU directives, with special emphasis on: the Directive on Basic Safety Standards (Directive 2013/59/EURATOM), the Directive on Radioactive Waste and Spent Fuel Management (Directive 2011/70/EURATOM), the Directive on Water Intended for Human Consumption (Directive 2013/51/EURATOM), the Directive on Shipments of Radioactive Waste and Spent Fuel (Directive 2006/117/EURATOM), and the Directive on Nuclear Safety of Nuclear Installations with amendments (Directive 2014/87/EURATOM).

**Article 2  
Scope**

1. This Law applies to all activities and practices involving the peaceful use of nuclear energy and ionizing radiation carried out in the territory or under the jurisdiction or control of the Republic of Kosovo.

2. This Law applies to any planned, existing or emerging exposure situation involving a risk of exposure to radiation which can not be ignored from the point of view of radiation protection or in relation to the environment in function of long-term protection of human health.

3. This Law establishes the status, duties and responsibilities of the Kosovo Agency for Radiation Protection and Nuclear Safety, responsibility for communication with other countries and relevant international organizations and responsibilities for achieving the objectives stated in the purpose of this Law.

### **Article 3** **Exclusions from the scope**

1. This Law shall not apply to:

- 1.1. exposure to the natural level of radiation such as radionuclides contained in the human body and cosmic radiation prevailing at ground level;
- 1.2. exposure of members of the public or workers other than air crew to radiation during the flight;
- 1.3. above ground exposure to radionuclides present in the undisturbed earth's crust.
- 1.4. activities or practices involving exposures that have been excluded from regulatory control.

### **Article 4** **Definitions**

1. The terms used in this Law shall have the following meanings:

- 1.1. **Agency** - the Kosovo Agency for Radiation Protection and Nuclear Safety;
- 1.2. **Activity (A)** - the activity of an amount of a radionuclide in a particular energy state at a given time. The unit of activity is the becquerel (Bq);
- 1.3. **Activation** - the process through which a stable nuclide is transformed into a radionuclide by irradiating with particles or high-energy photons the material in which it is contained;
- 1.4. **Accident**- any unintended event, the consequences or potential consequences of which are significant from the point of view of radiation protection and nuclear safety;
- 1.5. **ALARA** - As Low As Reasonably Achievable level;
- 1.6. **IAEA** - International Atomic Energy Agency;
- 1.7. **Authorisation** - registration or licensing of a practice;
- 1.8. **Orphan source** - a radioactive source which is neither exempted nor under regulatory control, because it has never been under regulatory control or because it has been abandoned, lost, misplaced, stolen or otherwise transferred without proper authorisation;
- 1.9. **Radioactive source** - a radiation source incorporating radioactive material for the purpose of utilising its radioactivity;
- 1.10. **Sealed source** - a radioactive source in which the radioactive material is permanently sealed in a capsule or incorporated in a solid form with the objective of

preventing, under normal conditions of use, any dispersion of radioactive substances;

1.11. **High-Activity Sealed Source (HASS)** - a sealed source for which the activity of the contained radionuclide is equal to or exceeds the relevant activity value laid down in the relevant regulation;

1.12. **Disused source** - a sealed source which is no longer used or intended to be used for the practice for which authorisation was granted but continues to require safe management;

1.13. **Radiation source** - a facility, equipment or radioactive substance that may cause exposure, such as by emitting radiation or by releasing radioactive material;

1.14. **Disposal** - the holding of radioactive material, including spent fuel, a radioactive source or radioactive waste, in a facility without the intention of retrieval;

1.15. **Health detriment** - reduction in length and quality of life occurring in a population following exposure, including those arising from tissue reactions, cancer and severe genetic disorder;

1.16. **Absorbed dose (D)** - the energy absorbed per unit mass;

1.17. **Equivalent dose** - the absorbed dose, in tissue or organ weighted for the type and quality of radiation.

1.18. **Medical physics expert** - an individual having the knowledge, training and experience to act or give advice on matters relating to radiation physics applied to medical exposure, whose competence in this respect is recognised by the Agency;

1.19. **Radiation protection expert** - an individual having the knowledge, training and experience needed to give radiation protection advice in order to ensure the effective protection of individuals, and whose competence in this respect is recognised by the Agency;

1.20. **Exposure** - the act of exposing or condition of being exposed to ionizing radiation emitted outside the body (external exposure) or within the body (internal exposure);

1.21. **Accidental exposure** - the exposure of individuals, other than emergency workers, as a result of an accident;

1.22. **Emergency occupational exposure** - radiation exposure received in an emergency exposure situation by an emergency worker;

1.23. **Medical exposure** - exposure incurred to the patients or asymptomatic individuals as part of their own medical or dental diagnosis or treatment, and intended to benefit their health, as well as exposure incurred by carers and comforters and by volunteers in medical or biomedical research;

1.24. **Normal exposure** - exposure expected to occur under the normal operating conditions of a facility or activity (including maintenance, inspection, decommissioning),

including minor incidents that can be kept under control, i.e. during normal operation and anticipated operational occurrences;

1.25. **Occupational exposure** - exposure of workers, apprentices and students, incurred in the course of their work;

1.26. **Public exposure** - exposure of individuals, excluding any occupational or medical exposure;

1.27. **Potential exposure** - exposure that is not expected with certainty but may result from an event or sequence of events of a probabilistic nature, including equipment failures and operating errors;

1.28. **Existing exposure situation** - an exposure situation that already exists when a decision on its control has to be taken and which does not call or no longer calls for urgent measures to be taken;

1.29. **Emergency exposure situation** - a situation of exposure due to an emergency;

1.30. **Emergency** - a non-routine situation or event involving a radiation source that necessitates prompt action to mitigate serious adverse consequences for human health and safety, quality of life, property or the environment, or a hazard that could give rise to such serious adverse consequences;

1.31. **Facility** - nuclear installations, irradiation installations, some mining and raw material processing facilities such as uranium mines; radioactive waste management facilities; and any other places where radioactive material is produced, processed, used, handled, stored or disposed of, on such a scale that consideration of protection and safety is required;

1.32. **Nuclear installation** - (a) a nuclear power plant, enrichment plant, nuclear fuel fabrication plant, reprocessing plant, research reactor facility, spent fuel storage facility; and (b) storage facilities for radioactive waste that are on the same site and are directly related to nuclear installations listed under point (a);

1.33. **Incident**- any unintended event, the consequences or potential consequences of which are not negligible from the point of view of radiation protection or nuclear safety;

1.34. **Inspection** - an investigation by or on behalf of the Agency to verify compliance with national legal requirements;

1.35. **Contamination** - the unintended or undesirable presence of radioactive substances on surfaces or within solids, liquids or gases or on the human body;

1.36. **Regulatory control** - any form of control or regulation applied to human activities for the enforcement of this Law;

1.37. **Dose limit** - the value of the effective dose (where applicable, committed effective dose) or the equivalent dose in a specified period which shall not be exceeded for an individual;

1.38. **Dose constraint** - a constraint set as a prospective upper bound of individual doses, used to define the range of options considered in the process of optimisation for a given radiation source in a planned exposure situation;

1.39. **Careers and comforters** - individuals knowingly and willingly incurring an exposure to ionizing radiation by helping, other than as part of their occupation, in the support and comfort of individuals undergoing or having undergone medical exposure;

1.40. **Spent fuel** - nuclear fuel that has been irradiated in and permanently removed from a reactor core; spent fuel may either be considered as a usable resource that can be reprocessed or be destined for disposal if regarded as radioactive waste;

1.41. **Licence** - permission granted in a document by the Agency to carry out a practice in accordance with specific conditions laid down in that document;

1.42. **Storage** - the holding of radioactive material, including spent fuel, a radioactive source or radioactive waste, in a facility with the intention of retrieval;

1.43. **Protective measures** - measures, other than remedial measures, for the purpose of avoiding or reducing doses that might otherwise be received in an emergency exposure situation or an existing exposure situation;

1.44. **Nuclear material** - plutonium-239, uranium-233, or uranium enriched in the isotopes uranium-233 or uranium-235, or any other material the Agency determines should be classified as nuclear material.

1.45. **Building material** - any construction product for incorporation in a permanent manner in a building or parts thereof and the performance of which has an effect on the performance of the building with regard to exposure of its occupants to ionizing radiation;

1.46. **Radioactive material** - material incorporating radioactive substances;

1.47. **Radioactive waste** - radioactive material in gaseous, liquid or solid form for which no further use is foreseen or considered by the Agency or by a legal or natural person whose decision is accepted by the Agency, and which is regulated as radioactive waste under this Law;

1.48. **Closure** - the completion of all operations at some time after the emplacement of spent fuel or radioactive waste in a disposal facility, including the final engineering or other work required to bring the facility to a condition that will be safe in the long term;

1.49. **Radioactive waste management** - all activities that relate to handling, pretreatment, treatment, conditioning, storage, or disposal of radioactive waste, excluding off-site transportation;

1.50. **Practitioner** - a medical doctor, dentist or other health professional who is entitled to take clinical responsibility for an individual medical exposure in accordance with national requirements;

1.51. **Undertaking** - a natural or legal person who has legal responsibility under national Law for carrying out a practice, or for a radiation source, or operates nuclear installation, including cases where the owner or holder of a radiation source does not conduct related human activities;

1.52. **Exemption level** - a value expressed in terms of activity concentration or total activity at or below which a radiation source is not subject to notification or authorisation;

1.53. **Reference level** - in an emergency exposure situation or in an existing exposure situation, the level of effective dose or equivalent dose or activity concentration above which it is judged inappropriate to allow exposures to occur as a result of that exposure situation, even though it is not a limit that may not be exceeded;

1.54. **Clearance levels** - values expressed in terms of activity concentrations, at or below which materials arising from any practice subject to notification or authorisation may be released from the provisions of this Law;

1.55. **Notification** - submission of information to the Agency to notify the intention to carry out a practice within the scope of this Law;

1.56. **Disposal facility** - any facility or installation the primary purpose of which is radioactive waste disposal;

1.57. **Radioactive waste management facility** - any facility or installation the primary purpose of which is radioactive waste management;

1.58. **Members of the public** - individuals who may be subject to public exposure;

1.59. **Emergency response plan** - arrangements to plan for adequate response in the event of an emergency exposure situation on the basis of postulated events and related scenarios;

1.60. **Apprentice** - a person receiving training or instruction within an undertaking with a view to exercising a specific skill;

1.61. **Practice** - a human activity that can increase the exposure of individuals to radiation from a radiation source and is managed as a planned exposure situation;

1.62. **Consumer product** - a device or manufactured item into which one or more radionuclides have deliberately been incorporated or produced by activity, or which generates ionizing radiation, and which can be sold or made available to members of the public without special surveillance or regulatory control after sale;

1.63. **Emergency worker** - any person having a defined role in an emergency and who might be exposed to radiation while taking action in response to the emergency;

1.64. **Exposed worker** - a person, either self-employed or working under an employer, who is subject to exposure at work carried out within a practice regulated by this Law and who is liable to receive doses exceeding one or other of the dose limits for public exposure;

1.65. **Outside worker** - any exposed worker who is not employed by the undertaking responsible for the supervised and controlled areas, but performs activities in those areas, including apprentices and students;

1.66. **Interventional radiology** - the use of X-ray imaging techniques to facilitate the introduction and guidance of devices in the body for diagnostic or treatment purposes;

1.67. **Radon** - radionuclide Rn-222 and its progeny, as appropriate;

1.68. **Safety case** - a collection of arguments and evidence in support of the safety of a facility or activity;

1.69. **Ionizing radiation** - energy transferred in the form of particles or electromagnetic waves of a wavelength of 100 nanometres or less capable of producing ions directly or indirectly;

1.70. **Non-ionizing radiation** - the physical entity that carries or saves the energy in space and poses force on electrical charges. FEM includes magnetic, electric and static fields with frequencies of the interval 0-300 GHz.

1.71. **Registration** - permission granted in an authorisation document by the Agency, through a simplified procedure, to carry out a practice in accordance with conditions laid down in legislation in force or specified by the Agency for this type or class of practice;

1.72. **Nuclear safety** - the achievement of proper operating conditions, prevention of accidents and mitigation of accident consequences, resulting in protection of workers and the general public from dangers arising from ionizing radiations from nuclear installations;

1.73. **Safety** - the achievement of proper operating conditions within facilities and proper conduct of practices, prevention of accidents and mitigation of accident consequences, resulting in protection of people and the environment against undue radiation risks arising from those activities and practices;

1.74. **Security** - the prevention and detection of, and response to, theft, sabotage, unauthorized access, illegal transfer or other malicious acts involving nuclear or other radioactive material, or their associated facilities;

1.75. **Emergency management system** - a legal or administrative framework establishing responsibilities for emergency preparedness and response, and arrangements for decision making in the event of an emergency exposure situation;

1.76. **Planned exposure situation** - an exposure situation that arises from the planned operation of a radiation source or from a human activity which alters exposure pathways, so as to cause the exposure or potential exposure of people or the environment. Planned exposure situations may include both normal exposures and potential exposures;

1.77. **Radioactive substance** - any substance that contains one or more radionuclides the activity or concentration of which cannot be disregarded from a radiation protection point of view;



1.78. **Dosimetry service** - an organisation competent to calibrate, read or interpret individual monitoring devices, or to measure radioactivity in the human body or in biological samples, or to assess doses, whose capacity to act in this respect is recognised by the Agency;

1.79. **Technical service** - an organization having technical and human resources, the knowledge, training and experience to act or give advice on matters relating to radiation protection under this Law, whose competence in this respect is recognised by the Agency;

1.80. **Occupational health service** - an organization competent to perform medical surveillance of exposed workers and whose capacity to act in that respect is recognised by the Agency;

1.81. **Water intended for human consumption** - (a) all water, either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, a tanker, or in bottles or containers; (b) all water used in any food-production undertaking for the manufacture, processing, preservation or marketing of products or substances intended for human consumption.

1.82. **Parametric value** - the value of radioactive substances in water intended for human consumption above which Member States shall assess whether the presence of radioactive substances in water intended for human consumption poses a risk to human health which requires action and, where necessary, shall take remedial action to improve the quality of water to a level which complies with the requirements for the protection of human health from a radiation protection point of view.

1.83. **Controlled area** - an area subject to special rules for the purpose of protection against ionizing radiation or preventing the spread of radioactive contamination and to which access is controlled;

1.84. **Radiation protection officer** - an individual who is technically competent in radiation protection matters relevant for a given type of practice to supervise or perform the implementation of the radiation protection arrangements;

1.85. **Supervised area** - an area subject to supervision for the purpose of protection against ionizing radiation;

## Article 5

### Principles of this Law

1. **The Principle of Justification**-Decisions introducing a practice shall be justified in the sense that such decisions shall be taken with the intent to ensure that the individual or societal benefit resulting from the practice outweighs the health detriment that it may cause. Decisions introducing or altering an exposure pathway for existing and emergency exposure situations shall be justified in the sense that they should do more good than harm.

2. **The Principle of Optimization** - The practices and intervention measures shall be optimized in order to keep the exposure up to level as low as achievable by implementation of reasonable measures, taking into account economic, technical and social factors.



3. **The Principle of Dose Limitation** - Activities and practices shall be conducted in a manner that ensures that the total dose that a person may incur does not exceed the dose limit established by legal provisions, so that no person is subject to an unacceptable risk attributable to radiation exposure. Dose limits shall not apply to medical exposures.

4. **The Principle of Peaceful Use** - Nuclear materials, radiation sources and nuclear technologies shall be implemented in accordance with international agreements on non-proliferation of nuclear weapons, preventing unauthorized possession and use of nuclear material and radiation sources for the purpose of malicious acts.

5. **The Principle of Primary Responsibility** - The undertaking shall have the primary responsibility for the safe and secure conduct of practice and for ensuring compliance with this Law and all applicable regulatory requirements and conditions of the authorization related to that activity or practice.

6. **The Principle of User-Pays** - The undertaking shall cover all costs related to the performance of practice, including waste management and costs of intervention and mitigation measures caused by an emergency situation or the consequences of an emergency.

7. **The Principle of Subsidiary Responsibility** - In case that undertaking in paragraph 6. of this Article is not known, the Government of the Republic of Kosovo shall cover the costs.

8. **The Principle of Graded Approach** - When considering nuclear and radiation safety, the matters are considered appropriate to its significance for safety, in a way that the major issues pays more attention and stricter control than less important.

9. **Safety Culture** - All undertakings performing practices should give due priority to the safety culture, to its development and maintenance necessary to ensure its effective implementation in the entire organization.

## CHAPTER II

### KOSOVO AGENCY FOR RADIATION PROTECTION AND NUCLEAR SAFETY

#### Article 6

##### **Kosovo Agency for Radiation Protection and Nuclear Safety**

1. The Kosovo Agency for Radiation Protection and Nuclear Safety is an Executive Agency (hereinafter Agency) which functions within the framework of the Prime Minister's Office.
2. The Agency shall be functionally separated from any other body or organisation concerned with the promotion or utilisation of radiation practices or use of nuclear energy under this Law.
3. The Agency in order to ensure effective independence from undue influence on its regulatory function it shall be given the legal powers and human and financial resources necessary to fulfil its obligations.

#### Article 7

##### **Duties and responsibilities of the Agency**

1. To meet regulatory goals and objectives defined by this Law, the Agency performs the following tasks:

- 1.1. provides support to the Government of the Republic of Kosovo in developing national policies and regulatory measures in the area of radiation and nuclear safety;
- 1.2. issues guidelines and forms to assist undertakings in meeting the legal provisions;
- 1.3. issues, changes, suspends, and revokes authorizations;
- 1.4. performs inspection;
- 1.5. creates and maintains and up to date national registry of radiation sources;
- 1.6. establishes general criteria for the registration and reporting of radiation sources;
- 1.7. creates and maintains a national registry of radiation practices;
- 1.8. establishes and maintains the national registry of employee exposure doses;
- 1.9. cooperates with other Governmental bodies and international organizations on matters related to:
  - 1.9.1. dual-use export controls;
  - 1.9.2. in preparation of threat assessment for protection of radioactive and nuclear material;
  - 1.9.3. in the establishment, maintenance and conduct of national radiological emergency response plan;
  - 1.9.4. obligations of the Republic of Kosovo under international treaties in the field of peaceful uses of nuclear energy;
- 1.10. cooperates, reports and exchanges information with relevant authorities of other states and international organizations on matters related to radiation and nuclear safety, in particular in the case of radiological and nuclear emergency;
- 1.11. arranges for research and development on matters related to the scope of this Law;
- 1.12. provides public information on health and environmental aspects of regulatory activities and practices, including incidents, accidents and unusual events;
- 1.13. performs every ten (10) years, or in case of an accident, a self-assessment and assessment of national framework under this law, national programmes and its implementation, and invites international peer review of their national framework.
- 1.14. shall ensure that the national framework in the area of radiation and nuclear safety is maintained and improved when appropriate, taking into account operating experience, insights gained from conduct of practices, safety analyses for operating

nuclear installations, development of technology and results of safety research, when available and relevant.

1.15. performs monitoring of radioactivity in the environment, through establishing a laboratory by the Agency.

### **Article 8**

#### **The organization of the Agency**

1. The Agency is led by the General Director, who is responsible for the administration, operation and management of the Agency.
2. The appointment, dismissal, functions, and responsibilities of the General Director shall be regulated by the relevant provisions applicable in the Republic of Kosovo.
3. The organization, structuring, and functioning of the Agency shall be regulated by bylaw proposed by the Agency and approved by the Government.

### **Article 9**

#### **Transparency**

1. The Agency shall ensure that information in relation to the justification of classes or types of practices, the regulation of radiation sources and of radiation protection is made available to undertakings, workers, members of the public, as well as patients and other individuals subject to medical exposure.
2. The Agency shall ensure that necessary information in relation to the safety of facilities and relevant regulation is made available to workers and the general public, with specific consideration to local authorities, population and stakeholders in the vicinity of a nuclear installation.
3. The obligations set out in paragraphs 1. and 2. of this Article shall mean the provision of data by the Agency and undertakings, within their competences. The data shall be available in accordance with the applicable legislation, without jeopardizing other security interests.

## **CHAPTER III**

### **PROTECTION AGAINST IONIZING RADIATION**

#### **Article 10**

##### **Regulatory limits and conditions**

1. The undertakings shall perform practices in compliance with:
  - 1.1. dose limits for the public and exposed workers for all exposure situations;
  - 1.2. dose constrains and dose assessment for medical exposure;
  - 1.3. reference levels for emergency and existing exposure situations;

- 1.4. general exemption and clearance levels for radioactive materials;
- 1.5. definition and requirements for highly active sealed sources;
- 1.6. radioactive waste classification;
- 1.7. parametric values applicable for the monitoring of radioactive substances in water intended for human consumption;
- 1.8. reference levels for gamma radiation from building materials and indoor radon.

2. The Agency may decide that in exceptional circumstances evaluated case by case, excluding emergencies, where a specific operation so requires, to authorise individual occupational exposures of identified workers exceeding the prescribed dose limits.

#### **Article 11**

##### **Recognition of services and experts**

1. The Government, with the proposal of the Agency, shall issue Regulation on education, training and recognition of services and experts.
2. The following services and experts are subject of recognition by the Agency:

- 2.1. technical services;
- 2.2. occupational health services;
- 2.3. dosimetry services;
- 2.4. radiation protection expert;
- 2.5. medical physics expert;

#### **Article 12**

##### **Measurements**

The measurements, such as dose rate assessment, establishment of concentrations of radionuclides in sampling media, dose assessment, indoor radon, identification of radionuclides shall be performed by organizations having accreditation.

#### **Article 13**

##### **Radiation sources**

1. The control over radiation sources shall be established by the Agency through registration of radiation sources in the national inventory of sources.
2. The undertaking shall register radiation sources at the Agency.

3. The domestic transfer of sources, import and export of sources is allowed only between undertakings having corresponding authorization for conduct of practice.
4. Undertaking holding a radiation source shall notify the Agency promptly of any loss, significant leakage, theft or unauthorized use of a source.
5. The Government, with the proposal of the Agency, shall establish special arrangements for financial security of high-activity sealed sources.
6. Undertaking shall bear all cost related to radioactive sources in its possession.
7. The undertaking shall be cleared of its responsibility for a radioactive source upon:
  - 7.1. transfer to an authorized undertaking;
  - 7.2. return to manufacturer;
  - 7.3. when the radiation source has reached clearance determined by the Agency.

#### **Article 14 Practices**

1. The practices shall be subject to regulatory control for the purpose of radiation protection.
2. The Government, with the proposal of the agency, shall by implementing graded approach, issue regulation on sources and practices.
3. The Agency may decide, to exempt practices, sources or release of radioactive material from the requirement of the regulatory control.
4. New classes or types of practices resulting in exposure to ionizing radiation shall be justified before being implemented.
5. The existing classes or types of practices shall be justified whenever there is new and important evidence about their efficacy or potential consequences, or new and important information about other techniques and technologies.
6. All justified practices, including practices involving naturally-occurring radioactive materials and leading to exposure of workers or members of the public which cannot be disregarded from a radiation protection point of view, shall be notified to the Agency prior commencement.

#### **Article 15 Authorizations**

1. The Government, with the proposal of the Agency, shall implementing graded approach, issue regulation on authorisations.
2. The undertaking shall obtain from the Agency in advance, the authorization for any of the following:

- 2.1. justification of practice;
  - 2.2. registration of practice;
  - 2.3. licensing of practice;
  - 2.4. release of practice from regulatory control;
  - 2.5. release of radioactive material from regulatory control;
  - 2.6. recognition of foreign authorisation;
  - 2.7. registration of radiation sources;
  - 2.8. export and import of radiation sources;
  - 2.9. transboundary shipment of radioactive waste;
  - 2.10. transit of nuclear material or HASS over the territory of the Republic of Kosovo.
  - 2.11. sitting, design, construction, commissioning, operation and decommissioning of radioactive waste storage facilities or nuclear installations and authorisation of safety related modifications;
3. For authorisation purposes, the undertaking shall provide information relevant to radiation protection that is commensurate with the nature of the practice and the radiological risks involved, as specified by the Agency in the regulation on authorisation.
  4. If appropriate, the authorisations shall contain limits and condition.
  5. The Agency shall make the decision on authorisation within deadlines stipulated in the law in power on general administrative procedure, except for radioactive waste storage facilities and nuclear installations for which the decision shall be issued not later than one (1) year after receipt of complete application.
  6. The authorization shall expire for conduct of authorized practice not later than five (5) years;
  7. The application for licence or justification of practice shall, contain also the opinion of a recognized independent expert.
  8. All costs of administrative procedures vest on the undertaking.
  9. All notified, registered and licensed practices shall be recorded in national inventory of radiation practices.
  10. All income generated by the Agency inflow in the Budget of Kosovo.

**Article 16**  
**Conduct of practice by foreign undertaking**

1. The foreign undertaking may conduct a practice if:
  - 1.1. the authorisation issued by the country of residence is recognised by the Agency;
  - 1.2. it obtains appropriate authorizations from the Agency;
  - 1.3. it works under responsibility of domestic undertaking having adequate authorization; in such case the domestic undertaking shall inform the Agency about such arrangements.

**Article 17**  
**Conduct of practice**

1. The undertaking shall conduct the practice in compliance with legal provisions set under this Law and under conditions set in the authorization decision.
2. The undertaking shall immediately notify the Agency about any significant event such as loss of control over sources, accident, or overexposure of people, and implements on site emergency plan.

**Article 18**  
**Prohibitions**

1. The following is prohibited:
  - 1.1. conduct of practices without appropriate authorization;
  - 1.2. possession of radiation source without being recorded in national register of sources;
  - 1.3. abandonment of radioactive material under regulatory control without clearance;
  - 1.4. the sale or the making available to the public consumer products, to which radioactive substances have been deliberately added, if their intended use is not justified;
  - 1.5. deliberate addition of radioactive substances in the production of foodstuffs, animal feeding stuffs, and cosmetics, and import or export of such products;
  - 1.6. deliberate addition of radioactive substances in the manufacture of toys and personal ornaments, and import or export of such products;
  - 1.7. practices involving the activation of materials used in toys and personal ornaments, resulting, at the time of the placing on the market of the products or of their manufacture, in an increase in activity, which cannot be disregarded from a radiation protection point of view, are prohibited, and import or export of such products or materials;



- 1.8. installation of lightning rods and smoke detectors containing radioactive substances;
- 1.9. the import, processing, storing and disposal of radioactive waste and spent nuclear fuel, which was not generated in the territory of the Republic of Kosovo;
- 1.10. any activities or practices related to the acquisition or development of nuclear explosives, radiological dispersal devices, or other non- peaceful uses of nuclear or other radioactive materials and related technology or assisting others in such activities.

### **Article 19**

#### **Education, training and provision of information**

1. Undertaking shall provide appropriate radiation protection education, training and information, in particular on equipment, to all individuals whose tasks require specific competences in radiation protection, in particular:

- 1.1. to exposed workers;
- 1.2. to workers potentially exposed to orphan sources;
- 1.3. to emergency workers;
- 1.4. in the field of medical exposure.

2. The provision of training and information shall be repeated at appropriate intervals and documented.

3. The costs of education, training and provision of information vest on undertakings.

4. Formal education, training and provision of data is done by the technical service in accordance with the module prepared by the Agency in cooperation with the Kosovo Institute for Public Administration.

### **Article 20**

#### **Radiation exposures**

1. The Government, with the proposal of the Agency, shall issue regulation on dose limits and radiation protection.

2. The undertaking shall be responsible for assessing and implementing arrangements for the radiation protection providing:

- 2.1. operational protection of exposed workers and population;
- 2.2. protection of pregnant and breastfeeding workers;
- 2.3. operational protection of apprentices and students;

- 2.4. consultations with a radiation protection expert;
- 2.5. arrangements in workplaces;
- 2.6. classification of workplaces;
- 2.7. establishment of controlled areas and supervised areas;
- 2.8. radiological and nuclear surveillance of the workplace;
- 2.9. categorization of exposed workers;
- 2.10. individual radiation monitoring of workers;
- 2.11. dose assessment of exposure of workers;
- 2.12. dose assessment in the case of accidental exposure;
- 2.13. recording and reporting of results;
- 2.14. access to the results of individual radiation monitoring;
- 2.15. on site monitoring of radioactive discharges.

3. The undertaking recognized by the Agency shall report doses received by exposed workers to the organization responsible for national register of doses.

#### **Article 21**

##### **Medical surveillance of workers**

1. The undertaking shall ensure a medical surveillance by recognized occupational health services for:

- 1.1. exposed workers;
- 1.2. obtaining medical classification for workers;
- 1.3. medical records keeping.

2. The undertaking shall ensure that no worker shall be employed or classified for any period in a specific post as a category A worker, if medical surveillance establishes that the worker is unfit for that specific post.

3. Worker may appeal against the findings and decisions from paragraph 2. of this Article according to the legislation in force.

**Article 22**  
**Protection of outside workers**

The undertaking shall ensure for protection of outside workers that the system for individual radiological monitoring provides outside workers equivalent protection to that for exposed workers employed on a permanent basis by the undertaking.

**Article 23**  
**Medical exposure**

1. Undertaking by conducting medical exposure shall ensure that:

1.1. medical exposure is justifying net benefit to health against the detriment that the exposure might cause;

1.2. all doses due to medical exposure for radio-diagnostic, interventional radiology, planning, guiding and verification purposes shall be optimized and kept as low as reasonably achievable;

1.3. allocation of responsibility for those involved in any medical exposure;

1.4. development, maintenance and use of procedures for conduct of medical exposure, including provision of information to involved personnel and patients;

1.5. training and recognition requirements are met for the practitioner, the medical physics expert and other involved individuals in activities with radiation sources;

1.6. equipment for medical exposure has proper performance and is subject to maintenance and testing;

1.7. individuals are identified and treated with the special practices;

1.8. all reasonable measures are taken to minimize the probability and magnitude of accidental or unintended exposures of individuals, subject to medical exposure;

1.9. doses resulting from medical exposure to population are assessed and advice is provided to individuals concerned.

**Article 24**  
**National radiological and nuclear emergency response plan**

1. The Agency shall cooperate with the Agency for Emergency Management in preparation and execution of national radiological and nuclear emergency response plan, which shall be approved by the Government.

2. The Agency shall ensure that the members of the public likely actually to be affected in the event of an emergency are immediately given information about the health protection measures applicable to them and about the action they should take in the event of such an emergency.

3. The Agency shall, based on procedures, exchange information related to emergency, with neighbouring countries, international organizations in accordance with protocols and rules for exchange information.

4. The Government shall, where appropriate, cooperate with other countries from an emergency exposure situation to an existing exposure situation.

5. The Agency shall promptly share information and cooperate with neighbouring countries and relevant international organisations regarding the loss, theft or discovery of high-activity sealed sources, other radioactive sources and radioactive material.

6. The radiological emergency response plan for emergencies that may occur on the territory of the Republic of Kosovo and for emergencies occurring outside its territory shall be approved by the Government.

#### **Article 25**

##### **National radiation monitoring programme**

1. The Government, with the proposal of the Agency, shall issue regulation on emergency and monitoring.

2. The Agency shall establish national radiation monitoring programme and shall arrange for its conduct.

#### **Article 26**

##### **Existing exposure situations**

1. The Agency shall establish strategies, plans and programmes to ensure the appropriate management of existing exposure situations commensurate with the risks, and shall establish measures which shall be taken in the case of existing exposure.

2. The Government shall ensure implementation of strategies and delegate responsibilities for the management of existing exposure situations.

3. The Agency shall monitor and report to the Government on the implementation of remedial and protective measures.

#### **Article 27**

##### **Contaminated zones**

1. The Agency shall ensure that optimised protection strategies for managing contaminated areas shall include, where applicable, the following:

1.1. objectives, including long-term goals pursued by the strategy and corresponding reference levels;

1.2. delineation of the affected areas and identification of the affected members of the public;

1.3. consideration of the need for an extent of protective measures to be applied to the affected areas and members of the public;

1.4. consideration of the need to prevent or control access to the affected areas, or to impose restrictions on living conditions in these areas;

1.5. assessment of the exposure of different groups in the population and assessment of the means available to individuals for controlling their own exposure.

2. For areas with long-lasting residual contamination in which habitation and social and economic activities are allowed, the Government, with the proposal of the Agency, in consultation with stakeholders, shall ensure that arrangements are in place, as necessary, for the ongoing control of exposure with the aim of establishing living conditions that can be considered as normal, including:

2.1. establishment of appropriate reference levels;

2.2. establishment of the infrastructure to support continuing self-help protective measures in the affected areas, such as information provision, advice and monitoring;

2.3. if appropriate, remediation measures;

2.4. if appropriate, delineated areas.

### **Article 28**

#### **Orphan sources of radiation**

1. The Agency shall:

1.1. issue guidance to take measures with the aim of raising public awareness of orphan sources, their detection and storage.

1.2. organise campaigns to recover orphan sources.

1.3. encourage undertakings for detection of radioactive contamination in metal.

2. The holder of orphan source shall bear the costs of eventual emergency measures and for handling, storage and disposal of orphan sources.

3. If the holder of an orphan source is not known, the Government shall cover the costs mentioned in paragraph 2. of this Article.

4. Any person who discovers or is aware of an orphan source, or contamination caused by it shall immediately inform the Agency about the holder and location of source.

## **CHAPTER IV SAFETY OF RADIOACTIVE WASTE MANAGEMENT**

### **Article 29**

#### **National Programme for Radioactive waste management**

1. The Government shall adopt the national programme for radioactive waste management.
2. The national programme for radioactive waste management shall ensure:
  - 2.1. treatment of all types of radioactive waste, including spent fuel, from generation to disposal;
  - 2.2. if radioactive waste or spent fuel is shipped for processing or reprocessing to a EU Member State or a third country, the ultimate responsibility for the safe and responsible disposal of those materials, including any waste as a by-product, shall remain on the Republic of Kosovo;
  - 2.3. radioactive waste shall be disposed in the Republic of Kosovo, unless at the time of shipment an agreement has entered into force between the Member State concerned and another Member State or a third country to use a disposal facility in one of them.

### **Article 30**

#### **Radioactive waste management**

1. The Government, with the proposal of the Agency, shall issue regulation on radioactive waste management for:
  - 1.1. national radioactive waste classification scheme, taking fully into account the specific types and properties of radioactive waste,
  - 1.2. content of the National radioactive waste management programme;
  - 1.3. reporting obligations on radioactive waste, national and international;
  - 1.4. implementing graded approach, requirements for radioactive waste management;
  - 1.5. requirements for disposal of radioactive waste.
2. Undertaking performing practice, to ensure that at all stages of radioactive waste management individuals, society and the environment are adequately protected against radiological hazards, shall take the appropriate steps to:
  - 2.1. establish a radioactive waste management plan;
  - 2.2. maintain adequate financial and human resources to fulfil their obligations with respect to the safety of radioactive waste management;

- 2.3. ensure that the generation of radioactive waste is kept to the minimum practicable;
  - 2.4. take into account interdependencies among the different steps in radioactive waste management;
  - 2.5. segregate radioactive waste according to national radioactive waste classification scheme;
  - 2.6. provide for effective protection of individuals, society and the environment, by applying suitable protective methods as approved by the Agency;
  - 2.7. take into account the biological, chemical and other hazards that may be associated with radioactive waste management;
  - 2.8. avoid imposing undue radioactive waste on future generations;
  - 2.9. cover the cost of radioactive waste management;
  - 2.10. transfer the radioactive waste to storage facility.
3. The responsibility for ensuring the safety and security of radioactive waste for which no authorized person or entity can be determined shall rest with the Government.
  4. The Agency may release radioactive waste from regulatory control if justified through known scenario.

### **Article 31**

#### **Radioactive waste storage facility**

1. The Government, with the proposal of the Agency, shall issue regulation on radioactive waste storage facility on the requirements for conditions for sitting, design, construction, commissioning, operation and decommissioning of storage facility, safety requirements, content of Safety Case and for other safety documentation to be established, used and maintained by undertaking.
2. The Government shall ensure:
  - 2.1. the construction and operation of radioactive waste storage facility to receive, condition and store radioactive waste from undertakings performing practice and to store the waste until its disposal;
  - 2.2. the waste storage facility shall have sufficient capacity to accommodate all radioactive waste arising from normal operation and in case of an accident;
  - 2.3. the waste storage facility shall be operated, by an undertaking on cost recovery basis from the holders of radioactive waste upon transfer of it to storage facility;
  - 2.4. criteria for regulatory control for sitting, construction, commissioning, operation and decommission for radioactive waste storage facility;



2.5. the radiological impact of storage facility, on other countries shall be assessed and provided to them, upon their request, with general data relating to the facility to enable them to evaluate the likely safety impact of the facility upon their territory.

### **Article 32**

#### **Operation of radioactive waste storage facility**

1. The undertaking shall ensure that:

- 1.1. safety documentation shall be maintained to present the actual state of radioactive waste storage facility;
- 1.2. facility is operating in compliance with approved design and safety requirements;
- 1.3. operational limits and conditions, are respected;
- 1.4. preoperational, operational and post closure radiation monitoring is being conducted;
- 1.5. operation, maintenance, monitoring, inspection and testing of a radioactive waste management facility shall be carried out in accordance with legislation in force;
- 1.6. engineering and technical support are available throughout the operating lifetime of a facility;
- 1.7. procedures for characterization and segregation of radioactive waste are applied;
- 1.8. incidents significant for safety are reported in a timely manner to the Agency;
- 1.9. modification of facility significant for safety shall be notified to the agency prior implementation of modification;
- 1.10. programmes to collect and analyze relevant operating experience are established;
- 1.11. plans for the closure of a disposal facility are prepared and updated during all stages of facility using information obtained during the operating lifetime of that facility and are reviewed by the agency.

### **Article 33**

#### **Nuclear installations**

The Government, with the proposal of the Agency, shall issue regulation on nuclear installations on the requirements for conditions for sitting, design, construction, commissioning, operation and decommissioning of nuclear installations, safety requirements, content of Safety Case and for other safety documentation to be established, used and maintained by undertaking.

**Article 34**  
**Operation of nuclear installations**

1. The undertaking shall ensure that:

1.1. safety documentation from Article 33 shall be maintained to present the actual state of facility;

1.2. nuclear installation is operating in compliance with approved design and safety requirements;

1.3. operational limits and conditions, are respected;

1.4. operation, maintenance, monitoring, inspection and testing of installation are conducted in accordance with established procedures;

1.5. engineering and technical support are available throughout the operating lifetime of a facility;

1.6. incidents significant to safety are reported in a timely manner to the agency;

1.7. modification of nuclear installation that are significant for safety shall be reported to the agency prior implementation;

1.8. programmes to collect and analyse relevant operating experience are established;

1.9. decommissioning plans for nuclear installation are prepared and updated using information obtained during the operating lifetime of that facility, and are reviewed by the Agency.

**CHAPTER V**  
**TRANSPORT, SECURITY, AND NONPROLIFERATION**

**Article 35**  
**Transport and transit of radioactive material**

1. The Government, with the proposal of the Agency, shall issue regulation on shipment of radioactive waste and nuclear material and high active sealed sources through the territory of the Republic of Kosovo.

2. Shipment of radioactive waste, of nuclear material or high active sealed sources through the territory of the Republic of Kosovo is subject of authorisation by the Agency.

**Article 36**  
**Physical protection and security of sources**

1. The Government, with the proposal of the Agency, shall issue regulation on physical protection

and security of radioactive sources and nuclear material.

2. Undertaking in possession of nuclear or other radioactive material is primarily responsible for ensuring the physical protection of such material and related facilities and shall establish prescribed security or physical protection measures at its own costs.

3. The Agency shall approve the security or physical protection measures through authorization of practices.

4. The Agency through responsible security bodies, shall ensure that nuclear material and other radioactive material is protected against theft or sabotage during international transport until the transfer of responsibility to another State.

### **Article 37**

#### **Nuclear non-proliferation**

1. The Government, with the proposal of the Agency, shall issue regulation on safeguard of nuclear material.

2. Nuclear material on territory of the Republic of Kosovo shall be used only for peaceful activities.

3. Only the authorized undertakings may possess enriched nuclear material.

4. Undertakings shall establish a system for accountancy and control of nuclear material in their possession and shall report to the Agency any inventory change and annually before the end of March of the current year for previous year.

5. The undertaking shall immediately report to the Agency and Police of Kosovo loss of control over nuclear material, unauthorized access to it or a sabotage involving nuclear material.

6. Undertaking holding nuclear material shall ensure in accordance with ratified international agreements:

6.1. the inspection based on international agreements in the presence of the Agency staff;

6.2. installation, maintenance and operation of surveillance equipment for control of nuclear material.

7. The Agency shall establish a state system for accountancy and control of nuclear material and shall report information in compliance with ratified international agreements.

## **CHAPTER VI RECORDKEEPING AND REPORTING**

### **Article 38 Record keeping**

The undertaking shall keep the documents, registers and evidence, defined by this Law and its subsidiary regulation, to make them available to the Agency.

### **Article 39 Reporting**

1. All events that are significant for radiation or nuclear safety or security shall be reported immediately to the Agency.
2. The undertakings performing authorised practices, technical services, radiation protection experts, and medical physics experts shall prepare the annual report on their activities and shall submit them to the Agency not later than by end of February of current year for the previous year.
3. The Agency shall prepare annual report on radiation protection and nuclear safety and shall submit it to the Government of the Republic of Kosovo.

## **CHAPTER VII PROTECTION AGAINST NON-IONIZING RADIATION**

### **Article 40 Non-ionizing radiation protection measures**

1. The Government, with the proposal of the Agency, shall issue regulation to protect the public and workers from the harmful effect in health as a result of their exposure to non-ionizing radiation of the frequency interval 0-300GHz, including:
  - 1.1. limits for exposure of population to non-ionizing radiation;
  - 1.2. requirements for authorisation for practices causing non-ionizing radiation;
  - 1.3. responsibilities of the undertakings causing non-ionizing radiation;
  - 1.4. monitoring of non-ionizing radiation exposure;
  - 1.5. technical, organizational and other measures for the implementation of non-ionizing radiation protection;
  - 1.6. recordkeeping on non-ionizing radiation sources and undertakings using them;

1.7. education and professional training of staff in the field of non-ionizing radiation protection;

2. The Agency shall take measures to detect the presence of radiation, finding of dangerousness, protection from non-ionizing radiation for the environment, and the systematic examination of the level of non-ionizing radiation in the environment;

4. Systematic research program on the level non-ionizing radiation in the environment can be carried out by the undertaking, if it meets the conditions set by the Agency with regulation.

5. Legal entities under paragraph 4. of this Article, who perform work of systematic research of the level of non-ionizing radiation in the life environment, are required within one (1) year to present an annual report to the Agency, about the results of the latest research no later than January 31 of the current year, for the previous year.

#### **Article 41**

##### **Criteria for the use of non-ionizing radiation sources**

1. The Government, with the proposal of the Agency, shall issue regulation on the conditions under which undertaking may use non-ionizing radiation sources.

2. The undertaking under paragraph 1. of this Article may commence the use of non-ionizing radiation source after the fulfilment of conditions for their use.

3. The undertaking that uses non-ionizing radiation sources is required to keep records on these resources and designate a person responsible for the implementation of non-ionizing radiation protection.

4. The undertaking that uses non-ionizing radiation is required to maintain research on measuring the level of non-ionizing radiation in the life environment.

5. The undertaking is required to carry out the first assessment of the level of non-ionizing radiation, before commencing to exploit the source of non-ionizing radiation.

6. The costs of the source assessment shall be borne by the user of these resources.

#### **Article 42**

##### **Extraordinary Events**

1. The undertaking is obliged to immediately and no later than a period of twenty four (24) hours, inform the Agency on exceptional events.

2. Notice referred to under paragraph 1. of this Article, notably contains information on the occurrence of extraordinary event circumstances, location, direct danger to human health as well as a brief description of the measures taken.

**Article 43**  
**Special measurements**

1. At the request of the Agency, specific measurements shall be made by technical service to prove the non-ionizing radiation exposure in the environment.

2. The Agency is charged with measurement costs in paragraph 1. of this Article, except in case if in the measurement are found irregularities in work or excess of the emission limit values, where the operator pays the expenses for measurements.

**CHAPTER VIII**  
**LAW ENFORCEMENT AND INSPECTION**

**Article 44**  
**Inspections**

1. The Agency shall establish an inspection programme and annual plans of inspections and shall carry out inspection taking into account the potential magnitude and nature of the hazard associated with practices, a general assessment of radiation protection issues in the practices, and the state of compliance with the provisions approved pursuant to this Law.

2. The Agency shall ensure that:

2.1. findings from each inspection are recorded and communicated to the inspected undertaking. If the findings are related to an outside worker or workers, the findings shall also be communicated to the employer;

2.2. outlines of the inspection programmes and the main findings from their implementation are available to the public;

2.3. mechanisms are in place for the timely dissemination to relevant parties, including manufacturers and suppliers of radiation sources and, where appropriate, international organisations, of protection and safety information concerning significant lessons learned from inspections and from reported incidents and accidents and related findings.

3. The Agency shall appoint inspectors for inspection supervision with professional capacity, for implementation of the provisions of this Law.

4. The functioning, duties and responsibilities of inspectorate are regulated by bylaw defined in Article 8 paragraph 3. of this Law.

**Article 45**  
**Inspectors' responsibilities**

1. In any case where an inspector of the Agency assesses that an activity or practice is being conducted in violation of this Law, implementing regulations or the terms and conditions of an authorization and poses an immediate risk of injury to persons or substantial damage to property or the environment, the inspector shall:

- 1.1. immediately order the temporary or permanent suspension of the activity or practice;
- 1.2. order the undertaking to prohibit workers who do not meet applicable requirements from engaging in the activity or practice;
- 1.3. order that nuclear or radioactive material originating from a suspended activity or practice be safely and securely stored;
- 1.4. order other measures to protect people and the environment against harmful effects of radiation.

## **CHAPTER IX PENALTY PROVISIONS**

### **Article 46 Offences**

1. Any person who fails to comply with the terms of this Law, applicable regulations or the terms of any authorization may be subject to the penalties established by this Law.
2. Administrative penalties imposed by the Agency may include suspension, modification or revocation of an authorization.

### **Article 47 Monetary penalties**

1. With fine on money from five hundred (500€) to one thousand (1000€) shall be punished for violations the legal entity, if:
  - 1.1. the undertaking does not register the radiation source at the Agency;
  - 1.2. the domestic transfer of sources, import and export of sources is conducted between undertaking not having corresponding authorization for conduct of practice;
  - 1.3. the transferring undertaking does not immediately notify the Agency about the transfer of sources;
  - 1.4. the undertaking holding a source does not notify the Agency promptly of any loss, significant leakage, theft or unauthorized use of source;
  - 1.5. the undertaking does not provide appropriate radiation protection education, training and information, in particular on equipment, to all individuals whose tasks require specific competences in radiation protection, in particular:
    - 1.5.1. to exposed workers;
    - 1.5.2. to workers potentially exposed to orphan sources;



1.5.3. to emergency workers;

1.5.4. to exposed professional workers in medicine;

1.6. the provision of training and information is not repeated at appropriate intervals and is not documented;

1.7. the undertaking does not ensure for workers a medical surveillance by recognized occupational health services for:

1.7.1. medical surveillance of exposed workers;

1.7.2. obtaining medical classification for workers;

1.7.3. medical records keeping;

1.8. workers are employed or classified for any period in a specific post as a category A worker when medical surveillance establishes that the worker is unfit for that specific post;

1.9. the undertaking does not ensure for protection of outside workers:

1.9.1. that the system for individual radiological monitoring provides outside workers equivalent protection to that for exposed workers employed on a permanent basis by the undertaking;

1.9.2. either directly or through contractual agreements with the employer of outside workers;

1.10. a person who discovers or is aware of an orphan source does not immediately inform the Agency about the holder and location of source;

1.11. the undertaking does not establish a system for accountancy and control of nuclear material in their possession and does not report it to the Agency any inventory change and annually before the end of March of the current year for previous year.

2. With fine on money from four hundred (400€) to eight hundred (800€) shall be punished for violation from paragraph 1. of this Article the responsible person of legal entity.

3. With fine on money from eight hundred (800€) to one thousand five hundred (1500€) shall be punished for violations the legal entity, if:

3.1. the undertaking does not immediately notify the Agency about any significant event such as loss of control over sources, accident, or overexposure of people;

3.2. it conducts practices without authorization;

3.3. it possesses radiation source without being recorded in the national register of sources;

- 3.4. it abandons radioactive material under regulatory control without clearance;
- 3.5. it sells or makes available to the public consumer products, to which radioactive substances have been deliberately added, when their intended use is not justified;
- 3.6. it installs lightning rods and smoke detectors containing radioactive substances;
- 3.7. the undertaking does not assess and implement arrangements for the radiation protection providing:
  - 3.7.1. operational protection of exposed workers;
  - 3.7.2. protection of pregnant and breastfeeding workers;
  - 3.7.3. operational protection of apprentices and students;
  - 3.7.4. consultations with a radiation protection expert;
  - 3.7.5. arrangements in workplaces;
  - 3.7.6. classification of workplaces;
  - 3.7.7. establishment of controlled areas and supervised areas;
  - 3.7.8. radiological surveillance of the workplace;
  - 3.7.9. categorization of exposed workers;
  - 3.7.10. individual radiation monitoring of workers;
  - 3.7.11. assessment of exposed dose of workers;
  - 3.7.12. dose assessment in the case of accidental exposure;
  - 3.7.13. recording and reporting of results;
  - 3.7.14. rules for access to the results of individual radiation monitoring.
- 3.8. the undertaking does not report doses received by exposed workers to the organization responsible for national register of doses;
- 3.9. the undertaking does not ensure that:
  - 3.9.1. medical exposure is justifies the net benefit to health against the detriment that the exposure might cause;
  - 3.9.2. all doses due to medical exposure for radio-diagnostic, interventional

radiology, planning, guiding and verification purposes are kept as low as reasonably achievable consistent;

3.9.3. allocation of responsibility for those involved in any medical exposure;

3.9.4. development maintenance and use of procedures for conduct of medical exposure, including provision of information to involved personnel and patients;

3.9.5. training and recognition requirements, are met for the practitioner, the medical physics expert and other involved individuals;

3.9.6. equipment or medical exposure has proper performance and is subject to maintenance and testing;

3.9.7. pregnant or breastfeeding individuals are recognized and treated accordingly;

3.9.8. all reasonable measures are taken to minimize the probability and magnitude of accidental or unintended exposures of individuals, subject to medical exposure;

3.9.9. doses resulting from medical exposure of population are assessed and advice is provided to individuals concerned;

3.10. the undertaking does not ensure that:

3.10.1. facility is operating in compliance with approved design and safety requirements;

3.10.2. operational limits and conditions are respected;

3.10.3. operation, maintenance, monitoring, inspection and testing of a radioactive waste management facility are conducted in accordance with established procedures;

3.10.4. engineering and technical support are available throughout the operating lifetime of a facility;

3.10.5. procedures for characterization and segregation of radioactive waste are applied;

3.10.6. incidents significant to safety are reported in a timely manner to the Agency;

3.10.7. programmes to collect and analyse relevant operating experience are established and their results are acted upon;

3.10.8. decommissioning plans for facilities other than a disposal facility are prepared and updated using information obtained during the operating lifetime

of that facility, and are reviewed by the Agency;

3.10.9. plans for the closure of a disposal facility are prepared and updated using information obtained during the operating lifetime of that facility and are reviewed by the Agency;

3.11. the undertaking does not establish prescribed security or physical protection measures at its own costs;

3.12. the undertaking does not immediately report to the Agency and Kosovo Police loss of control over nuclear material, unauthorized access to it or a sabotage involving nuclear material;

3.13. the undertaking holding nuclear material does not allow, in accordance with ratified international agreements:

3.13.1. the inspection based on international agreements in the presence of the Agency staff;

3.13.2. installation maintenance and operation of surveillance equipment for control of nuclear material.

4. With fine on money from five hundred (500€) to one thousand (1000€) shall be punished for violation from paragraph 3. of this Article the responsible person of legal entity.

5. For penalties defined through provisions of this law the competent court processes the penalty procedure and announces sanctions.

6. Income generated through penalties flows in the Budget of the Republic of Kosovo.

## **CHAPTER X TRANSITIONAL AND FINAL PROVISIONS**

### **Article 48 Issuance of sub-legal acts**

For implementation of this law with the proposal of the Agency for Radiation Protection and Nuclear Safety, the Government will adopt regulations within one (1) year after the entry into force of this Law.

### **Article 49 Transitional provisions**

1. The laboratories performing analysis and measurements for the purpose of this law shall obtain accreditation in within three (3) years from entry into force this law.

2. The undertakings performing practices shall register radiation sources, and shall notify or apply for authorization under this law for one (1) year from entry into force of the regulations of this Law.

**Article 50**

**Repeal**

1. With the entry into force, this Law repealed:

1.1. Law no. 04/L-067 on Kosovo Agency for Radiation Protection and Nuclear Safety.

1.2. Law no. 03/L-104 on Protection against Ionizing Radiation, Non-Ionizing and Nuclear Safety;

**Article 51**

**Entry into force**

This Law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 06/L-029**

**30 March 2018**

**Promulgated by Decree No.DL-015-2018, dated 20.04.2018, President of the Republic of Kosovo Hashim Thaçi.**