

Community framework for the nuclear safety of nuclear installations

2008/0231(CNS) - 25/06/2009 - Final act

PURPOSE: to establish a Community framework for nuclear safety of nuclear installations.

LEGISLATIVE ACT: Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations.

CONTENT: the objectives of the Directive are as follows:

- to establish a Community framework in order to maintain and promote the continuous improvement of nuclear safety and its regulation;
- to ensure that Member States shall provide for appropriate national arrangements for a high level of nuclear safety to protect workers and the general public against the dangers arising from ionising radiations from nuclear installations.

The Directive does not prevent Member States from taking more stringent safety measures in the subject matter covered by this Directive, in compliance with Community law. Each Member State can decide on its energy mix in accordance with relevant national policies.

Legislative, regulatory and organisational framework: Member States shall establish and maintain a national legislative, regulatory and organisational framework for nuclear safety of nuclear installations that allocates responsibilities and provides for coordination between relevant state bodies.

The national framework shall establish responsibilities for :

(a) the adoption of national nuclear safety requirements ; (b) the provision of a system of licensing and prohibition of operation of nuclear installations without a licence; (c) the provision of a system of nuclear safety supervision; (d) enforcement actions, including suspension of operation and modification or revocation of a licence.

Competent regulatory authority: Member States shall establish and maintain a competent regulatory authority in the field of nuclear safety of nuclear installations. They must also ensure that the prime responsibility for nuclear safety of a nuclear installation rests with the licence holder. This responsibility cannot be delegated.

Expertise and skills in nuclear safety: all parties must take the necessary measures with regard to education and training of staff having responsibilities relating to the nuclear safety of nuclear installations in order to maintain and to further develop expertise and skills in nuclear safety.

Information to the public: information in relation to the regulation of nuclear safety must be made available to the workers and the general public.

Reports: Member States shall submit a report to the Commission on the implementation of this Directive for the first time by 22 July 2014, and every three years thereafter. On the basis of the Member States reports, the Commission shall submit a report to the Council and the European Parliament on progress made with the implementation of this Directive. Member States shall **at least every 10 years** arrange for

periodic self-assessments of their national framework and competent regulatory authorities and invite an international peer review of relevant segments of their national framework and/or authorities with the aim of continuously improving nuclear safety. Outcomes of any peer review shall be reported to the Member States and the Commission, when available.

ENTRY INTO FORCE: 22/07/2009.

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