

Federal Decretal Law No. (6) of 2009 on Peaceful Uses of Nuclear Energy

We Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates,

- After perusing The Constitution;
- Federal Law No. (1) of 1972 in respect of the competencies of ministries and the powers of the ministers, as amended;
- Federal Law No. (8) of 1984 concerning Commercial Companies, as amended;
- Civil Transactions Law issued by Federal Law No. (5) of 1985, as amended;
- Penal Code issued by Federal Law No. (3) of 1987, as amended;
- Law of Evidence in civil and commercial transactions issued by Federal Law No. (10) of 1992, as amended;
- Federal Law No. (24) of 1999 on environment protection and development, as amended;
- Federal Law No. (1) of 2002 regarding the regulation and control of the use of Radioactive Sources and protection of risks thereof, as amended;
- Federal Law No. (13) of 2007 on the commodities subject to the import and export control, as amended;
- Federal Law No. (11) of 2008 in respect of human resources in the Federal Government;
- Federal Law No. (38) of 1996 in respect of the accession of the UAE to the Treaty on the Non-Proliferation of Nuclear Weapons of 1968;
- Federal Law No. (84) of 2000 on the Total Prohibition of Nuclear Experiments Treaty of 1996 and Protocol attached thereto;
- Federal Law No. (66) of 2003 on the accession of the UAE to Nuclear Material Physical Protection Agreement;
- Federal Law No. (46) of 2003 on the agreement between the UAE and International Atomic Energy Agency to apply guarantees within the scope of Treaty on the Non-Proliferation of Nuclear Weapons and additional protocol (2009);

- Federal Law No. (95) of 2007 in respect of the accession of the UAE to Combat Nuclear Terrorism Treaty; and
- The Proposal of the Minister of Energy and the approval of the Cabinet,

Have issued the following:

Chapter One

Definitions

Article (1)

Unless the context requires otherwise, the following words shall have the following meaning:

Accident	:	Any unintentional or intentional Accident, including Operation errors, equipment failure, initial incidents, Accident alarms, imminent Accidents and other Accidents and unauthorized actions whether harmful or non-harmful which their actual or potential consequences as from Safety and protection perspective cannot be ignored.
Activities Subject to Control	:	The activities provided under Article 25 of this Law by Decree.
Activity	:	Production, usage, importation and exportation of Radioactive Sources for industrial, research and medical purposes; transportation of Radioactive Materials; getting facilities out of service; and any of the disposal activities of Radioactive Wastes.
Administrative System	:	Group of associated and interactive organizational components, processes and procedures to set policies and objectives to achieve them in sufficient and effective manner.
Agency	:	International Atomic Energy Agency
Authority	:	Federal Nuclear Authority
Board	:	Authority's Board of Directors
Chairman	:	Authority's Chairman

Closing	: Administrative and technical procedures to be taken in a Radioactive Wastes Warehouse at the end of its Operational lifetime - such as covering the wastes (if the warehouse is close to the surface), filling up and/or sealing (if it is a geological warehouse including the passages leading thereto) - finishing and completing the activities in any other premises related to a Radioactive Wastes Warehouse.
Commissioning	: The process by which facilities and activities systems and components, after Construction, are made eligible for Operation; and verifying their compliance with the design and their fulfillment of required performance standards. This may include non-nuclear and/or non-radioactive tests or nuclear and/or radioactive tests.
Construction	: The process of manufacturing and assembling Facility components, performing civil works, fixing components and equipment, and performing relevant tests.
Consumed Nuclear Fuel	: Nuclear Fuel that was permanently removed from the Reactor after being radiated (so as not to use it as a Nuclear Fuel in its current form).
Control Inspection	: An Inspection performed by the Authority or by any other entity on its behalf to verify the compliance of the Operator with the provisions of this Law by Decree, the Executive Regulation, applicable regulations and the conditions stipulated in the Licence.
Design	: The process of preparing the concept of all or part of a Facility, its detailed outlines, calculations and supporting specifications and the results thereof.
Disposal of Radioactive Wastes	: All administrative and Operational activities that involve Radioactive Wastes handling Operations, preparation for Treatment, Treatment, adaptation, transportation, storage or permanent disposal thereof.
Disposal	: Disposal of wastes in an appropriate Facility without having the

	intention of recovering them.
Emergency Action	: An action taken to mitigate the consequences of an Emergency.
Emergency Area	: Area where the precautionary procedures and/or the area of planning the urgent precautionary procedures. A description of the concept, policy and objectives of the special Operations; as well as the systems, powers and responsibilities
Emergency Plan	: required to handle an Emergency in a methodological, harmonious and effective manner. Such Emergency Plan shall be used as a ground for preparing plans, procedures and other referential lists.
Emergency Preparedness	: The ability to take the actions in order to effectively mitigate the consequences of an Emergency. An exceptional condition which requires immediate action to mitigate the danger or the harmful consequences on human beings and its Safety, life, properties or environment. This includes
Emergency	: nuclear or radiation emergencies, usual emergencies such as fires, dangerous chemicals emissions, storms or earthquakes as well as the conditions which require immediate action to mitigate the effects of anticipated dangers.
Encountering Emergencies	: Actions taken to mitigate the consequences of an Emergency. These actions may provide a ground to resume usual social and economic activity.
Enrichment	: The process of Treatment to produce Uranium with a mass percentage of its Uranium-235 content exceeding (0.72%). The activities may include revision, examination, Inspection,
Evaluation Activities	: testing, monitoring, due diligence, peer Evaluation and technical review which can be carried out whether through independent Evaluation or self-Evaluation.
Evaluation	: The process of performing methodological analysis and evaluating the risks related to the activities, Materials Subject to Control and

	<p>the Safety procedures as well as the results of such Operation. This for the purpose of deciding on how far the requirements are fulfilled; the sufficiency and efficiency of the Operation; and the encouragement on carrying out improvements including the Safety improvements</p> <p>As decided by the Authority that a source or practice shall not be subject to all or part of control aspects on the basis that the exposure (including potential exposure) due to this source or practice is very slight to these control aspects to be applied or because this is the perfect choice for protection irrespective of the actual Radiation Levels or risks.</p> <p>Any place where Radioactive Materials are produced, treated, used, handled, stored or disposed of; or where radiation generators</p>
Exemption	<p>: Any place where Radioactive Materials are produced, treated, used, handled, stored or disposed of; or where radiation generators</p>
Facility	<p>: are installed - with due regard to protection and Safety measure - including nuclear facilities, radiation utilities, mining and raw materials Treatment facilities and wastes disposal facilities.</p> <p>Any exposure of Radioactive Source suffered by the public, including the exposure resulting from authorized sources and</p>
General Exposure	<p>: practices and intervention events. General Exposure shall not include any professional or medical exposure or any exposure to the natural basic radiations that occurs locally in a normal manner.</p>
General Manager	<p>: Authority's General Manager</p>
Government	<p>: UAE Government</p>
Guarantee Agreement	<p>: The Agreement made between the State and the Agency in respect of applying guarantee with the scope of Treaty on the Non-Proliferation of Nuclear Weapons (2003) and additional protocol (2009).</p>
Implementation Procedures	<p>: They are procedures carried out by the Authority to ensure the compliance of the Operator with the provisions of this Decree, the</p>

Law, the applicable regulations and the conditions set by the Authority. These procedures include the corrective procedures, written warnings, Licence withdrawal and any administrative penalties or financial fines imposed by the Authority in accordance with this Law by Decree, the Executive Regulations and the applicable regulations. While taking any of the Implementation Procedures, the Authority shall consider the proportionality between the committed action and the procedure taken in its regard.

Examination, monitoring, measurement or testing procedures performed to evaluate structures, systems, components and

Inspection : materials in addition to Evaluation of the Operational activities, technical and organizational Operations, procedures and personnel proficiency.

Ionized Radiation : The radiation able to produce pairs of ionizes in the biological material(s).

Launch : The planned and controlled Launching of Radioactive Materials : whether in the form of gas or liquid or any other form into the environment.

Licence : The approval granted by the Authority to the Licensee to practice certain activities subject to control and related to a Facility or Activity, or any other approval granted by the Authority to the

Licensee to undertake the tasks of specifying nuclear facilities, their design, Construction, service Commissioning, Operation, Service De-Commissioning or carrying out any Activity related to the disposal of the consumed fuel or Radioactive Wastes.

Licensee : A person with a valid Licence.

A regulated administrative and technical Activity aims at

Maintenance : maintaining the structures, systems and components in a good Operational condition, including protective and corrective aspects.

Materials Subject to Control	: (1) Any Radioactive Materials, special tools, radiations waste, consumed fuel, any material, product, service, material or immaterial assets which the Authority deems connected or may be connected to Nuclear Sector or classified under such category from time to time by virtue of the Executive Regulations.
Monitoring Control	: (2) Any other Radioactive Materials or ionized Radioactive Sources classified by the Authority that require direct supervision. Any form of monitoring or regulation applied by the Authority on facilities or activities for reasons related to protection from radiations or Radioactive Sources, or relating to Safety or security.
Nuclear Facility	: The Facility and its accompaniments such as premises and equipment where Nuclear Materials are produced, treated, used, handled, stored or disposed of. This Nuclear Facility includes the Radioactive Wastes Warehouse.
Nuclear Fuel	: Nuclear Material that can be fissionable in the form of manufactured elements to be placed in nuclear or research Reactor. It includes: <ul style="list-style-type: none"> - Plutonium (except plutonium which has a radioisotope concentration exceeding 80% of the Plutonium-238); - Uranium 233;
Nuclear Material	: <ul style="list-style-type: none"> - enriched Uranium in radioisotope 235 or 233; - Thorium or Uranium (including a mix of radioisotopes existing in nature other than those in the form of raw materials or raw wastes); and - Any material that contains one or more of the abovementioned components.
Nuclear Safety	: Provision of proper Operational conditions, prevention of Accidents, mitigation of Accident consequences for the protection of personnel, the public and the environment from unnecessary

	radiation risks.
Nuclear Sector	: Persons who practice activities subject to control.
Nuclear Security	: Prevention of stealing, Storing, unauthorized accessing to, illegal transportation of or inappropriate actions towards the Nuclear Materials, other Radioactive Materials or their attached facilities; discovering such actions and encountering them.
Operation	: Carrying out all the activities needed to achieve the purpose for which the Facility authorized by the Authority is constructed.
Operator	: Any person authorized and/or responsible for Nuclear Safety, radiation Safety, radiation wastes Safety or transport Safety upon performing activities related to any nuclear facilities or ionized Radioactive Sources. This includes individuals in their personal capacity, Governmental entities, messengers or shippers, authorized parties, hospitals and individuals working for their own account.
Periodical Safety Review	: Methodological Evaluation of the Safety system of an existing Facility (or Activity) to be carried out on regular basis in the light of the accumulated effects resulting from obsolescence, amendments, Operational experience, technical developments and aspects related to site selection to ensure the highest level of Safety during service period of the Facility (or Activity).
Person	: Natural or corporate person whether public or private.
Physical Protection	: Arrangements taken to protect Nuclear Materials or its authorized facilities to prevent the accessing to fissionable materials, transporting them without permission or destroying certain aspects relating to guarantees as provided for under Nuclear Material Physical Protection Treaty and other relevant international treaties in which the State is part thereof.
Occupational Exposure	: The exposure of the personnel during their duties, save for improbable exposures and the exposure due to exempted

	practices or sources as per the determination of the Authority.
Quality Assurance	: An Administrative System that aims at providing confidence that certain requirements will be fulfilled, so as to verify quality.
Radiation Level	: Measure of the energy coming out of the radiations for a certain purpose.
Radiation Protection	: The protection from exposure to the Ionized Radiation and the means of establishing such protection.
Radiation Source	: Radiation generators, Radioactive Source or other radioactive material resulting from Nuclear Fuel cycles of the research or power Reactors.
Radioactive Materials	: Materials classified by the Authority as being subject to Control due to their radioactive Activity.
Radioactive Source	: Radioactive material permanently sealed in capsules or tightly tied in a solid shape, and subject to control. This includes any radioactive material emitted if the Radioactive Source is prone to leakage or if it is broken, but does not include materials that are encapsulated for being disposed thereof or Nuclear Materials existing in Nuclear Fuel cycle of research and power Reactors.
Radioactive Wastes Disposal Facility	: A Facility that is allocated specifically to handle Radioactive Wastes, their Treatment, adaptation, transportation, storage or permanent disposal thereof.
Radioactive Wastes Warehouse	: A Nuclear Facility in which the Radioactive Wastes are placed for the purpose of disposal thereof.
Radioactive Wastes	: Wastes contain radionuclide or contaminated therewith at concentration rates or activities that exceed levels required to increase control as determined by the Authority.
Reactor	: A device in which the Nuclear Fuel is used where the process of nuclear fission is controlled and the proper conditions are maintained for the continuation of the nuclear fission process

Re-Treatment	<p>without the occurrence of any explosions during the successive fission processes. This includes the power and research Reactors.</p> <p>A Treatment or an Operation that aims at extracting radioisotope resulting from consumed fuel for the purposes of subsequent use. Includes the following:</p> <ol style="list-style-type: none"> 1. Evaluation of all aspects related to protection and Safety actions. As for an approved Facility, it shall include the specification of the location, design and Operation of the Facility. 2. Analysis that aims at predicting the performance of a certain system and the effects thereof. The performance measurement
Safety Evaluation	<p>shall be the radiation impact or any other general measurement of the impact on Safety.</p> <ol style="list-style-type: none"> 3. The methodological Operation which is made throughout the designing process to ensure the fulfillment of the (proposed or actual) design to all Safety-related requirements. The Safety Evaluation includes but without limitation the Safety analysis required by the Authority.
Safety Standards	<p>The Safety Standards provided under the articles of association of the Agency.</p> <p>Protecting individuals from radiation risks and the Safety of the facilities and the activities causing radiation risks including the Safety of the Nuclear Facilities, radiation Safety; in addition to the</p>
Safety	<p>: Radioactive Materials Disposal Safety, Radioactive Materials transportation Safety, anti-Accident procedures and mitigation of Accident consequences. Safety does not include the Safety aspects unrelated to the radiation field.</p> <p>Administrative and technical procedures taken to remove all or part of the regulations imposed on a Facility (except for certain</p>
Service De-Commissioning	<p>: nuclear warehouses or facilities used to dispose of mining wastes of Radioactive Materials which are closed but not out of service).</p>

Sole Source	: A Radioactive Source which is not subject to control either because such source has never been subject to such Monitoring Control; or because it is left, lost, withdrawn, stolen or otherwise transported in any other means without permission.
State	: United Arab Emirates
Storing	: Keeping Radioactive Sources, consumed fuel or Radioactive Wastes in a containable Facility with the intention of restoring them.
Treatment	: Any Operation that changes the wastes characteristics including Treatment preparation Operations, Treatment and adaptation.

Article (2)

1. This Law by Decree aims at developing and regulating the Nuclear Sector inside the State exclusively for peaceful purposes in accordance with the general policy of the State in respect of evaluating a peaceful nuclear energy program and developing it, and in accordance with the relevant treaties and agreements which the State is a party thereof. While developing and regulating the Nuclear Sector in the State, the priority shall be given to the Safety, Nuclear Safety, Nuclear Security and the protection from radiations.
2. It is prohibited to design, construct, develop or operate Enrichment facilities and Re-Treatment inside the State.

Article (3)

The provisions of this Law by Decree shall apply in the State, including in the free zones and in special zones and the like.

Chapter Two

Authority establishment and objectives

Article (4)

1. The Authority shall be established by virtue of the provisions of this Decree promulgated

by law of a general Authority called "Federal Nuclear Authority". The Authority shall have an independent corporate personality, full capacity to act in all its affairs, and shall have financial and administrative independence.

2. The Authority aims to regulate the Nuclear Sector in the State for peaceful purposes only and to establish Safety, Nuclear Safety and security and protection from radiation.

3. The Authority's headquarters shall be in Abu Dhabi and other branches may be established inside the State by virtue of a resolution to be issued by the Cabinet.

Article (5)

The Authority shall assume the responsibility of determining all the issues related to the monitoring and supervision of the Nuclear Sector inside the State, especially those issues relating to the Safety, Nuclear Safety and security, protection from radiations, guarantees and the implementation of the guarantees imposed on the State by virtue of the nuclear conventions and agreements connected to the duties of the Authority and where the State is a party thereof.

The Authority shall verify compliance with the prohibition on the use of nuclear facilities, materials and technologies for non-peaceful purposes. This shall be performed in order to maintain an effective control in connection to Safety, Nuclear Safety and security, Radiation Protection and guarantees.

In order to implement its duties in accordance with the provisions of this Decree, the Authority shall be vested with the following competencies:

1. Carrying out and supporting researches and developing the required studies in the field of environment.

2. Setting up the standards and determining the procedures that shall be followed and reconsidering the decisions issued in their regard without breaching the Safety requirements.

3. Working with all the concerned authorities in the State to ensure the Nuclear Non-proliferation and coordinating therewith regarding Nuclear Security.

4. Establishing and maintaining a record for the State for accountability and controlling the nuclear resources in accordance with the requirements mentioned in the referred to guarantees agreement.

5. Keeping and managing a record specifically for Radioactive Sources.
6. Keeping a record of the Radiation Levels of exposure and the radioactive emissions emitted to the environment resulting from the activities subject to control.
7. Ensuring that the records related to the facilities and activities are properly maintained and the possibility of restoring the data therefrom easy.
8. Inspecting the relevant sites and facilities in any time including accessing them to enable the Authority to effectively practice its duties.
9. Verifying how far the supervisory and organizational requirements are implemented.
10. Making contact with the Governmental entities when necessary.
11. Clarifying the supervisory and organizational requirements, the decisions and opinions of the Authority to the public.
12. Providing the Governmental entities, national and international organizations with information about Accidents and unnatural events and any other information through the State's representatives and the public.
13. Coordinating with the Governmental entities and expert bodies which are professionally dealing in the fields such as health, Safety, environmental protection, security and hazardous goods transportation.
14. Coordinating with the supervisory entities outside the State and the international organizations through the State's representatives and expert bodies for enhancing cooperation and exchanging supervisory information in the field of nuclear energy.
15. Reviewing and analyzing the Safety and security standards provided by the Operators before and after the issuance of the Licence.
16. Ensuring that the appropriate procedures are taken upon the appearance of any cases that may affect security.
17. Carrying out the necessary Implementation Procedures upon the appearance of any security-related violations.
18. Setting up the procedures required to deal with the applications including the application submitted to obtain Licenses; accepting notifications; and granting Exemptions from supervisory control.
19. Providing the Operator with guidelines for developing and assessing security and other

relevant information.

20. Keeping the confidentiality and privacy of the information in accordance with the provisions of this Decree.

21. Providing the Governmental entities and international organizations with information through the State's representatives and the public in accordance with the regulations issued in this regard.

22. Assessing the Operational expertise in the Nuclear Security field to acquire benefits therefrom in the Authority's work.

23. Setting up the requirements of the security analysis procedures and periodical security review and informing the Operator thereof in addition to verifying its commitment thereto.

24. Advising the Governmental entities in respect of the matters related to the security, Nuclear Security and Nuclear Safety and the activities connected to the Authority's work.

25. Ensuring the efficiency of the Operator's personnel in operating the facilities or safely undertaking the activities.

26. Ensuring that the Operator manages Nuclear Security and Nuclear Safety in an effective and correct way.

27. Ensuring that the relationship with the Operator is based on transparency.

28. Observing the radiations emitted around the nuclear facilities.

29. Inspecting the quality-related regulations.

30. Taking initiatives, coordinating and following up with the other entities in respect of research works and security development.

31. Observing and following up the exposure to radiation and carrying out an independent medical examination if necessary.

32. Setting up a strategy to ensure the protection from the radiation emitted from the Sole Sources.

33. Applying the Quality Assurance concepts on all the procedures related to the competences granted to the Authority.

Article (6)

The Authority shall, solely, be competent to issue the Licence for practicing any of the activities

subject to control in the State or any other Licences provided for in this Decree, its Executive Regulations and any other regulations issued by the Authority. It may also amend these Licence, suspend, cancel or refuse issuing thereof and giving the reasons for refusal. The Authority shall set up the conditions related to the Licences in accordance with this Decree, its Executive Regulations and any other regulations issued in its regard.

Article (7)

The Authority shall be obligated to cooperate with the relevant Governmental entities and provide them with advices and information related to Nuclear Safety, protection from radiations and security issues connected to the following matters:

1. Environmental protection.
2. Occupational and public Safety and health.
3. Emergency Preparedness.
4. Radioactive Wastes.
5. The public responsibility (including the application of the national systems and international treaties related to third parties).
6. Material protection and guarantees.
7. Water usage and food consumption.
8. Planning and land usage.
9. Security and Safety while transporting hazardous goods.

Article (8)

The Authority shall verify and hold investigations in respect of any issue that it may deem in violation of the provisions of this Decree, its Executive Regulations, any other regulations issued by virtue thereof, decrees issued by the Authority or any other licence conditions that the Authority has already learnt by itself or by a third party.

The breaching party shall be obligated to compensate the Authority for the costs and the expenses it has incurred during its verification of the occurrence of any violation, if proved. The assessment of such costs and expenses to be made by the Authority shall be final, provided that it shall not violate any sanctions or fines stipulated in any other law.

Article (9)

a. While carrying out its duties, the Authority shall observe the highest standards of transparency. For such purpose, it shall make all the information related to its works available to the access of the public especially the following:

1. All the Licences issued by the Authority along with any other amendment, suspension or cancellation that may occur in their regard.
 2. All the information related to the applications of any licences for any Activity subject to control including an indication of the reasons required for granting or rejecting a licence or granting a conditional Licence.
 3. All the conditions required for the conditional licence and any Exemption from any of the conditions of the Licence issued by the Authority in accordance with the provisions of this Decree.
 4. All the valid regulations and any amendment that may occur in their regard.
 5. All the guidelines issued by the Authority in accordance with this Decree.
 6. A summary of the results of the investigation or Inspection processes carried out by the Authority in respect of testing the materials.
 7. All the penalties that have been imposed for the violation of the provisions of this Decree, its Executive Regulations, regulations, decisions or instructions issued by the Authority.
 8. A summary of the decisions by virtue of which a board member or members have been granted the competence of issuing decisions in accordance with the provisions of this Decree.
- b. With the exception of paragraph (a) of this Article, the Authority may, as and when necessitated by the public interest, conceal or amend any information or documents that it may deem confidential or perceive that the disclosure thereof may illicitly harm any person or negatively affect the Nuclear Safety, material protection or Nuclear Security; or if such information includes trade or technical secrets as classified by the Operator in accordance with the standards issued by the Authority in this regard.

Chapter Three

Authority Management

Article (10)

1. The Authority shall be managed by a Board composed of Chairman and Vice Chairman with not less than five members; and shall be appointed by virtue of a resolution to be issued by the Cabinet for a term of three years. Such term can be renewed for a similar period with the same structure of appointment.
2. The Board member shall be one of the nation's qualified citizens and shall not practice, whether directly or indirectly, any Activity subject to control; or else, its personal interest will conflict with the public interest.
3. The Board shall convene - in response to an invitation by the Chairman - at least once every two months or whenever it is necessary. The Board meetings shall be valid only by the presence of the majority provided that the Chairman or Vice Chairman shall be present.
4. Decisions of the Board shall be issued by the majority of the present members. In case of a deadlock, the chairman shall have a casting vote.
5. The Board shall convene its meetings by the members attending in person, via telephone or videophone, provided that such meetings shall be authenticated and signed by the Chairman and the members.
6. The remunerations of the directors shall be fixed by virtue of a resolution to be issued by the Cabinet.
7. The General Manager shall have the right to attend the Board meetings - unless it is otherwise decided by the Board - without being entitled to vote in respect of its decisions.
8. The Board shall issue the internal regulations of its meetings.

Article (11)

The Board shall assume the duties and competencies provided for in this Decree, its Executive Regulations, regulations and the decisions issued by virtue thereof, including:

1. Setting up the general policy of the Authority, its strategic plans and the programs required to implement them.
2. Approving the Authority's annual draft budget and the final account.
3. Approving the organizational structure of the Authority.
4. Issuing the executive, administrative and financial regulations, employee affair regulations

and the technical regulations required for the Authority's work as well as the requirements, standards and conditions related to its competencies mentioned in this Law by Decree in addition to the instructions, guidelines and other decisions regulating the work of the Authority including:

- a. Protecting individuals, society and environment from any current or future radiation hazards.
 - b. Specifying the Exemptions from the supervisory control requirements; setting up standards and procedures, provided that the extent of risks related to the Facility or Activity shall be taken into account; and determining the procedures and steps required to be followed in this regard.
 - c. Specifying the procedures which shall be followed to exclude a Facility or Activity from supervisory control.
 - d. Determining the responsibilities upon assuming several Operators' activities consecutively, register and transfer the responsibilities.
 - e. Forming consulting committees to provide opinions and advices to the Authority.
 - f. Determining a new mechanism for making the Governmental and private entities subject to the organizational procedures set out by the Authority; in addition to determining how far the new requirements are applied on the currently existing facilities and activities.
 - g. Setting up and developing the organization and supervisory concepts including the standards of Safety, Nuclear Safety and Nuclear Security and verifying its authenticity, sufficiency and observance of the international standards and recommendations.
 - h. Imposing sanctions and administrative fines emerging from the violation of the conditions or provisions of the Licence in accordance with regulations decided by the Cabinet as per the proposal of the Authority.
 - i. Procedures of organizing and monitoring the designing of the facilities and activities.
 - j. Setting up, developing and approving the regulations, guidelines and directives that serve as the basis for the Authority's supervisory and organizational works including the schemes related to the Safety, Nuclear Safety, Nuclear Security, protection from radiation, Emergency Preparedness, Emergency Encountering and Service De-Commissioning.
5. Suggesting the Licence fees and services provided by the Authority and presenting them to

the Cabinet to issue a decision in their regard.

6. Accepting the regulations related to the organization of work in the Authority until a decision is issued in its regard by the Chairman.

7. Forming specialized technical committees and determining their duties.

8. Appointing the General Manager of the Authority.

9. Any other duties to be assigned by the Cabinet.

10. Specifying the method through which the Governmental and private entities shall be included in the organizing procedures.

The Board shall have the right to delegate any of its competencies to the Chairman or any of the Board member.

Article (12)

1. The Board members may resign by virtue of a notice to be submitted to the Chairman of no less than sixty days and the notice shall be presented to the Cabinet.

2. Unless the Cabinet decides otherwise, the non-attendance of any board member of three consecutive meetings without an acceptable excuse shall be deemed a notice of resignation.

3. During their membership, the Board members may not disclose or communicate any of the matters that are included in the Authority's competence without the consent of the Board. The Board member shall be obligated to keep the confidentiality of the consultations and the information that has come to its knowledge due to its position throughout its membership. Such obligation shall remain valid even after the termination of its board membership.

Article (13)

1. The Cabinet can replace a board member for any of the following reasons:

a) Mental or physical handicap that prevents the member from carrying out its duties for more than ninety days. This State shall be proved by decision to be issued by the competent medical committee in the State.

b) Conviction of any felony, misdemeanor, breach of honor or trust.

c) Non-fulfillment of any of the conditions mentioned in this Law by Decree.

2. The Board member may be replaced for the misconduct, mismanagement or any action that

conflicts with the Authority's interests or objectives.

Article (14)

The Authority shall have a General Manager to be appointed by virtue of a decision to be issued by the Board. The General Manager shall undertake the competencies provided for in this Law by Decree, Executive Regulations, regulations issued by virtue thereof and the instructions issued by the Board.

Article (15)

The General Manager shall assume the administrative, technical and financial affairs of the Authority under the supervision of the Board and shall represent it in its relations with third parties and before court. The General Manager shall specifically be visited with the following:

1. Proposing the general policy of the Authority, its strategic and Operational plans and presenting them to the Board for decision to be issued in its regard.
2. Preparing the Authority's annual draft budget and final account and presenting them before the Board.
3. Preparing the organizational structure and regulations related to the organization of the Authority's work.
4. Coordinating with the different entities inside and outside the State in connection to the work and Activity of the Authority.
5. Reviewing all the Licence applications and appropriately recommending them to the Board.
6. Proposing any amendment or cancellation of any licence.
7. Proposing rules for protecting the confidentiality of the information related to the Authority's work and presenting before the Board for its issuance.
8. Delegating any of his competencies - assigned to him by virtue of this Law by Decree, Executive Regulations, regulations or the decisions issued by virtue thereof - to the senior employees at the Authority.
9. Implementing the decisions issued by the Board and carrying out any of the other duties assigned to him by the Board.

Article (16)

The Board may replace the General Manager for any of the following reasons:

- a) Mental or physical handicap that prevents the member from carrying out its duties for more than ninety days. This State shall be proved by decision to be issued by the competent medical committee in the State.
- b) Conviction of any felony, misdemeanor, breach of honor or trust.
- c) Misconduct, mismanagement or any action that conflicts with the Authority's interests or objectives.
- d) Expiry of his term of appointment in the event of its non-renewal.

Article (17)

The employees shall be appointed in the Authority in accordance with the applicable regulations and decisions.

Chapter Four

Financial Affairs

Article (18)

The Authority shall receive its allocated funds and dispose of its funds and resources, including without limitation opening accounts in its name, managing them and spending from them in accordance with the applicable financial and accounting regulations in the Authority. The funds of the Authority shall be obtained from the following resources:

1. Funds allocated by the Government to the Authority.
2. Revenues generated by the Authority as a result of practicing its Activity.
3. Donations, aids and grants that are accepted by the Board and which do not conflict with the Authority's objectives.

Article (19)

The financial year of the Authority shall commence on the 1st of January and end on 31st of December each year, provided that the first financial year shall commence on the date of

applying the provisions of this Law by Decree and end by the end of December of the following year.

Article (20)

1. The Authority shall be subject to the provisions of the applicable laws on bids and tenders.
2. The Authority shall dispose of its financial resources in accordance with the applicable financial and accounting regulations.

Article (21)

The Authority shall be exempted from all taxes and fees including customs tariffs on materials, equipment, machinery, apparatus and spare parts imported for achieving its objectives.

Article (22)

The Board shall appoint an independent auditor registered with the competent entities in the State to audit the Authority's accounts and prepare the final report. The Authority shall submit a copy of its audited accounts after approval to the Board attached with the report of the auditor to the Cabinet.

Chapter Five

Licences (Granting - Cancellation - Suspension)

Article (23)

1. Any person shall be prohibited from practising any Activity subject to control in the State including the free zones before obtaining a licence from the Authority.
2. No licences may be issued except to the corporate entities which the competent Authority in the State accepts.
3. It is prohibited to carry out any action in the area surrounding the nuclear facilities that may affect the Operation of such facilities. The applicable regulations set forth the scope of these areas and the requirements for obtaining the Licence and the activities that may affect the integrity of operating such facilities.

Article (24)

The Licence issued by the Authority shall specifically determine the following:

1. The facilities, activities and the items in connection to the resources included in the Licence.
2. Requirements for notifying the Authority of any amendments made in the Safety requirements.
3. The obligations of the Operator in respect of his Facility, equipment, Radioactive Sources or employees.
4. Any restrictions to be imposed on the Operation and usage (such as Radiation Levels, release limits, procedures or Licence periods).
5. Standards and conditions for Treatment of Radioactive Wastes at the Waste Disposal Facilities.
6. Any additional licences that shall be obtained by the Operator from the Authority.
7. Requirements for reporting Accidents.
8. Requirements for the reports that shall be submitted by the Operator to the Authority.
9. The records that shall be kept by the Operator and the time periods for keeping thereof.
10. Emergency Preparedness.
11. Any other requirements to be determined by the Authority.

Article (25)

The activities subject to control include the following:

1. Selecting the site to construct the Nuclear Facility.
2. Prepare the site for constructing the Nuclear Facility.
3. Constructing the Nuclear Facility.
4. The Nuclear Facility service Commissioning.
5. Operating the Nuclear Facility.
6. Closing any Nuclear Facility or changing the Closing date thereof.
7. Any Nuclear Facility Service De-Commissioning.
8. Introducing any essential amendments in connection to the Safety of the Administrative System and the organizational arrangements of the nuclear facilities structures, systems and

equipment or contents thereof. The Authority shall determine the nature of the amendments that require its acceptance.

9. Possessing, using, manufacturing or handling any Materials Subject to Control or any part thereof in the State.

10. Importing or exporting any Materials Subject to Control to or from the State without prejudice to any of the approvals required in accordance with the provisions of Federal Law No. (13) of 2007.

11. Transporting any Materials Subject to Control in the State.

12. Introducing any Materials Subject to Control into any Nuclear Facility or taking them out.

13. Storing any Materials Subject to Control in the State.

14. Disposing of any Materials Subject to Control in the State.

15. Any other Activity classified as being subject to control by virtue of the Executive Regulations and the regulations issued by virtue of this Law by Decree. Such Activity shall aim at providing Safety and Nuclear Safety, Nuclear Security, protection from radiations, any part or phase of any Activity referred to in this Article or classified as the same as per the applicable Executive Regulations.

The Board shall issue the required regulations and decisions for organizing the procedures and conditions of transporting the Materials Subject to Control and the means and methods of transportation inside the State guided by the standards issued by the International Atomic Energy Agency (The Agency).

Article (26)

1. The Board shall issue its decisions in respect of determining the terms and conditions of the nuclear Reactor management licence, provided that the term of the Licence shall not exceed sixty years. The Board shall issue the regulations that specify the general terms and conditions of any licence issued by the Authority.

2. The Board may - within the limits of the international treaties and obligations - exclude certain facilities and activities from the Licence conditions, provided that such facilities and activities shall not present a material threat to achieve the priorities and objectives provided for in this Law by Decree.

Article (27)

1. Save for the provision concerning companies acquiring the nationality of the State, the provisions of Federal Law No. (8) of 1984 on commercial companies, and its amending or superseding laws, shall not be applicable to corporate entities which are authorized by this Law by Decree where no provision is provided in their memorandum of association and articles of associations approved by the Authority. The competent authorities shall register the corporate entities provided in this Article.
2. The foreign companies may - after obtaining the prior approval of the Authority - establish branches in the State for practicing activities subject to control or give assistance in this respect without the need to appoint a local service agent.

Article (28)

1. Before obtaining the Licence, the applicant shall provide detailed evidences of Safety; and the Authority shall review and evaluate these evidences according to the specified procedures. The extent of monitoring applied by the Authority shall correspond to the degree of potentials and the nature of the risks according to the Evaluation of the Authority.
2. The Authority shall issue a manual indicating the form and content of the documents accompanying the Licence application to be provided by the applicant. The Operator shall provide all relevant information determined or requested by the Authority within the agreed scheduled time.
3. The Authority shall - after review and Evaluation - do the following:
 - a) Grant a licence or conditional or a restricted licence on the Operator's future activities.
 - b) Reject granting the licence.
4. The Authority undertakes to authenticate the reasons for the decisions it officially issues.
5. The applicant whose application for licence is rejected or who has been granted a conditional licence shall have the right to petition against the Authority's decision by virtue of a written letter to the Board containing reasons.
6. Any issuance, amendment, renewal, suspension or cancellation in respect of the Licence shall be made in accordance with the procedures and requirements specified in the

regulations issued by the Authority.

Article (29)

The Operator shall be obligated to carry out the following issues:

1. Safety assessment.
2. Methodological Safety reassessment or Periodical Safety Review throughout the Nuclear Facility lifetime.
3. Providing the necessary information required by the Authority for carrying out its tasks including the information related to the Operator's suppliers, though these information are private and confidential.

Article (30)

Any person who obtains the Licence in accordance with the provisions of this Law by Decree shall not be exempted from obtaining any other licence, permit or consent that may be required from any other competent Authority for the purposes of practising its work.

Article (31)

The Board may suspend or cancel the Licence in the following cases:

- a. The occurrence of gross violation that caused the Authority to perceive the existence of radioactive hazards on the workers, the public or the environment.
- b. The Operator's continuance and serious non-compliance with the instructions, decisions and orders issued by the Authority.
- c. The emission of radioactive substances to the environment as a result of the Facility's failure or damage.
- d. Any other cases perceived by the Authority that impose danger on the Nuclear Safety.

Chapter Six

Control and Inspection

Article (32)

1. Review and Evaluation shall be made to the specified Facility subject to review and Evaluation in each phase of the organizational process. This shall be made in accordance with the requirements made by the Authority and the volume and the nature of the potential risk.
2. The Authority shall clarify to the Operator the principles and standards on which the Authority has depended while taking its decisions in connection to reviewing and Evaluation.
3. The Authority shall depend on the information provided by the Operator as one of the bases for its reviewing and Evaluation.

The Authority shall carry out comprehensive review and Evaluation of all the information and technical data provided by the Operator or the applicant in order to determine how far the Facility or the Activity complies with the principles and Safety Standards in a manner that defines the design of the Facility, equipment and the Safety Standards on which the design and the Operation rules suggested by the Operator have been based. This information shall indicate the following:

- a) The extent of the Safety of the suggested Facility or Activity.
 - b) The extent of the fulfillment of the organizational conditions through the accuracy and sufficiency of the provided information.
 - c) The extent of the efficiency of the technical solutions and their attainment of the required Safety levels - especially the new ones - whether through the competent authorities or experimenting and testing.
4. The Authority shall prepare a special program to review and evaluate the facilities and activities subject to Evaluation and develop such program when needed. The review and Evaluation Activity comprises the stages for selecting the initial site, its designing, Construction, service Commissioning, deactivation or Closing.
 5. Any amendments to be introduced to the aspects related to the Facility or Activity Safety shall be subject to the reviewing and Evaluation process while paying due regard to the size and nature of the anticipated risks.

Article (33)

The Authority may - by virtue of a reasoned decision - exempt any of the Radioactive Sources or practices in connection with all or part of the aspects of the supervisory control in

compliance with international Safety Standards and the Evaluation made by the Authority in respect of these sources and practices as per the Safety Standards.

Article (34)

1. The Operator may contract with the contractor to implement any of the activities subject to control or any part thereof after the fulfillment of the conditions and requirements defined in the Licence. The Operator shall provide the Authority with the terms and conditions provided for in the Contract and in connection with the Operator's practising of its obligations defined in this Law by Decree, Executive Regulations, applicable regulations and the Licence conditions.
2. The Operator shall remain liable towards the Authority in accordance with the provisions of this Law by Decree, Executive Regulations, applicable regulations and the Licence conditions, though the contractor implements some of the activities subject to control.

Article (35)

1. The Authority shall set up a planned and methodological Inspection program that depends on the size and nature of the anticipated risks connected to the Facility or the Activity.
 2. The Authority shall incessantly carry out an announced and unannounced Inspection; and it shall have the right to take the necessary procedures as per the results of the Inspection Operations.
 3. In addition to the regular Inspections, the Authority may carry out an immediate Inspection after notifying the Operator by virtue of short notice specified by the Executive Regulations upon the occurrence of an unusual incident. This Inspection shall not release the Operator from his liability of holding an immediate investigation in respect of such incident.
- The Authority's inspectors shall prepare reports of the Inspection process, their outcomes and keep them in the Operator's monitoring file.

Article (36)

1. The Authority shall implement the control Inspection program that includes all the fields of responsibility related to the Activity subject to control to ensure the Operator's compliance

with the provisions of this Law by Decree, the Executive Regulations, applicable regulations and the terms and conditions of its Licence. The Authority shall take into account the activities of the Operator's service and goods suppliers, when necessary.

2. The Authority shall take all the necessary procedures against the Operator upon committing a violation or refraining from rectifying such violation. It shall also obligate the Operator to take the necessary procedures in accordance with the provisions of this Law by Decree, applicable regulations and the terms and conditions of his Licence.

3. In the event that the Operator fails to rectify or correct the committed violation which related to the issues of Safety, Nuclear Safety and Nuclear Security within the period specified by the Authority, the latter shall eliminate and rectify the reasons and consequences of such violation by its own devices or through making use by any party that it deems appropriate to limit the risks of the violation, while obligating the violating Operator, however, to incur the costs of such procedure. The assessment made by the Authority of such costs shall be deemed final.

4. While carrying out the Inspection process, the Authority seeks to ensure the following:

a) The fulfillment of the Facility, equipment and work performance of all the necessary requirements in accordance with the provisions of this Law by Decree, Executive Regulations and the regulations issued by virtue thereof.

b) The validity of the relevant documents and instructions and ensure adhering with the same.

c) The Operator's personnel and the contractor are qualified enough to perform their tasks effectively.

d) Specification of the violations and deficiencies; and that the Operator has rectified them or provided justifications for such violations without any delay.

e) Achievement of benefits from the Inspection results in the field of Nuclear Safety and applying thereof, when necessary.

f) Safety management by the Operator in the correct manner.

5. The control Inspection shall not reduce the main liability of the Operator and shall not be dealt with as a replacement for the Operator's obligation to carry out the activities of control, supervision and investigation that shall be made.

Article (37)

1. The Operator shall comply with the decisions issued by the Authority, eliminate the committed violation, carrying out an investigation as per the timetable as agreed with the Authority and taking all the necessary procedures to prevent the concurrence of such violation. In all cases, the Operator shall eliminate all the unsafe elements.
2. The Authority shall verify that the Operator undertakes all the required procedures for eliminating the violation.
3. The Authority shall request the Operator to limit the activities he executes if a reduced Safety level is proven and shall be obligated to undertake any of the necessary procedures.
4. The Authority shall specify the powers and Implementation Procedures to which its inspectors are entitled to undertake while carrying out the Inspection Operations.
5. In the events when the individual inspectors of the Authority are not authorized to undertake immediate Implementation Procedures, the Operator shall undertake to provide the Authority with the required information promptly once the inspectors perceive an anticipated occurrence of any hazards to the health and Safety of the personnel, public or environment in order to take the necessary procedures.

Chapter Seven

Regulations Development - Guidelines - Guarantees

Article (38)

1. The Board shall issue the regulations which determine the conditions which the Operators shall comply with.
2. The Authority shall prepare illustrative guidelines for how to comply with the regulations.
3. The Authority shall take into account upon developing the regulations and guidelines the remarks of the interested parties and the information provided by the experts, standards and recommendations internationally recognized as Safety requirements of the International Atomic Energy Agency.

Article (39)

1. By virtue of a decree to be issued by the Board, a national system shall be established to observe and control Nuclear Materials, in accordance with the international obligations of the State. For such purpose, the Authority shall:
 - a. Verify the performance of the obligations taken by the State in accordance with the Non-Proliferation of Nuclear Weapons Treaty, the guarantees agreement and any other additional protocols, in the practices and premises subject to the supervision thereof and work with the Governmental entities in the State for the fulfillment of such obligations.
 - b. Carrying out the Inspection processes in accordance with the guarantees agreement, dual and multi-party agreements ratified by the State.
 - c. Establishing and managing Nuclear Materials accounting and controlling system.
 - d. Collecting proper information, including information obtained through Inspection Operations of the nuclear facilities and according to the conditions set forth by the State.
2. Individuals who have obtained a Licence to acquire Nuclear Materials shall do the following:
 - a. Keep accounting and Operational records on the Nuclear Materials and submit reports on such records to the Authority at the time and manner it determines.
 - b. Notify the Authority and the competent authorities without any delay of any Nuclear Materials missing or stolen upon occurrence.
 - c. Notify the Authority of any violation against any equipment subject to the supervision of the Authority or any international organization that concluded a Guarantee Agreement with the State to protect Nuclear Materials by virtue of which the Nuclear Materials shall be subject to control; or any Accident caused or which might cause a breach of the Nuclear Safety upon its occurrence.
 - d. Giving access to the inspectors appointed by the Authority.
3. The Board shall issue the regulations related to identifying the methods of keeping accounting and Operational records, the method of controlling the performance of activities, drafting and submitting reports on such records; in addition to the mechanism of notifying the Authority of the occurrence of any Accident related to Nuclear Materials.

Chapter Eight

Radiation Wastes and Service De-Commissioning

Article (40)

1. The individuals who hold a licence to acquire Materials Subject to Control shall be liable for the safe action and shall store the radiation wastes in their generation places until delivered to the State for disposal.
2. The Licensee shall comply with its duties and responsibilities of safe dealing with Radioactive Wastes in addition to its obligation to apply the Nuclear Safety and security rules as specified by the Authority.
3. The Board shall issue detailed rules for specifying all the requirements, responsibilities and duties in connection to the safe dealing with Radioactive Wastes.

Article (41)

1. The Cabinet shall issue a long term policy to manage and dispose of consumed Nuclear Fuel, radiation wastes and the entity responsible for execution. Radioactive Wastes and consumed Nuclear Fuel shall become the State's property as from the date of handing them over to the State or the concerned entity appointed by virtue of a resolution to be issued by the Cabinet.
2. The regulations shall identify the terms and procedures of handing over the Radioactive Wastes to the State - or the entity appointed by virtue of a resolution to be issued by the Cabinet - including the Radioactive Wastes that are not subject to handover and the charges payable to the State from the radioactive waste producers.
3. It is prohibited by all means under this Law by Decree to import Radioactive Wastes or consumed Nuclear Fuel resulting from nuclear applications outside the State for the purposes of long term storage or disposal on the lands and sites within the State.

Article (42)

1. Any corporate person Licensed to manage a Nuclear Facility which produces or will produce Radioactive Wastes shall pay certain amounts in the "Service De-Commissioning Credit Fund" which is to be established by virtue of a resolution issued by the Cabinet as per the recommendation of the Board. These charges include:

- a) Costs of constructing and Closing the radiation wastes disposal Facility and including costs of necessary research and development activities for this purpose.
 - b) Costs of Nuclear Facility Service De-Commissioning.
 - c) Costs of controlling supervision on activities set out in this Article.
 - d) Costs of managing the Facility Deactivation Credit Fund.
2. The Cabinet shall specify the charges payable by the Licensee. Such charges shall be calculated according to the share of the Licensee in the total costs required to execute the activities specified in Paragraphs (a), (b), (c) and (d) of Clause (1) of this Article under which the Licensee shall pay during the validity period of the Licence to operate a Nuclear Facility. If the Licensee is an owned company or within the jurisdiction of the State or any other Governmental entity, the Licensee shall deposit an amount of its financial obligation relating to its share in executing the activities mentioned in the above paragraphs in the credit account. The surplus amounts shall be refunded to cover the share of the Licensee of its total costs.
3. The Executive Regulations issued by the Cabinet shall specify the procedures related to the following:
- a) Method of calculating and collecting charges of the credit fund.
 - b) the value and type of deposits payable in the credit fund to cover the financial obligations of the Licensee relating to the activities mentioned in this Article which are not covered in the paid charges.
 - c) Asset management of the credit fund.
 - d) Costs mentioned in this Article and those amounts paid from the credit fund.

Chapter Nine

Nuclear Safety Management and Quality Assurance

Article (43)

1. Each Licensee shall be liable to take all the necessary steps to reduce the Accidents to the minimum practical level possible level.
2. The Licensee shall ensure providing an Administrative System and financial and human resources appropriate to achieve the Nuclear Safety. The Licensee shall specify the liability,

powers and duties of the entities lying within the Administrative System to achieve the purposes set out in the previous Clause.

3. Each Licensee shall observe the human and administrative elements while carrying out the activities subject to control.

4. The Authority shall allocate (acting reasonably) priority to resolve the matters related to Safety during the Construction phase of the Facility upon the Licensee's request.

5. The Licensee shall carry out methodological and comprehensive Safety Evaluation and take the required steps to eliminate defects that may appear during designing, constructing the Nuclear Facility or Commissioning it or any other Facility subject to the provisions of this Law by Decree throughout its Operational lifetime, including the arrangements of deactivating the service of the Nuclear Facility. Evaluation shall be made on separate stages during the Operation and the Executive Regulations issued by the Authority shall determine the scope of such Evaluation.

6. The Licensee shall ensure keeping the public and Occupational Exposure, Ionized Radiations and the radiation emissions to the environment resulting from practising activities subject to control within the minimum limits during all the stages of Operation and activities; and shall covenant that the Radiation Levels will be kept to the least possible limit. The Licensee shall keep records of that exposure and shall disclose any information and inform the Authority as set out in the Executive Regulations of this Law by Decree.

7. The Licensee shall provide this information related to the Nuclear Safety affairs of his authorized activities subject to control. Such information shall not lie within the scope of the State, official or trade secrets.

8. The Licensee shall issue a manual of the procedures of practicing his Activity especially those related to the Operation, Maintenance, control and testing selected equipment. These procedures shall comply with the conditions of the safe Operation and approved Quality Assurance program. The Licensee shall update and amend these procedures when necessary and setting up a work program to perform the Safety-related activities that are not mentioned in the manual procedures.

Article (44)

1. The Licensee shall set an Administrative System and approve policies and procedures to identify and apply the quality requirements and classify the equipment necessary for Nuclear Safety in accordance with the regulations applicable in the Authority.
2. The Quality Assurance Program set up by the Operator to the nuclear facilities shall be subject to the control and approval of the Authority.
3. The Licensee shall specify and adhere to the Quality Assurance requirements including the provisions of using the equipment and service provision in all the stages of the Facility lifetime.
4. The Executive Regulations of this Law by Decree shall specify the Quality Assurance requirements, the procedures, the scope of approving them and the classifications of the necessary equipment of the Nuclear Safety.

Article (45)

1. The Physical Protection of Nuclear Materials and facilities should be secured according to the international treaties and agreements which the State is a party thereto.
2. The Authority shall supervise the organization of the Physical Protection of Nuclear Materials and facilities according to the previous Clause of this Article.

Article (46)

1. The Licensee shall set up a Physical material plan and shall be approved by the Authority. Such plan shall comprise a description of the technical procedures, internal regulations and instructions which the Licensee shall comply with to ensure the availability of Physical Protection in all the areas where Nuclear Materials exist or might exist.
2. The Physical material plan shall be submitted with the Licence application by the Licensee.
3. The Authority may, from time to time, request to amend the physical material plan submitted by the Licensee.
4. The Authority may impose additional conditions in respect of the physical material plan through systems or decisions that shall be issued for this purpose.

Article (47)

1. By virtue of a resolution to be issued by the Cabinet, certain Facility and their relevant sites may be deemed vital areas that need to be provided with material protection.
2. The competent authorities in the State shall provide the areas referred to in the preceding sub-clause with the necessary security.

Article (48)

Any person authorized to be present within the boundaries of an area classified by the physical material plan as an area where Nuclear Materials exist or might exist, shall comply with all material protection requirements as set out in the applicable regulations and the area which the Licensee identifies. Meanwhile, such person shall be temporarily or permanently prevented from being present in such area, failing which the authorized person may be prevented to enter these areas temporarily or permanently if he violates the provisions of this Article.

Article (49)

1. The competent authorities and the Licensees shall set special procedures for Emergency Preparedness and Encountering Emergencies.
2. The objective of Emergency Preparedness and Encountering Emergencies and planning is to achieve the following:
 - a. Protecting residents (via an off-site Emergency Plan), by regulating the Emergency Planning areas and specifying the procedures to be taken by the competent authorities to protect residents, properties and the environment upon the occurrence of any Accident.
 - b. Protecting the Nuclear Facility or the Facility that contains nuclear Radiation Sources (via an on-site Emergency Plan) and specifying the procedures that shall be adopted by the Licensee in order to mitigate and treat the consequences of the Accident. All this shall be made in coordination with the off-site Emergency Plan.

Article (50)

The competent authorities shall prepare and maintain the off-site Emergency Plan and coordinate with the Licensee in this respect to provide civil and public protection from

disasters and Accidents.

Article (51)

The off-site Emergency Plan shall be financed and the materials, technical and human resources shall be provided for implementing such plan and shall be deducted from the State's budget.

Article (52)

1. The Licensee shall - before activating the Nuclear Facility - provide an Emergency Plan (on-site) to the Authority and the competent authorities in the State.
2. The Emergency Plan shall be subject to scientific experiment before Nuclear Facility service Commissioning and before Operation period and all different parts of the plan shall be periodically inspected.
3. The Authority shall approve the Emergency Plan inside the site and before service Commissioning.

Article (53)

The Licensees shall give his employees an access to the Emergency Plan and provide the special training to the employees appointed to have a functional role in applying the Emergency Plan.

Article (54)

If any Accident occurred, the Licensee shall do the following:

1. Notify the Authority of the Accident occurrence.
2. Warn the residents and local authorities located within the Emergency Planning areas and other competent authorities immediately in accordance with the approved Emergency Plan.
3. Take all the necessary and immediate procedures to deal and mitigate the consequences of any Accident.
4. Control the employees' exposure to radiations to eliminate or mitigate the Accidents' effects.

5. Ensure the continuous monitoring of radiation emissions and their impacts on environment.
6. Perform any other obligations specified in the Emergency Plan and in this Law by Decree, Executive Regulations and the applicable regulations.

Article (55)

The Executive Regulations of this Law by Decree specify the conditions and procedures of the preparations of Emergency Plans, the persons in charge of implementation and their duties, the measures related to mitigate and treat the Accident consequences, public warning procedures and the test of compliance with Emergency Preparedness.

Article (56)

The Authority shall cooperate with the competent Governmental entities in the State for coordination and guiding purposes of monitoring and observing Radiation Sources on the State's borders and all other areas subject to the provisions of this Law by Decree.

Chapter Ten

Civil and Criminal Liability

Article (57)

The Operator shall be mainly responsible for all the aspects related to the Safety, Nuclear Safety, Nuclear Security and the protection from radiations.

Article (58)

The civil liability shall be determined for nuclear damages in accordance with the international treaties and agreements which the State is a party thereto and according to the legislations issued in this respect. The Operator shall solely bear the indemnification responsibility for any damages that may occur to the individuals or properties as a result of any negligence on his part while operating the Nuclear Facility or as a result of the non-compliance with the requirements of Safety and Nuclear Safety in accordance with treaties,

agreements and State legislations.

Article (59)

Any person who renders an Ionized Radiation Source in an unacceptable condition or causes it to be as such, shall bear all the expenses incurred by the Authority to fix and maintain such source and dispose thereof to ensure the protection of public health and Safety.

Article (60)

Any person who operates a Nuclear Facility without obtaining a Licence from the Authority shall be penalized by paying a fine of no less than (AED 1,000,000) one million United Arab Emirates dirham and no more than (AED 10,000,000) ten million United Arab Emirates dirham and imprisonment for a period of no more than one year or one of both penalties.

Article (61)

Any person who carries out any action in relation to nuclear Radiation Sources without obtaining a Licence or permission shall be punished with paying a fine of an amount of (AED 500,000,) five hundred thousand United Arab Emirates dirhams.

Article (62)

Imprisonment shall be imposed of no more than one year and a penalty of no less than AED 500,000 (five hundred thousand United Arab Emirates dirhams) and no more than AED 50,000,000 (fifty million United Arab Emirates dirham) or one of both penalties in any of the following cases:

1. Any person commenced any of the activities subject to control without obtaining a Licence or exempted from obtaining a Licence under this Law by Decree.
2. Any person who, with intention or negligence, violates the provisions of this Law by Decree, the regulations or the Licence conditions issued by the Authority.
3. Any person who intentionally changes, destroys or conceals any information or documents required by the Authority by virtue of the provisions of this Law by Decree.

4. Any person who intentionally provides misleading information to the Authority to affect the Licence issuance.

5. Any person who publishes, delivers or discloses any information or documents regarding Nuclear Materials or a Nuclear Facility without any right to do so or in a way that causes physical damage to the Nuclear Materials.

Article (63)

Temporary imprisonment and fine of no less than (AED 2,000,000) two million United Arab Emirates dirhams and no more than (AED 50,000,000) fifty million United Arab Emirates dirhams or one of both penalties shall be imposed on any person who carries out any of the following:

1. Any action - without having a Licence - including receiving, possessing, using, transporting, changing, disposing or dispersing Nuclear Materials which cause or might cause death or gross injury to any person or physical damages to properties.

2. Stealing or obtaining Nuclear Materials without having the right to do so.

3. Fraudulent misappropriation or obtaining of Nuclear Material.

4. Attempting to obtain the Nuclear Material by using force, threat or by means of any form of duress or terrifying.

5. Threatening of using the Nuclear Material to cause death, gross damages to any person or physical damage to properties or any other threatening action.

6. Committing any violation of the provisions of the international Agreement to Combat Nuclear Terrorism as ratified by virtue of the Federal Decree No. (59) of 2007.

Article (64)

1. Imposing any penalties provided for under this Law by Decree shall not prejudice any severer penalty provided for under any other law.

2. The penalties for violations provided for under this Law by Decree shall be doubled in case of reoccurrence.

Chapter Twelve

Miscellaneous

Article (65)

The competent employees of the Authority who are appointed by a decision issued by the Minister of Justice in agreement with the Chairman shall have the capacity of law enforcement officers to establish the violations of the provisions of this Law by Decree, decisions, regulations and instructions issued in execution thereof.

Article (66)

1. The Authority shall be handed over by means of transfer all the competencies - specified in Federal Law No. (1) of 2002 on regulating and controlling the usage of the Radioactive Sources and protecting from its hazards - of the competent administration at the Federal Authority for the Environment and the Committee of Protection from Radiation.

2. All the employees working in the administration of the Federal Authority for Environment referred to in paragraph (1) of this Article shall move to the Authority whether those employees who are included in Decree No. (392) of 2009 or those who are included while retaining all their rights and the acquired job privileges and considering their service period as linked and continuous. All the equipment, labs, devices, materials and all other assets used in the Federal Authority for Environment in supervising, regulating and controlling the usage of Radioactive Sources and the protection from their hazards.

Article (67)

By virtue of a decision to be issued by the Board, a committee entitled "The Committee of Protection from Radiations in the State". The decision shall specify the competencies and work of the committee.

Article (68)

All the provisions of Federal Law by Decree No. (11) of 2008 on human resources in the Federal Government shall be applicable to the employees of the Authority until the issuance of the regulations, systems and the decisions regulating the employee affairs in the Authority,

except for those issues to which special provisions are otherwise dedicated in this Law by Decree.

Article (69)

The Board shall issue the Executive Regulations, other regulations, decisions, instructions and directives required for implementing the provisions of this Law by Decree.

Article (70)

The Licences of the radiation materials issued by any Governmental entity in the State shall remain valid in accordance with its procedures and conditions for an interim phase, provided that the Licensees shall settle their own affairs in accordance with the provisions of this Law by Decree within 12 months as of the effective date of this Law by Decree.

Article (71)

This Law supersedes any provision that violates the provisions of this Law by Decree as well as Federal Law No. (1) of 2002 on regulating and controlling the usage of the Radioactive Sources and protection of the hazards thereof.

Article (72)

This Law by Decree shall be published in the Official Gazette and shall be effective as of the day following its publication.

Khalifa Bin Zayed Al Nahyan
President of the United Arab Emirates

Issued by us in the Presidency Palace in Abu Dhabi on:
20 Ramadan 1430.
September 10, 2009.