

L A W
No. 8025 dated 9. 11. 1995

CONCERNING PROTECTION AGAINST IONIC RADIATION

Based on article 16 of law no. 7491 dated 29. 04. 1991 "Concerning basic constitutional provisions", upon proposal from the Council of Ministers,

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA

HAS DECIDED AS FOLLOWS:

CHAPTER 1

GENERAL STIPULATIONS

Article 1

This law defines the terms and conditions for protection against ionic radiation in cases of activities using radioactive substances and radiation equipment for purposes of protecting those professionally exposed to such radiation, the population and the environment, in general, from the potential danger of radiation.

Article 2

For the purposes of this law:

- a) "Ionic radiation" means the electromagnetic or particle radiation that causes directly or indirectly the ionization of the substance with which it interacts.
- b) "Radioactive substance" means any substance emitting ionic radiation.
- c) "Radiation equipment" means any equipment utilized to generate ionic radiation.
- d) "Radiation business" means any activity carried out by using radiation substance and/or equipment.
- e) "Radiation installment" means any unit in which radioactive substance and/or equipment are used or stored.
- f) "Radioactive waste" means any radioactive substance or object polluted with radioactive substance that can no longer be used.
- g) "Nuclear safety" is the entirety of conditions ensuring normal operation of radiation business, prevention of accidents and alleviation of consequences, protection of the workers, population and environment against radiation.
- h) "Competent authority" means the commission for protection against radiation which is the authority defined by this law as being responsible for enforcing obligations and rights in the field of protection from ionic radiation.
- i) "Office for protection against radiation" is the executive arms of the commission for protection against radiation.
- j) "License" means the document authorizing its holder to carry out activities using

radioactive substances and/or radioactive equipment.

Article 3

The provisions of this law are binding upon every physical or legal entity, which:

- a)** Holds, transfers, acquires, uses, manufactures or installs radiation equipment
- b)** Carries out radiological research and mining works; milling, extraction, enrichment, sale, transfer, import-export, lease and preservation of radioactive substances.
- c)** Treats radioactive waste, food and any product polluted with radioactive substance.

Article 4

Any physical and legal entity, national or foreign, engaged in the activities described in article 3 of this law, must be licensed by the competent authority. Procedures for licensing are defined in the relevant regulations.

Article 5

Physical and legal entities duly licensed are obligated to implement the provisions of this law and relevant by-laws.

CHAPTER II

ORGANIZATION OF RADIATION PROTECTION STRUCTURES

Article 6

At the Ministry of Health and Environment Protection is established the commission for protection against radiation as the competent national authority to oversee and enforce the implementation of the provisions of this law and other legal and sublegal acts concerning radiation. The Commission is chaired by the Minister of Health and Environmental Protection. At least 50 per cent of its members must be specialists for protection against radiation. Commission members are nominated by the Chairman for a four year term. Manner of remuneration for the members is defined by the Ministry of Health and Environment Protection.

Under the subordination of the commission for protection against radiation is established the Office for Protection Against Radiation as its executive arm. The head of this office is also secretary of the Commission.

Article 7

The Commission for Protection against Radiation has the following obligations and rights:

- a)** Drafts regulations, instructions and normative acts for practices of protection against ionic radiation and nuclear safety which are binding to all physical and legal entities.
- b)** Controls the enforcement of legal and sub-legal acts concerning protection against

radiation.

- c) Licenses the subjects engaged in activities described in article 3 of this law.
- d) Technically leads the operations of national and local authorities to institute immediately the necessary measures for relieving the effects of nuclear accidents.
- e) Recommends and proposes improvements to the legislation in the field of protection against radiation.
- f) Approves standards of safety for protection against radiation.
- g) Cooperates with national and international organizations on issues of protection against radiation.
- h) Mobilizes research and scientific institutions throughout the country for the identification of solutions to problems in the field of protection against radiation.
- i) Defines the organization structure of the office for protection against radiation and nominates and discharges its head.
- j) Cooperates with the State Inspectorate of Labor.

Article 8

The Office for protection against radiation has the following duties and rights:

- a) Submits to the commission's review the regulatory acts concerning the activity for protection against radiation.
- b) Controls in real practice the implementation of legal and sub-legal acts in the field of protection against radiation.
- c) Inspects radiation installations.
- d) Collects information and conducts measurements and analysis necessary for control of protection against radiation.
- e) Prepares documentation for granting, withdrawal and suspension of licenses and submits it for review to the Commission.
- f) Prepares the paperwork for the meetings of the commission and drafts reports requested by this Commission.

CHAPTER III

CLOSING PROVISIONS

Article 9

The Commission for Protection Against Radiation approves regulation concerning:

- a) Licensing procedures for activities described in article 3 of this law.
- b) Protection of the population and environment from ionic radiation.
- c) Protection of persons professionally exposed to radiation.
- d) Standards and practical acts concerning the activities involving radiation.
- e) Safety measures for substances, equipment and installations emitting radiation.
- f) Operations of the Office for Protection Against Radiation.

Article 10

The violation of the provisions described in articles 4 and 5 of this law, when not a criminal deed, is punished as an administrative infringement with fines from 10 thousand to 100 thousand leks.

Fines are administered by the control structures designated by the Commission for Protection Against Radiation.

Appeal of the decisions of control structures and execution of decisions are carried out in accordance with Law No. 7697 dated 7. 04. 1993 "Concerning Administrative Infringements".

Article 11

Provisions coming into conflict with this Law are hereby repealed.

Article 12

This law enters into force 15 days following its publication in the Official Journal.

Proclaimed by Decree No. 1293, dated 21. 11. 1995 of the President of the Republic of Albania, Sali Berisha.