

GOVERNMENT OF REPUBLIC OF ARMENIA

DECREE

№ 866-N as of 17 July 2008

ON ESTABLISHMENT STATE COMMITTEE FOR NUCLEAR SAFETY REGULATION UNDER GOVERNMENT OF REPUBLIC OF ARMENIA, APPROVAL OF STATUTE OF STATE COMMITTEE FOR NUCLEAR SAFETY REGULATION UNDER GOVERNMENT OF RA, ITS ORGANIZATIONAL STRUCTURE, COMPOSITION AND SCOPE OF PROPERTIES

In accordance with the article 7 of the Law of the RA on State Administration Authorities and the point 3 of the President Ordinance NH-121-N as of 20 May 2008, the RA Government decrees:

1. To establish a state administration authority “State Committee under the Government of the RA on Nuclear Safety Regulation”.
2. To approve:
 - 1) The Statute of the State Committee under the RA Government on Nuclear Safety Regulation (Attachment 1).
 - 2) Structure of the State Committee under the RA Government on Nuclear Safety Regulation (Attachment 2).
 - 3) Composition and scope of property allocated to the State Committee under the RA Government on Nuclear Safety Regulation (Attachment 3).
3. This decree enters into force the next day after its official publication.

RA Prime Minister

T.Sargsyan

12 August 2008
Yerevan

STATUTE

STATE COMMITTEE UNDER RA GOVERNMENT FOR NUCLEAR SAFETY REGULATION

1. GENERAL PROVISIONS

1. The state committee under the Government of the RA on Nuclear Safety Regulation (hereinafter referred to as the Committee) is the republican body of the executive power implementing the state regulation of atomic energy utilization field on behalf of the Republic of Armenia.
2. The Committee is the legal successor of the regulatory authority for nuclear and radiation safety under the administration of the Ministry for Nature Protection of the RA.
3. The Committee is established, reorganized and dissolved in accordance with the procedure established in the RA legislation, i.e. based on the RA President Ordinance.
4. The jurisdictions of the Committee are established in the Laws of the RA, Ordinances of the RA President, RA Government Decrees, as well as in the international treaties of the RA.
5. The Committee is governed by the RA legislation and other legal acts.
6. The Committee has a round seal with the RA state emblem and its title in Armenian, letterheads and other means of recognition.
7. The Committee consists of the Chairman, deputies, and administration of the Committee (hereinafter referred to as the administration) as well as state non-profit making organizations under its subordination. Under the RA Government decree the Committee can be empowered also to dispose (manage) state stocks or shares.
8. The objectives and tasks of the Committee cover the state regulation of the atomic energy utilization field aimed to ensure the safety of public and personnel, the environmental safety and to defend the safety interests of the RA.

II. FUNCTIONS OF COMMITTEE

9. To implement the tasks and objectives the Committee shall fulfill the following functions in the order established in the RA legislation:
 - 1) Organization of development, development and submission of drafts of safety norms and rules, legal acts related to the atomic energy utilization field to the RA Government in accordance with the established procedure,
 - 2) Licensing of practices and physical persons implementing practices and holding positions important in terms of safety in the atomic energy utilization field,
 - 3) Suspension or termination of license in accordance with the requirements of the international treaties and the RA legislation when non-compliance by a licensee with license terms and conditions is detected,
 - 4) Safety assessment, organization and conduct of expertise of practices, installations and equipment in the atomic energy utilization field,

- 5) Organization and conduct of researches for safety upgrading purposes in the atomic energy utilization field,
- 6) Control over compliance with requirements of RA laws related to the atomic energy utilization field as well as terms and conditions of issued licenses by legal entities and physical persons,
- 7) Verification of QA programs of contractors implementing safety important activities and rendering services to licensees in the atomic energy utilization field,
- 8) Control on preparedness of licensees to possible emergency situations,
- 9) In case of emergencies, assessment of situation and on the basis of prognosis on its possible changes submission of proposals on implementation of necessary protective actions to the state authority of the RA empowered with the responsibility for emergency situation related issues,
- 10) Jointly with the authority empowered with responsibilities for foreign affairs within its jurisdictions control over fulfillment of the RA of commitments undertaken under the international treaties of the RA in the atomic energy utilization field,
- 11) Control on safeguards implementation,
- 12) Imposing sanctions to licensees binding for implementation when non-compliance with requirements specified in the RA legislation related to the atomic energy utilization field and with terms and conditions of issued licenses is detected, and issuing order for termination of activities being implemented in case of threat to the human health and the environment,
- 13) The right to stop immediately the ANPP operation rests with the Chairman, his relevant deputy and the site inspector,
- 14) In accordance with the RA legislation, imposing administrative offences to licensees breaching the RA laws related to the atomic energy utilization field, safety norms and rules, requirements of sanctions imposed, and in the order established in the law, transmission of the materials related to breach to the law enforcement authorities,
- 15) With the purpose to determine the condition of nuclear and radiation safety, inspection of atomic energy utilisation installations and of activities carried out there freely, using the necessary measurement and registration instruments, including audio and video recorders, entering industrial sites of atomic energy utilisation objects freely, taking needed samples and obtaining data, installing necessary devices,
- 16) Involving in the established order specialists from the RA ministries, other state authorities, organizations as well as international organizations in inspection practices,
- 17) Assessment of investigations conducted by operating organization in relation to nuclear and radiological emergencies taken place during operation of atomic energy utilization installations and implementation of additional investigation, as necessary, in accordance with the procedure established by the RA Government and development of database of deficiencies,
- 18) State registration of nuclear materials, ionizing radiation sources and radioactive waste,
- 19) Providing information to state and local authorities, physical persons and mass media on nuclear and radiation safety in accordance with the procedure established in the RA legislation,
- 20) Cooperation with international and foreign competent organizations on safety regulation related issues,
- 21) Coordination of the RA national and regional projects in frame of technical cooperation with the IAEA,
- 22) Making early international notification on an emergency, in accordance with to the provisions of the Convention on Early Notification in case emergencies at the atomic energy utilization installation or in activities implementing there,

- 23) Once a year submitting a report to the RA Government on nuclear and radiation safety situation in the RA, its separate regions or separate atomic energy utilization installations,
- 24) State regulation (within its jurisdictions) of physical protection of nuclear and radioactive materials and atomic energy utilization installations jointly with the RA police and state authority empowered with national security related issues,
- 25) Obtaining information necessary for nuclear and radiation safety assessment from state authorities and organizations in accordance with the procedure established in the RA legislation.
- 26) Adopting ministerial acts,
- 27) Monitoring and controlling exposure to environmental radiation.

III. MANAGEMENT OF COMMITTEE

10. The committee is management by the Chairman of the State Committee under the RA Government for Nuclear Safety Regulation (hereinafter referred to as the Chairman) who is appointed and dismissed by the RA Prime Minister.
11. The Chairman has deputies who are appointed and dismissed by the RA Prime Minister in consultation with the Chairman.
12. The Chairman in his activity follows the RA Constitution, RA laws, ordinances and orders of the RA President, this Statute and other legal acts and international treaties of the RA.
13. The Chairman fulfils the tasks and functions assigned to the Committee and is responsible for development and implementation of the safety policy of the atomic energy utilization field, state-of-the-art and prospective development.
14. The Chairman reports to the RA President, RA Government and RA Prime Minister.
15. The Chairman shall:
 - 1) Within his jurisdictions adopt ministerial acts in the order established in the RA legislation,
 - 2) Manage current activity of the Committee, be responsible for fulfillment of the tasks and functions assigned to the Committee,
 - 3) Make proposals to the RA Government and the Prime Minister in relation to the disciplines, objectives and tasks specified in the laws, other legal acts and this statute,
 - 4) Within his jurisdictions gives orders and instructions, speak on behalf of the RA or the Committee without power of attorney, as well as give power of attorney to speak on behalf of the RA or the Committee, including power of attorney and substitution,
 - 5) Make proposal to the RA Prime Minister in the order established in the RA legislation on appointment and dismissal, application of encouragement and disciplinary measures to the staff manager,
 - 6) In the cases and in accordance to the procedures established in the RA legislation appoint and dismiss persons included in the first group of chief and senior civil service posts, as well as apply encouragement and disciplinary measures,
 - 7) Appoint and dismiss his advisors, press secretary and assistant, directors (director, executive director) of non-profit making organizations and entities and 100 percent shared companies under subordination of the Committee, as well as apply encouragement measures and disciplinable actions,
 - 8) Establish rights of structural divisions within the administration,

- 9) Approve statutes, staff list and estimate expenditures of the structural divisions within the administration,
 - 10) Make work distribution among his deputies,
 - 11) Within the jurisdictions specified in the law and this statute terminate and revoke orders, instructions, tasks in conflict with the RA legislation that are issued to the staff manager, heads of departments, directors of 100 percent share-owned companies,
 - 12) Hear and submit the annual report and the annual balance of the administration for approval of the RA Government; scrutinize examination results of aforementioned mentioned report and balance, approve the annual estimate expenditure, its actual employment and examination results of credibility of financial reports,
 - 13) Control over preservation and alienation of property allocated to the administration,
 - 14) Submit the committee statute and structure of administration to the RA Government for approval,
 - 15) Submit the staff number of the committee to the RA Prime Minister for approval,
 - 16) In the cases and in accordance with the procedure established in the law, grant as well as decreases and deprives grades to 1-st, 2-nd and 3-rd grade counsel of the RA civil service,
 - 17) Grant grades in the order establishes in the RA legislation,
 - 18) Establish advisory bodies,
 - 19) Fulfill other jurisdictions specified in the law, other legal acts and this statute.
16. In case of absence of the Chairman, his responsibilities are fulfilled by one of the deputies under the order issues by the Chairman.
17. The deputy chairman of the committee shall:
- 1) Coordinate activities in disciplines under his responsibility within the committee system aimed to implement the policy of the committee,
 - 2) Within his jurisdictions coordinate activities to ensure the policy of the disciplines under his responsibility through structural and local (separate) departments by issuing instructions and tasks,
 - 3) In line with the objectives and tasks of the committee, give specific tasks to the bodies within the committee system for the disciplines under his responsibility and control over implementation,
 - 4) At the request of the Chairman organize preliminary discussions of issues to be further discussed at the Chairman's office,
 - 5) Within his jurisdictions cooperates with other state authorities, organizations and entities,
 - 6) Coordinate development and implementation of relevant development programs in the disciplines under his responsibility,
 - 7) Submit regular report to the Chairman on situation existing in the disciplines under his responsibility,
 - 8) Ensure control over orders and instructions issued by the Chairman in the disciplines under his responsibility and report on results to the Chairman,
 - 9) Make proposals to the Chairman and the staff manager on issues related to their jurisdictions,
 - 10) Fulfill other functions at the request of the Chairman.

IV. ADMINISTRATION

18. The goal and task of the administration is to ensure effective and complete implementation of the jurisdictions specified in this statute and other legal acts as well as involvement of the committee in the civil legal relationships.
19. The administration is a state administration body without the status of legal entity, i.e. in the order established in the RA legislation it is subject to registration by the body responsible registration of legal entities.
20. The administration is governed by the RA Civil Code, Law of the RA on State Administration Bodies, other laws and legal acts of the RA, international treaties of the RA and this statute.
21. The administration, within its jurisdictions, on behalf of the RA may acquire and exercise property and individual non-property rights, bear liabilities, lay before the court as plaintiff and respondent.
22. The administration has a round seal with the RA state emblem and its title in Armenian, letterheads and other means of recognition
23. The administration has its independent balance.
24. The administration cannot practice entrepreneurship activity. Only state tax can be charged against activities and services rendered by the administration at the rate and in the order established in the law.
25. Financial transactions of the administration are made via the treasury system. Purchases for needs of the administration as well as purchases within the budget programs under the responsibility of the committee are made in the order established in the law of the RA on purchases.
26. Responsibility for the duties of the administration rests with the RA.
27. The title of the administration is the administration of the state committee under the RA Government for nuclear safety regulation.
28. The address of the committee staff is Yerevan, Tigran Mets 4 str.

V. PROPERTY OF ADMINISTRATION

29. The property of the administration consist of properties (including rights for property) obtained on behalf of the RA Government and the RA in frame of transactions made on behalf of the RA government and transferred (fixed) for possession, use and disposal of the committee and is accounted for in its balance.
30. The RA Government has right to take property from the committee any time.
31. The administration has the right, in the cases and orders established in the law, other legal acts and its statute, to posses, use and dispose property for its intent and for fulfillment of purposes of its activities.

VI. STRUCTURE OF ADMINISTRATION

32. The structure of the administration includes structural divisions (departments, sections).
33. The Statutes of the structural divisions of the Committee are approved by the Chairman.

VII. MANAGEMENT OF ADMINISTRATION

34. The Committee is managed by the RA Government and the Chairman within the jurisdictions specified in the law and this statutes.
35. The administration is managed by the staff manager of the committee.
36. The RA Government shall:
 - 1) Reorganize and terminate activity of the administration,
 - 2) Approve the statute of the committee and amendments implemented in it,
 - 3) Make decision on composition and quantity of property allocated to the administration,
 - 4) Approve the structure of the administration,
 - 5) Fulfill other jurisdictions established in the RA Constitution and law.
37. The staff manager within jurisdictions assigned to him under the law and other legal act, orders of the Chairman and this statute manages current activity of the committee and bears liability for non-compliance or non appropriate compliance with requirements specified in the laws, other legal acts, orders of the Chairman and this Statute.
38. In the order established in the law the staff manager bears liability for damage caused to state property by his fault. The termination of liabilities of the staff manager cannot be the basis for non-fulfillment of liabilities for compensation of damage caused to property.
39. The staff manager shall not comply with decisions, instructions and orders issued by the RA Government, the Chairman that is in conflict with the RA legislation.
40. The staff manager of the committee shall:
 - 1) Without power of attorney within his jurisdictions speak on behalf of the RA and represent its interest, within his jurisdictions lay before the court as plaintiff and respondent, issue authorizations to prosecute a case and other lawsuits,
 - 2) Dispose property, including financial means allocated to the committee in the order established in the law, other legal acts, by the RA Government and this Statute,
 - 3) Within his jurisdictions give power of attorney to speak on behalf of the RA, also give power of attorney and substitution,
 - 4) Ensures the fulfillment of functions related to management of the administration as established in the law of the RA on civil service and other legal acts,
 - 5) Appoint and dismiss employees of the committee within his jurisdictions, apply encouragement and disciplinary measures within his jurisdictions as established in the law and this statute,
 - 6) In the cases and in accordance with the procedure specified in the law grants 1,2 and 3 grades of junior civil servant and 1,2,3 grades of leading civil servant, as well as decrease and deprive grades,
 - 7) Issue orders, mandatory instructions within his jurisdictions as specified in the law, other legal acts and this statute,
 - 8) Submit annual reports and annual balance of the administration to the Chairman for approval, also ensures maintaining book-keeping, development of financial reports and submission, submits for the Chairman's approval the annual expenditures estimate, its actual employment, annual financial reports and annual balance, undertake measures to eliminate detected financial deficiencies,
 - 9) Submit proposals on main disciplines of the administration to the Chairman,

- 10) Make preparations for budget drafting and ensures making budget costs expenses,
 - 11) Organize discussions in the Committee,
 - 12) Control over implementation of activities by the administration in the established deadlines,
 - 13) Submit the Chairman's orders as well as instructions to the Chairman for signature,
 - 14) Ensure cooperation with administrations of state authorities of the RA,
 - 15) In the cases and in accordance with the procedure established in the RA legislation appoint and dismiss 2-nd and 3-rd groups of chief civil servants, and also junior and leading civil servants as well as applies encouragement and disciplinary measures to them.
 - 16) Organize paper work and technical servicing of the committee,
 - 17) Exercise other rights as established in the law, other legal acts and this statute.
41. The chief financier of the administration, i.e. staff manager, manages financial and book-keeping activities of the administration, is subordinated to directly to the Chairman and fulfills rights assigned under the law of the RA on treasury system.
 42. In case of absence of the staff manager his substitution is arranged in accordance with the procedure specified in the law of the RA on Civil Service.
 43. The chief financier of the committee is responsible for book-keeping, development in a timely manner of financial, budget, tax, statistics, and mandatory payments reports.

VIII. ACCOUNTAN AND REPORTS

44. The administration, in the order established in the RA legislation, maintains accountancy and submits financial, tax, customs, mandatory payments and statistic reports, estimates and declarations to the relevant authorities.
45. Credibility of the annual financial reports of the administration can be subject to audit (re-examination) in the order established by the RA Government.

IX. REORGANIZAITON AND TERMINATION OF ACTIVITY OF ADMINISTRATION

46. The procedure and conditions on reorganization and termination of activities of the administration are established in the law.

**STRUCTURE
OF STATE COMMITTEE UNDER RA GOVERNMENT FOR NUCLEAR SAFETY REGULATION**

Structural divisions

I. Departments

Nuclear Safety department

Radiation Safety department

II. Sections

Technical Section

General Services Section

Finance and Accounting Section

Section for Nuclear Information and International Cooperation

Section for Legislation and Licensing

Section for Staff Management