

ON USE OF NUCLEAR ENERGY

Invalidated Unofficial translation

Law of the Republic of Kazakhstan dated 14 April 1997 No. 93

Footnote. In the text the words “competent state bodies”, “competent state body”, “state competent bodies”, “state competent bodies on use of nuclear energy” are substituted respectively by the words “authorized body” – by the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005).

The Law determines legal ground and principles of regulating public relations in the field of use of nuclear energy and is oriented to protection of health and life of people, environmental protection, ensuring of the regime of non-proliferation of nuclear arms, nuclear and radiation safety upon use of nuclear energy.

Chapter 1. GENERAL PROVISIONS

Article 1. Basic definitions

The following basic definitions shall be used in the Law:

state regulation – the activity of authorized body on development, approval and introduction of regulations and rules into effect on nuclear and radiation safety, licensing of types of activity in the scope of use of nuclear energy and permitting
c o n t r o l ;

disposal – placement of radioactive wastes without intention of their exemption upon conditions ensuring nuclear and radiation safety;

supervision – actions of authorized body on inspection of fulfillment of regulatory legal acts of the Republic of Kazakhstan, conditions of licenses and international treaties within the competence for the purpose of regulation of the process of using
n u c l e a r e n e r g y ;

disposal points – special stationary objects and structures intended for storage of radioactive substances or disposal of radioactive wastes;

radiation safety – state of radiation situation ensured by a set of measures restricting radiation action on staff, population and environment in accordance with
e s t a b l i s h e d s t a n d a r d s ;

radioactive substances – materials containing chemical elements, the cores of which are able to spontaneous decay;

radioactive wastes – materials and substances in any aggregate state containing radioactive substances in quantities and concentrations exceeding the designations regulated by regulatory legal acts, formed in the result of economic activity and not subjected to further use;

special non-nuclear materials – materials determined by sublegislative acts as due to international legal regime of regulating nuclear export;

goods and services in the field of use of nuclear energy – nuclear facilities, equipment, technology, radioactive substances, special non-nuclear materials used for production of nuclear materials, sources of ionizing radiation, as well as services linked with them;

authorized body in the field of use of nuclear energy – (hereinafter – authorized body) central executive body carrying out realization of state policy in the field of nuclear energy, non-proliferation of nuclear arms and regulation of safety use of nuclear energy in the Republic of Kazakhstan.

exemption level – set of quantities expressed in activity units upon which or below which the sources of ionizing radiations may be left out of control in accordance with current regulations;

Physical protection of nuclear materials and nuclear facilities – unified system of organizational and technical measures oriented to prevention of unauthorized access of persons to nuclear materials and facilities;

storage – temporary placement of radioactive substances and radioactive wastes in special prepared places (as well as in special containers) intending possibility of their exemption for use, processing or disposal;

operating organization – organization having a license of the authorized body for carrying out the activity on use of nuclear energy;

nuclear safety – property of nuclear object ensuring impossibility of nuclear accident with particular probability;

nuclear materials – materials containing or enabling reproduction of fissionable (fissile) nuclear substances;

nuclear facilities – nuclear reactors as well as reactors of nuclear power stations, space and flight facilities, transport vehicles; industrial, experimental research reactors, nuclear stands; any other structures, complexes, installations, equipment and technical means for production, use, processing, transportation and placement of nuclear materials.

Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 17.07.2009 No. 188-IV (the order of enforcement see Article 2); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated

16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan in the field of use of nuclear energy

Legislation of the Republic of Kazakhstan in the field of use of nuclear energy is based on the Constitution of the Republic of Kazakhstan, consists of this Law, other legislative and regulatory legal acts of the Republic of Kazakhstan regulating the issues of use of nuclear energy.

Article 3. Basic principles of state policy in the field of use of nuclear energy

1. Basic principles of state policy in the field of use of nuclear energy are:
ensuring of nuclear and radiation safety upon use of nuclear energy;
availability, objectivity and timeliness of information on effect of objects of nuclear energy on population and environment;
prohibition of disposal of radioactive wastes of other states in the territory of the Republic of Kazakhstan;
ensuring of state control of nuclear and radiation safety upon use of nuclear energy;
ensuring of social security of staff of objects of using nuclear energy, as well as population residing and carrying out labour activity in the districts of their location;
compensation for damage inflicted by radiation effect;
participation of citizens, public associations and other legal entities in discussion of state policy, draft laws and other regulatory legal acts of the Republic of Kazakhstan in the field of using nuclear energy.

2. Any activity of legal entities and individuals in the territory of the Republic of Kazakhstan on use of nuclear energy for the purpose of development, creation, production, test, storage and proliferation of nuclear arms shall be expressly prohibited.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 4. Objects and subjects in the field of use of nuclear energy

Objects of using nuclear energy are:
nuclear facilities;
disposal points;

sources of ionizing radiation higher than exemption level;
organizations using the sources of ionizing radiation including medical, educational
, research, commercial, agricultural and industrial as well as mining, processing and
other organizations.

Subjects in the field of using nuclear energy are:
individuals;
authorized body of regulation, control and management;
organizations engaged in activity on using nuclear energy.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 5. Main types of activity in the field of using nuclear energy

1. To activity linked with use of nuclear energy it shall be referred:
placement, designing, structure, putting into operation, operation, conservation and
removal from operation of objects of using nuclear energy;
performance of works and provision of services linked with use of nuclear energy,
with the exception of activity accredited in a system of technical regulation of research
laboratories using the sources of ionizing radiation lower than exemption level;
handling with nuclear materials, sources of ionizing radiation and radioactive
substances, prospecting and extraction of mineral products containing these materials
and substances, as well as production, use, processing, transportation and placement of
nuclear materials, radioactive substances and radioactive wastes;
carrying out of scientific researches with use of nuclear facilities, sources of
ionizing radiation, nuclear materials and radioactive substances;
management of using nuclear energy;
all the types of activity at the places of nuclear explosions;
safety ensuring upon use of nuclear energy;
physical protection of nuclear facilities and nuclear materials;
record and control of nuclear materials, sources of ionizing radiation, radioactive
substances and radioactive wastes;
export and import of nuclear materials, technology and equipment, special
non-nuclear materials; materials, technology and equipment of double purpose, sources
of ionizing radiation, radioactive substances;
control of radiation situation in the territory of the Republic of Kazakhstan;
transit carriage of nuclear materials and radioactive substances through the territory
of the Republic of Kazakhstan;

preparation and attestation of specialists and staff.

2. All the types of activity linked with use of nuclear energy shall be carried out under permanent control from the side of the state.

3. State control in the field of use of nuclear energy shall be carried out in the form of inspection and other forms.

Inspection shall be carried out in accordance with the Law of the Republic of Kazakhstan “On state control and supervision in the Republic of Kazakhstan”. Other forms of state control shall be carried out in accordance with the Law.

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 12.01.2007 No. 222 (shall be enforced upon expiry of 6 months from the date of its official publication); dated 17.07.2009 No. 188-IV (the order of enforcement see Article 2); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 6. Ownership of objects of using nuclear energy

Owners of objects of using nuclear energy may be only legal entities with any form of ownership.

Chapter 2. STATE BODIES OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF USING NUCLEAR ENERGY

Article 7. Competence of the Government of the Republic of Kazakhstan in the field of using nuclear energy

The Government of the Republic of Kazakhstan shall determine:

1) state regulation of safety use of nuclear energy, control and licensing of types of activity in the scope of using nuclear energy and permitting control;

2) is excluded dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

3) management and development of nuclear power engineering and industry.

Footnote. Article 7 is in the wording of the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 8. Competence of the authorized body

Competence of the authorized body is:

1) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication) ;

2) development, establishment and adoption of regulations and rules regulating the activity linked with use of nuclear energy on the basis and in pursuance of the legislation of the Republic of Kazakhstan;

3) carrying out of licensing in the scope of use of nuclear energy and permitting control in accordance with the legislation of the Republic of Kazakhstan in permits and notifications ;

4) carrying out of control of compliance with rules and regulations in the field of using nuclear energy ;

5) conduct of inspections linked with fulfillment of own powers;

6) carrying out of state control of radiation situation in the territory of the Republic of Kazakhstan ;

7) carrying out of state record and control of nuclear materials and sources of ionizing radiation ;

8) carrying out of request and receipt of details and documents from individuals and legal entities required for solution of the tasks imposed on it;

9) transfer of materials to law enforcement bodies for solution of questions on bringing to responsibility on facts of the breach of the Law in accordance with the legislation of the Republic of Kazakhstan;

10) carrying out of cooperation with competent bodies of other states and international organizations on the issues of safety upon use of nuclear energy and on the problems of non-proliferation of nuclear arms and control of nuclear materials;

11) development and approval of the forms of compulsory departmental reporting, prompt sheets, risk assessment criteria, semi-annual plans of conducting the inspections in accordance with the Law of the Republic of Kazakhstan “On state control and supervision in the Republic of Kazakhstan”.

Footnote. Article 8 is in the wording of the Law dated 17.07.2009 No. 188-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 19.03.2010 No. 258-IV; dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 9. Rights of civil servants of the authorized body

Civil servants of authorized body during fulfillment of their direct duties shall have the right to :
unimpeded access to objects of using nuclear energy in established manner and to documents characterizing their activity;
suspend or raise a question on termination of activity of legal entities linked with use of nuclear energy in case of security threat of population or environment.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005).

Article 10. Independence of authorized body

Authorized body shall be administratively and financially independent from other executive bodies, organizations, the activity of which is linked with development and use of nuclear energy .

Impeding of activity of civil servants of authorized body during fulfillment of their official duties shall not be allowed.

Chapter 3. COMPULSORY CONDITIONS OF ACTIVITY LINKED WITH USE OF NUCLEAR ENERGY

Article 11. Licensing of activity linked with use of nuclear energy

The activity linked with use of nuclear energy shall be subject to compulsory licensing in the manner established by the legislation of the Republic of Kazakhstan on permits and notifications .

Authorized body shall have the right to suspend the validation of licenses for the types of activity in the scope of use of nuclear energy for the term no more than six months in the following cases upon:

- 1) radiation accidents and (or) emergency situations;
- 2) violation of requirements of nuclear and (or) radiation safety upon handling, storage, carriage, record and control of nuclear materials, radioactive wastes, sources of ionizing radiation detected in the result of inspections;
- 3) detection of inaccurate information;
- 4) non-performance of prescriptions of authorized body within established terms.

Upon suspension of validation of a license, the authorized body shall direct decision to a licensee on suspension of validity of the license with specification of the

reasons of suspension and terms for elimination of violations.

Footnote. Article 11 is in the wording of the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Article 12. Nuclear and radiation safety

1. Activity linked with use of nuclear energy shall be carried out upon condition of ensuring of protection of health of population and environment, protection of property of individuals and legal entities from adverse effect of ionizing radiation.

2. Operating organization shall be obliged to notify the authorized body on any accident and (or) emergency situation linked with the activity in the scope of using nuclear energy within the terms established by the legislation of the Republic of Kazakhstan on civil protection.

3. Nuclear and radiation safety shall be ensured by operating organization in accordance with established regulations and rules in the field of safety of the activity linked with use of nuclear energy including handling or performance of any actions, operations with nuclear facilities, nuclear materials, radioactive wastes, storages of radioactive wastes and (or) spent fuel, radioactive substances higher than exemption level, devices and installations containing radioactive substances higher than exemption level or generating (able to generate) ionizing radiation, as follows:

nuclear facilities;

nuclear facilities of general purpose;

installations on manufacturing and production of nuclear fuel;

nuclear electric power installations with specification of the type of reactor.

Disposal points:

disposal points (storages) of radioactive wastes of general purpose;

storages of high-level radioactive wastes;

storages of medium-level radioactive wastes;

storages of low-level active radioactive wastes;

storages of spent fuel.

Substances and materials:

nuclear materials with specification of isotopic composition;

radioactive substances higher exemption levels with specification of composition of radioactive elements, limiting rate of activity and aggregative state of radioactive substances.

Radioactive wastes:

high-level radioactive wastes with specification of limiting rate of activity, type and aggregative state of wastes;

medium-level radioactive wastes with specification of limiting rate of activity, type and aggregative state of wastes;
low-level radioactive wastes with specification of limiting rate of activity, type and aggregative wastes.

Industrial equipment:
industrial x-ray equipment of general purpose;
industrial radioisotopic equipment of general purpose;
radioisotopic sensors and measuring instruments;
x-ray inspectoscopes;
radioisotopic inspectoscopes;
x-ray analyzers;
x-ray inspection equipment;
radioisotopic inspection equipment;
inspection equipment on the basis of charge particle accelerators;
industrial charge particle accelerators.

Medical diagnostic equipment:
medical x-ray equipment of general purpose;
medical x-ray dental equipment;
medical x-ray mammographic equipment;
medical x-ray angiographic equipment;
medical computer x-ray tomographs;
medical radioisotopic diagnostic equipment;
medical charge particle accelerators.

Medical therapeutic equipment:
medical x-ray therapeutic equipment;
medical x-ray simulators;
medical charge particle accelerators;
medical gamma-ray teletherapy units.

Footnote. Article 12 is in the wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Article 13. Handling with radioactive wastes

1. All the radioactive wastes created in the territory of the Republic of Kazakhstan shall be disposed in such a manner to ensure radiation protection of population and environment for the whole period within which they may represent potential danger.

2. Disposal of radioactive wastes shall be provided by draft and technical documentation as compulsory stage of any type of activity leading to creation of radioactive wastes. Procedure for organization of collection and disposal of radioactive wastes, as well as bodies and organizations carrying out this activity shall be determined by the authorized body in accordance with the legislation of the Republic of Kazakhstan.

3. Upon use of radioactive materials and wastes, environmental requirements established by the Environmental Code of the Republic of Kazakhstan shall be observed.

Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 9 January 2007 No. 213 (the order of enforcement see Article 2); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 14. Physical protection of nuclear materials and nuclear facilities

1. Ensuring of physical protection of nuclear materials and nuclear facilities shall be carried out at all the stages of building, operation and removal from operation of objects where the operations with nuclear materials are conducted, as well as upon transportation of these materials.

2. Operation of nuclear facilities and performance of any works linked with nuclear materials being at any stage of production, use, processing or storage shall be prohibited if the measures ensuring performance of requirements of physical protection are not taken.

3. Physical protection of nuclear materials and nuclear facilities shall be ensured by operating organizations. Control of ensuring physical protection of nuclear facilities and nuclear materials shall be carried out by the authorized body.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 15. Record and control of nuclear materials and sources of ionizing radiation

1. Nuclear materials and sources of ionizing radiation shall be subject to state record and control. For these purposes, the authorized body shall create state systems of record and control of nuclear materials and sources of ionizing radiation.

2. State systems of record and control of nuclear materials and sources of ionizing radiation shall ensure determination of available quantity of nuclear materials and

sources of ionizing radiation, their location areas, prevention of losses, unsanctioned use and stealing, provision of operative information on existence and movement of nuclear materials and sources of ionizing radiation, as well as details on discarding and disposal of sources, on export and import of sources and nuclear materials to the authorized body of the Republic of Kazakhstan, and in cases provided by international treaties – to international organizations and other states.

3. Operating organization carrying out the activity with use of nuclear materials and sources of ionizing radiation, ensure their record and provision of reliable data to the authorized body.

4. Procedure for organization of state systems of record and control of nuclear materials and sources of ionizing radiation shall be established by the authorized body.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 16. Main safety requirements upon choice of sites and structure of nuclear facilities and disposal points

Choice of a site and structure of nuclear facilities and disposal points shall be carried out in the basis of regulations and rules in the field of using nuclear energy and in the field of environmental protection.

Decision on structure of nuclear facility and disposal point shall be adopted by the Government of the Republic of Kazakhstan under agreement of local representative bodies of the relevant administrative-territorial entity in recognition of: their necessity for solution of economic tasks of the country and its separate regions ;

existence of necessary conditions answering for regulations and rules in the field of use of nuclear energy for placing the mentioned objects;

absence of security threat to the mentioned objects from the side of civilian and military objects located nearby;

environmental requirements established by environmental legislation of the Republic of Kazakhstan ;

possible social and economic consequences of placing the mentioned objects for industrial, agricultural, social and cultural and general development of a region.

Draft documents of the mentioned objects shall compulsorily pass state environment, sanitary and technical expert examination.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 9 January 2007 No. 213 (the order of enforcement see Article 2).

Article 17. Requirements on carriage of nuclear materials and sources of ionizing radiation

1. Carriage of nuclear materials and sources of ionizing radiation shall be carried out in accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

2. Rules of carriage of nuclear materials and sources of ionizing radiation shall provide the rights, obligations and responsibility of a sender of freight, carrier and receiver of freight, measures of safety, physical protection, system of coordinated measures on non-admission of traffic incidents and accidents, requirements to package, marking and transport vehicles, measures on localizing and rectification of the consequences of possible accidents.

Article 18. Main requirements to operating organization

1. Operating organization shall bear full responsibility for safety of nuclear facility, source of ionizing radiation, disposal point, as well as for proper handling with nuclear materials and radioactive substances. Responsibility for safety of nuclear facility, source of ionizing radiation, disposal point shall be preserved even in case of termination of validation of a license until transfer of the mentioned objects to other operating organization or receipt of new license.

2. Operating organization shall be obliged to:
have necessary financial, material technical and human resources being sufficient for safety ensuring of the activity at all the stages upon use of objects of nuclear energy ;

provide measures and ensure means for performance of works linked with removal of objects of using nuclear energy from operation, recultivation of territory, disposal of radioactive wastes, liquidation of consequences of emergency situations, compensation for harm to health and life of people and environment, as well as property of citizens and organizations .

3. Operating organization shall ensure:
use of nuclear facility, source of ionizing radiation and disposal point only for the purposes for which they are intended;
organization and coordination of development and performance of quality assurance programs at all the stages of putting into operation, operation and removal from operation of nuclear facility, source of ionizing radiation and disposal point;
development and realization of measures of emergency preparedness and emergency prevention activities on a nuclear facility, source of ionizing radiation and disposal point, as well as measures on reduction of negative consequences of accidents

for workers of mentioned objects, population and environment; record of individual doses of workers of objects of using nuclear energy and implementation of their rights for compensations.

4. Staff of operating organization shall conduct attestation in the manner established by the authorized body.

Footnote. Article 18 as amended by the Laws of the Republic of Kazakhstan dated 20 December 2004 No. 13 (shall be enforced from 1 January 2005); dated 7 May 2007 No. 244; dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Chapter 4. EXPORT AND IMPORT OF GOODS AND SERVICES IN THE FIELD OF USING NUCLEAR ENERGY

Article 19. Carrying out of export and import of goods and services in the field of using nuclear energy

Export and import of goods and services in the field of using nuclear energy including transfer, sale or purchase in commercial purposes or transfer of non-commercial nature shall be controlled by the authorized body and carried out in accordance with the legislation of the Republic of Kazakhstan, as well as international treaties ratified by the Republic of Kazakhstan.

Article 20. Procedure for carrying out export and import of goods and services in the field of using nuclear energy

Procedure for carrying out export and import of nuclear materials, technology, equipment and nuclear facilities, special non-nuclear materials, sources of ionizing radiation, radioactive substances and radioactive wastes shall be established by the legislation of the Republic of Kazakhstan.

Chapter 5. RIGHTS AND OBLIGATIONS OF CITIZENS, PUBLIC ASSOCIATIONS AND ORGANIZATIONS

Article 21. Rights of citizens, public associations and organizations in the field of using nuclear energy

Citizens of the Republic of Kazakhstan, public associations and organizations shall have the right to receive information through the authorized body and mass media on safety of

objects of using nuclear energy being planned for construction, subject to designing, building, operating and removing from operation, on carried control of radiation situation at their residence places or on carrying out of labour activity, as well as on doses of received radiation;

participate in discussion of policy, draft legislative acts and programs in the field of using nuclear energy;

carry public environmental expert examination of draft documents and control of radiation situation of environment in accordance with the legislation of the Republic of Kazakhstan;

visit nuclear facilities, disposal points and disposals in established manner for informational purpose;

compensation for losses and harm in a result of nuclear or radiation accident at the expense of operating organization that admitted the accident;

compensations for negative effect of ionizing radiation for health of a man upon excess of specified limit of the radiation doses and for additional factors of risk at the expense of operating organization in the manner established by the legislation.

Article 22. Obligations of citizens, public associations and organizations in the field of using nuclear energy

Citizens, public associations and organizations shall be obliged to comply with the legislation regulating use of nuclear energy, to perform the requirements of regulations and rules of safety in the field of using nuclear energy, as well as to perform requirements of civil servants of organizations on use of nuclear energy.

Chapter 6. RESPONSIBILITY FOR BREACH OF THE LEGISLATION IN THE FIELD OF USE OF NUCLEAR ENERGY

Article 23. Responsibility for violation of regulatory legal acts and solution of disputes in the field of use of nuclear energy

1. Citizens, civil servants being guilty in violation of established regulations, standards and rules in the field of using nuclear energy, creation of conditions and prerequisites to occurrence of accidents shall bear responsibility in accordance with the legislation of the Republic of Kazakhstan.

2. For unsubstantiated refusal from provision of information, for intentional misrepresentation or for hiding of information, as well as for distribution of untrustworthy information on the issues of use of nuclear energy, heads of

organizations, as well as of public organizations (associations) and mass media shall bear responsibility in accordance with the legislation of the Republic of Kazakhstan.

3. Disputes on the issues of applying the legislation on use of nuclear energy shall be considered in a judicial proceeding.

4. Decision of the authorized body may be appealed in the manner established by the legislation of the Republic of Kazakhstan. Filing of a complaint shall not suspend the force of decision adopted by the authorized body.

Article 24. Compensation for harm inflicted due to improper use of objects of nuclear energy

1. Harm inflicted to health of citizens, as well as their death due to improper use of objects of nuclear energy shall be subject to compensation at the expense of a person that inflicted the harm in full measure, in recognition of a degree of loss of labour capacity of an injured person, expenses for his (her) medical treatment, health resumption, medical attendance, assigned benefits in accordance with the legislation of the Republic of Kazakhstan.

2. In the manner established by the legislation, legal entities and individuals shall have the right to require full compensation of material damages due to improper use of objects of nuclear energy by organizations and citizens from persons that inflicted the harm and expenses for organizations independently from the forms of ownership, for private persons participated in accident rescue operations and liquidation of consequences of improper use of objects of nuclear energy.

3. Legal entities and individuals that are guilty in improper use of objects of nuclear energy shall be obliged to compensate inflicted damage to the land, water, vegetable and animal world including the costs for recultivation of lands and on restoration of natural soil fertility.

Chapter 7. INTERNATIONAL TREATIES

Article 25. International treaties in the field of use of nuclear energy

If international treaty ratified by the Republic of Kazakhstan establishes other provisions than those contained in the legislation of the Republic of Kazakhstan on use of nuclear energy, the provisions of international treaty shall be applied.

T h e P r e s i d e n t

of the Republic of Kazakhstan

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