BELGIUM

Belgium is a member country of the OECD Nuclear Energy Agency. For more information on the legal, regulatory and institutional frameworks for nuclear activities in Belgium, see here.

1. APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME

International convention(s):
- 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy ("Paris Convention")
- 1963 Brussels Convention Supplementary to the 1960 Paris Convention ("Brussels Supplementary Convention")

National law(s):
- Law of 22 July 1985 on civil liability in the field of nuclear energy, as amended by the Law of 29 June 2014 (the "Law of 22 July 1985"), available in Dutch and French

2. NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)

Transport to/from a nuclear installation located in Belgium ("the Country"):
EUR 297 million

[The Royal Decree of 28 December 2011, in application of article 7 of the Law of 22 July 1985 establishes a maximum liability amount for the operator or the carrier, available in Dutch and French]

Belgium being party to the Paris Convention, amounts of nuclear liability for transport applicable to operators of nuclear installations situated in the territory of a Contracting Party to the Paris Convention shall be determined by the national legislation of the operator liable wherever the nuclear incident occurs [i.e. Article 7(d) of the Paris Convention applies].

Transit through the Country:
There are no specific provisions on the amounts of nuclear liability applicable to transit under the Law of 22 July 1985.

The requirements relevant to transport will also apply to transit, subject, however, to Article 16 of the Law of 22 July 1985, which provides that transit of nuclear substances through the territory of Belgium is subject to the condition that the foreign carrier fulfils at least the same obligations as those of the operator of a nuclear installation in Belgium [i.e. Article 7(e) of the Paris Convention applies].

3. FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)

Domestic transport:
EUR 297 million

International transport to/from a nuclear installation located in the Country:
EUR 297 million

Transit through the Country:
EUR 297 million

Belgian law does not provide that certificates of financial security detail the amount applicable for each transit country.
4. **CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

**Certificate of Financial Security for national transports:**

Required [Article 15 of the Law of 22 July 1985]

All carriers of nuclear substances need to be provided with a certificate delivered by or on behalf of the insurance/financial security provider certifying compliance with Article 8 [of the Law of 22 July 1985]. This certificate should correspond to the requirements of Article 4(d) of the Paris Convention.

Belgium does not follow the model certificate of financial security provided in the Steering Committee Recommendation of 8 June 1967 [NE/M (67)1].

A model certificate is provided in the Annex to the Royal Decree of 28 April 1986 (available in Dutch and French), that should be used for transport of nuclear substances. Its purpose is to ensure that financial security certificates comply with the Paris Convention requirements, as prescribed by the Law of 22 July 1985.

**Type of Certificate of Financial Security for international carriage:**

- International transport to/from a nuclear installation located in the Country:
  
  Required
  
  [Article 15 of the Law of 22 July 1985]

  Belgium does not follow the model certificate of financial security provided in the Steering Committee Recommendation of 8 June 1967 [NE/M (67)1].

  A model certificate is provided in the Annex to the Royal decree of 28 April 1986 (available in Dutch and French), that should be used for transport of nuclear substances. Its purpose is to ensure that financial security certificates comply with the Paris Convention requirements, as prescribed by the Law of 22 July 1985.

**Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:**

- International transport to/from a nuclear installation located in the Country:
  
  No specific requirement

- Transit through the Country:
  
  Required

  While the Law of 22 July 1985 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

5. **ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY**

**Transport from/to a nuclear installation located in the Country:**

- Operator
- National carrier
- Foreign carrier

[Articles 14 to 16 of the Law of 22 July 1985]

**Transit through the Country:**

- Operator
- National carrier
- Foreign carrier

While the Law of 22 July 1985 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.
6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

Exclusion of small quantities of nuclear substances:⁵
Not applied under national legislation

Exclusion of radioisotopes which have reached the final stage of fabrication:⁶
Not applied under national legislation

Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):⁷
Not applied under national legislation

7. COMPETENT PUBLIC AUTHORITIES

In charge of verifying the certificate of financial security:
SPF Economie, DG Réglementation économique, Assurances

In charge of authorising a national/foreign carrier to bear nuclear liability:
SPF Economie, DG Réglementation économique, Assurances

In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:
SPF Economie, DG Réglementation économique, Assurances

Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):
The Federal Agency for Nuclear Control (FANC/ AFCN)

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

SPF Economie, DG Réglementation économique, Assurances
Email: [to be provided] / Phone: [to be provided]
NOTES

1. “Transport” means an international or domestic carriage of nuclear substances by any means of transportation (i.e., sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.

2. “Transit” means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.

1. All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the Paris Convention and the Revised Paris Convention, Article V.3 of the Revised Vienna Convention, and Article 6.1 of the Annex to the Convention on Supplementary Compensation (CSC).

2. Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and the Revised Paris Convention, and Article 6.2 of the Annex to the CSC.

2. National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(c) of the Paris Convention and the Revised Paris Convention, and Article III of the Revised Vienna Convention.

3. The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NEA/M(67)1 - NEA(67)9]. There is no distinction between transport and transit regarding this recommendation.

4. The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Revised Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NEA/M(67)1 - NEA(67)9]. There is no distinction between transport and transit regarding this recommendation.

5. The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Revised Vienna Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NEA/M(67)1 - NEA(67)9]. There is no distinction between transport and transit regarding this recommendation.

6. National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(d) of the Paris Convention and Article 4(e) of the revised Paris Convention, Article II.2 of the Vienna Convention and the revised Vienna Convention, Article 3.2 of the Annex to the CSC.

5. For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [NEA/SUM(2016)2 - NEA/NE(2016)8/FINAL]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

6. See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [NEA/SUM(2018)1 - NEA/NE(2018)3/FINAL]; Article I.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article I.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.

7. See the Steering Committee Decision of 27 October 1977 [NEA/M(77)2 - NEA(77)20]. There is no distinction between transport and transit regarding this exclusion.
Belgium is a member country of the OECD Nuclear Energy Agency. For more information on the legal, regulatory and institutional frameworks for nuclear activities in Belgium, see here.

1. **APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME**

   **International convention(s):**
   - 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy, as Amended by the 2004 Protocol ("Revised Paris Convention")
   - 1963 Brussels Convention Supplementary to the 1960 Paris Convention, as Amended by the 2004 Protocol ("Revised Brussels Supplementary Convention")

   **National law(s):**

2. **NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)\(^1\)**

   **Transport to/from a nuclear installation located in Belgium ("the Country"):**
   EUR 297 million

   [The Royal Decree of 28 December 2011, in application of article 7 of the Law of 22 July 1985, establishes a maximum liability amount for the operator or the carrier, available in Dutch and French]

   Belgium being party to the Revised Paris Convention, amounts of nuclear liability for transport applicable to operators of nuclear installations situated in the territory of a Contracting Party the Revised Paris Convention shall be determined by the national legislation of the operator liable wherever the nuclear incident occurs [i.e. Article 7(d) of the Revised Paris Convention applies].

   **Transit through the Country:**
   There are no specific provisions on the amounts of nuclear liability applicable to transit under the Law of 22 July 1985.

   The requirements relevant to transport will also apply to transit, subject, however to Article 16 of the Law of 22 July 1985, which provides that transit of nuclear substances through the territory of Belgium is subject to the condition that the foreign carrier fulfils at least the same obligations as those of the operator of a nuclear installation in Belgium [i.e. Article 7(e) of the Revised Paris Convention applies].

3. **FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)**

   **Domestic transport:**
   EUR 297 million

   **International transport to/from a nuclear installation located in the Country:**
   EUR 297 million

   **Transit through the Country:**
   EUR 297 million

   Belgian law does not provide that certificates of financial security detail the amount applicable for each transit country.
4. **CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

**Certificate of Financial Security for national transports:**

Required [Article 15 of the Law of 22 July 1985]

All carriers of nuclear substances need to be provided with a certificate delivered by or on behalf of the insurance/financial security provider certifying compliance with Article 8 of the Law of 22 July 1985. This certificate should correspond to the requirements of Article 4(d) of the Paris Convention.

Belgium does not follow the model certificate of financial security provided in the Steering Committee Recommendation of 8 June 1967 [NE/M (67)1].

A model certificate is provided in the Annex to the Royal Decree of 28 April 1986 (available in Dutch and French), that should be used for transport of nuclear substances. Its purpose is to ensure that financial security certificates comply with the Revised Paris Convention requirements, as prescribed by the Law of 22 July 1985.

**Type of Certificate of Financial Security for international carriage:**

- **International transport to/from a nuclear installation located in the Country:**
  - Required
  - [Article 15 of the Law of 22 July 1985]

Belgium does not follow the model certificate of financial security provided in the Steering Committee Recommendation of 8 June 1967 [NE/M (67)1].

A model certificate is provided in the Annex to the Royal Decree of 28 April 1986 (available in Dutch and French), that should be used for transport of nuclear substances. Its purpose is to ensure that financial security certificates comply with the Revised Paris Convention requirements, as prescribed by the Law of 22 July 1985.

- **Transit through the Country:**
  - Required
  - While the Law of 22 July 1985 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

**Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:**

- **International transport to/from a nuclear installation located in the Country:**
  - No specific requirement

- **Transit through the Country:**
  - No specific requirement

5. **ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY**

**Transport from/to a nuclear installation located in the Country:**

- Operator
- National carrier
- Foreign carrier

[Articles 14 to 16 of the Law of 22 July 1985]

**Transit through the Country:**

- Operator
- National carrier
- Foreign carrier

While the Law of 22 July 1985 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.
6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

Exclusion of small quantities of nuclear substances: 5
Not applied under national legislation

Exclusion of radioisotopes which have reached the final stage of fabrication: 6
Not applied under national legislation

Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention): 7
Not applied under national legislation

7. COMPETENT PUBLIC AUTHORITIES

In charge of verifying the certificate of financial security:
SPF Economie, DG Réglementation économique, Assurances

In charge of authorising a national/foreign carrier to bear nuclear liability:
SPF Economie, DG Réglementation économique, Assurances

In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:
SPF Economie, DG Réglementation économique, Assurances

Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):
The Federal Agency for Nuclear Control (FANC/ AFCN)

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

SPF Economie, DG Réglementation économique, Assurances

Email: [to be provided] / Phone: [to be provided]
NOTES

- “Transport” means an international or domestic carriage of nuclear substances by any means of transportation (i.e. sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.

- “Transit” means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.

1. All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the Paris Convention and the Revised Paris Convention, Article V.3 of the Revised Vienna Convention, and Article 6.1 of the Annex to the Convention on Supplementary Compensation (CSC).

   Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and the Revised Paris Convention, and Article 6.2 of the Annex to the CSC.

2. National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(c) of the Paris Convention and the Revised Paris Convention, and Article III of the Revised Vienna Convention.

3. The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NE/M (67)1/ NE(67)9]. There is no distinction between transport and transit regarding this recommendation.

4. National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(d) of the Paris Convention and Article 4(e) of the revised Paris Convention, Article II.2 of the Vienna Convention and the revised Vienna Convention, Article 3.2 of the Annex to the CSC.

5. For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [NEA/SUM(2016)2/ NEA/NE(2016)8/FINAL]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

6. See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [NEA/SUM(2018)1/ NEA/NE(2018)3/FINAL]; Article I.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article 1.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.

7. See the Steering Committee Decision of 27 October 1977 [NE/M(77)2/ NE(77)20]. There is no distinction between transport and transit regarding this exclusion.
The Russian Federation is a member country of the OECD Nuclear Energy Agency. For more information on the legal, regulatory and institutional frameworks for nuclear activities in the Russian Federation, see here.

1. **APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME**

   **International convention(s):**
   - 1963 Vienna Convention on Civil Liability for Nuclear Damage ("Vienna Convention")

   **National law(s):**

   The Law on the Use of Atomic Energy was adopted before the ratification of the Vienna Convention by the Russian Federation, which, as an international treaty, is an integral part of the Russian legal system and applies directly. The provisions of the Vienna Convention prevail over the provisions of the Law on the Use of Atomic Energy.

2. **NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)¹**

   **Transport to/from a nuclear installation located in the Russian Federation ("the Country"):**
   - Unlimited liability

   **Transit through the Country:**
   There are no specific provisions on the amounts of nuclear liability applicable to transit under the Law on the Use of Atomic Energy. The requirements relevant to transport will also apply to transit.

3. **FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)**

   **Domestic transport:**
   - No amount specified
   - Recommended minimum amount: USD 5 million² [Article IV.6 of the Vienna Convention]

   **International transport to/from a nuclear installation located in the Country:**
   - No amount specified
   - Recommended minimum amount: USD 5 million [Article IV.6 of the Vienna Convention]

   **Transit through the Country:**
   There are no specific provisions on the financial security limits required for transit under the Law on the Use of Atomic Energy. The requirements relevant to transport will also apply to transit.

   Russian law does not provide that certificates of financial security detail the amount applicable for each transit country.
4. **CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

*Certificate of Financial Security for national transports:*\(^3\)

**Required**

Russian legislation does not provide for a model insurance certificate or other financial security certificate.

**Type of Certificate of Financial Security for international carriage:*\(^4\)

- **International transport to/from a nuclear installation located in the Country:**
  **Required**
  Russian legislation does not provide for a model insurance certificate or other financial security certificate.

- **Transit through the Country:**
  **Required**
  While the Law on the Use of Atomic Energy does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

**Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:**

- **International transport to/from a nuclear installation located in the Country:**
  Only an entity licensed to perform insurance activities can issue the certificate of financial security.

- **Transit through the Country:**
  Only an entity licensed to perform insurance activities can issue the certificate of financial security.

5. **ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY\(^5\)**

*Transport from/to a nuclear installation located in the Country:*

- ☒ Operator
- □ National carrier
- □ Foreign carrier

Russian law does not allow a carrier to bear nuclear liability.

*Transit through the Country:*

- ☒ Operator
- □ National carrier
- □ Foreign carrier

While the Law on the Use of Atomic Energy does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.
6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

**Exclusion of small quantities of nuclear substances:**

Applied under national legislation.

Russian legislation provides for the exclusion of nuclear materials below certain limits and activity from the scope of application of the Law on the Use of Atomic Energy. These limits are within the threshold stipulated by the Resolution of the Board of Governors of the IAEA GOV/2014/63.

**Exclusion of radioisotopes which have reached the final stage of fabrication:**

Applied under national legislation.

**Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):**

N/A

7. COMPETENT PUBLIC AUTHORITIES

**In charge of verifying the certificate of financial security:**

Federal Environmental, Industrial and Nuclear Supervision Service of Russia (Rostechnadzor)

**In charge of authorising a national/foreign carrier to bear nuclear liability:**

N/A

**In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:**

State Atomic Energy Corporation (Rosatom)

**Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):**

In accordance with the Law on the Use of Atomic Energy, the decision as to whether the transported substances fall under definition of “nuclear material” under the Vienna Convention is made by the operator.

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

State Atomic Energy Corporation (Rosatom)
24 Bolshaya Ordynka St. 119017 Moscow Russia
Phone: +7 499 949 4535, fax: +7 499 949 4679
E-mail: info@rosatom.ru

Federal Environmental, Industrial and Nuclear Supervision Service of Russia (Rostechnadzor)
Building 1, 34, Taganskaya street, Moscow, 109147 Russia
Phone: +7 495 645-94-79 (ext. 6497)
Fax: +7 495 532-13-65
NOTES

* “Transport” means an international or domestic carriage of nuclear substances by any means of transportation (i.e. sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.

* “Transit” means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.

1 All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the Paris Convention and the Revised Paris Convention, Article V.3 of the Revised Vienna Convention, and Article 6.1 of the Annex to the Convention on Supplementary Compensation (CSC).

Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and the Revised Paris Convention, and Article 6.2 of the Annex to the CSC.

2 As provided in Article V.3 of the Vienna Convention, the United States dollar referred to in the Convention is a unit of account equivalent to the value of the United States dollar in terms of gold on 29 April 1963, that is to say USD 35 per one troy ounce of fine gold.

3 National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(c) of the Paris Convention and the Revised Paris Convention, and Article III of the Revised Vienna Convention.

4 The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NEA/SUM(67)1 - NEA/NE(67)9]. There is no distinction between transport and transit regarding this recommendation.

5 National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(d) of the Paris Convention and Article 4(e) of the revised Paris Convention, Article II.2 of the Vienna Convention and the revised Vienna Convention, Article 3.2 of the Annex to the CSC.

6 For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [NEA/SUM(2016)2 - NEA/NE(2016)8/FINAL]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

7 See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [NEA/SUM(2018)1 - NEA/NE(2018)3/FINAL]; Article 1.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article 1.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.

8 See the Steering Committee Decision of 27 October 1977 [NE/M(77)2 - NE(77)20]. There is no distinction between transport and transit regarding this exclusion.
**1. APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME**

*International convention(s):*
- 1963 Vienna Convention on Civil Liability for Nuclear Damage ("Vienna Convention")

*National law(s):*
- Act No. 54/2015 Coll. on Civil Liability for Nuclear Damage and on its Financial Coverage of 19 March 2015 ("Act No. 54/2015")

**2. NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)**

*Transport to/from a nuclear installation located in the Slovak Republic ("the Country"):*
- EUR 185 million

*Transit through the Country:*
- EUR 185 million

There are no specific provisions on the amounts of nuclear liability applicable to transit under the Act No. 54/2015. The requirements relevant to transport will also apply to transit.

**3. FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)**

*Domestic transport:*
- EUR 185 million

*International transport to/from a nuclear installation located in the Country:*
- EUR 185 million

If the operator holds a license to transport radioactive materials, the carriage of radioactive materials from or to its nuclear installation will be covered by the financial security issued to cover the operator’s nuclear liability in case an incident occurred at that nuclear installation; there is no need to have a specific financial security for transport [Article I, Section 5 (3) and (4) and Section 6(8) of the Act No. 54/2015].
4. **CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

**Certificate of Financial Security for national transports:**

Required

However, the operator does not need to conclude another insurance policy or arrange for a special financial security for the transport of nuclear material, spent nuclear fuel or radioactive waste if it already has an insurance policy or other financial security to cover its nuclear installation [Article I, Section 6 (9) of the Act No. 54/2015].

National legislation does not provide for a model insurance certificate or other financial security certificate.

**Type of Certificate of Financial Security for international carriage:**

- **International transport to/from a nuclear installation located in the Country:**
  
  Required

  However, the operator does not need to conclude another insurance policy or arrange for a special financial security for the transport of nuclear material, spent nuclear fuel or radioactive waste if it already has an insurance policy or other financial security to cover its nuclear installation [Article I, Section 6 (9) of the Act No. 54/2015].

  National legislation does not provide for a model insurance certificate or other financial security certificate.

- **Transit through the Country:**
  
  Required

  While the Act No. 54/2015 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

**Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:**

- **International transport to/from a nuclear installation located in the Country:**
  
  No specific requirement

- **Transit through the Country:**
  
  No specific requirement

5. **ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY**

**Transport from/to a nuclear installation located in the Country:**

- Operator
- National carrier
- Foreign carrier

A carrier (national or foreign), at its request and with the consent of an operator of a nuclear installation based on a contract between them, by decision of the competent public authority, can be liable in place of that operator. A certificate of financial security shall be obtained by such carrier which will be deemed an operator [Article I, Section 4 (4) of the Act No. 54/2015].

**Transit through the Country:**

- Operator
- National carrier
- Foreign carrier

While the Act No. 54/2015 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.
6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

**Exclusion of small quantities of nuclear substances:**

Applied under national legislation [Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015, Article I, Section 5 (5a) of the Act No. 54/2015].

**Exclusion of radioisotopes which have reached the final stage of fabrication:**

Applied under national legislation.

**Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):**

N/A

7. COMPETENT PUBLIC AUTHORITIES

**In charge of verifying the certificate of financial security:**

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky) in co-operation with the National Bank of Slovakia

**In charge of authorising a national/foreign carrier to bear nuclear liability:**

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

**In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:**

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

**Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):**

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

Office of the Slovak Nuclear Insurance Pool
Email: nuclearpool.sk@allianzsp.sk / Phone: +421 2 5963 3364

Slovenske elektrarne, a.s.
Email: info@seas.sk / Phone: +421 2 5866 1111

Nuclear and Decommissioning Company - Jadrová a vyradovacia spoločnosť, a.s.
Email: info@javys.sk / Phone: +421 3 3531 1111
NOTES

• “Transport” means an international or domestic carriage of nuclear substances by any means of transportation (i.e. sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.

“Transit” means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.

1 All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the Paris Convention and the Revised Paris Convention, Article V.3 of the Revised Vienna Convention, and Article 6.1 of the Annex to the Convention on Supplementary Compensation (CSC).

Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and the Revised Paris Convention, and Article 6.2 of the Annex to the CSC.

2 National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(c) of the Paris Convention and the Revised Paris Convention, and Article III of the Revised Vienna Convention.

3 The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NE/M(67)1 - NE(67)9]. There is no distinction between transport and transit regarding this recommendation.

4 National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(d) of the Paris Convention and Article 4(e) of the revised Paris Convention, Article II.2 of the Vienna Convention and the revised Vienna Convention, Article 3.2 of the Annex to the CSC.

5 For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [NEA/SUM(2016)2 - NEA/NE(2016)8/FINAL]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

6 See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [NEA/SUM(2018)1 - NEA/NE(2018)3/FINAL]; Article I.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article 1.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.

7 See the Steering Committee Decision of 27 October 1977 [NE/M(77)2 - NE(77)20]. There is no distinction between transport and transit regarding this exclusion.
1. **APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME**

   **International convention(s):**
   - 1997 Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage ("Revised Vienna Convention")
   - 1997 Convention on Supplementary Compensation for Nuclear Damage ("CSC")

   **National law(s):**
   - Federal Law by Decree No. 4 of 2012 Concerning Civil Liability for Nuclear Damage (the “2012 Federal Law”)

2. **NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)**

   **Transport to/from a nuclear installation located in the United Arab Emirates (“the Country”):**
   - SDR 450 million

   **Transit through the Country:**
   - There are no specific provisions on the amounts of nuclear liability applicable to transit under the 2012 Federal Law.

3. **FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)**

   **Domestic transport:**
   - SDR 450 million

   **International transport to/from a nuclear installation located in the Country:**
   - SDR 450 million

   **Transit through the Country:**
   - There are no specific provisions on the financial security limits required for transit under the 2012 Federal law.
   - UAE legislation or regulatory requirements does not require that certificates of financial security detail the amount applicable for each transit country.
4. **CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

**Certificate of Financial Security for national transports:**

Not required [Article 9(3) of the 2012 Federal Law]

**Type of Certificate of Financial Security for international carriage:**

- International transport to/from a nuclear installation located in the Country:
  
  Required [Article 9(1) of the 2012 Federal Law]
  
  The liable operator shall provide the carrier with a certificate issued by or on behalf of the insurer or any other financial guarantor furnishing financial security pursuant to Article 8 of the 2012 Federal Law.
  
  National legislation does not provide for a model insurance certificate or other financial security certificate.

- Transit through the Country:
  
  While the 2012 Federal Law does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

**Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:**

- International transport to/from a nuclear installation located in the Country:
  
  The certificate of financial security shall be issued by or on behalf of the insurer or any other financial guarantor furnishing financial security, as approved by Federal Authority for Nuclear Regulation (FANR) pursuant to the requirements of Article 8 and Article 13 of the 2012 Federal Law.

- Transit through the Country:
  
  While the 2012 Federal Law does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

5. **ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY**

**Transport from/to a nuclear installation located in the Country:**

- Operator
- National carrier
- Foreign carrier

As regards the carrier, Article 6 of the 2012 Federal Law provides that upon request of a carrier of nuclear material and with a prior written consent of the operator, the carrier can be considered by FANR as an operator for the purpose of the transport. It has to be licensed in accordance with the UAE legislation and therefore shall be a “juridical person approved by the competent authorities” in the UAE.

Therefore, only national carriers can be considered as an operator. In such a case, in the certificate of financial security, the carrier would be referred to as the “liable operator”.

**Transit through the Country:**

There are no specific provisions on transit under the 2012 Federal law.
6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

Exclusion of small quantities of nuclear substances:⁵

Not applied under national legislation [Article 3 (2) of the 2012 Federal Law]

The Authority may, if the small extent of the risks involved so warrants, exclude [...] small quantities of nuclear material from the application of the Law by Decree, provided that: with respect to small quantities of nuclear material, maximum limits for the exclusion of such quantities have been established by the Board of Governors of the IAEA and the Authority issues a resolution that such exclusion is within such established limits.

FANR has not issued a corresponding resolution yet.

Exclusion of radioisotopes which have reached the final stage of fabrication:⁶

Applied under national legislation.

The 2012 Federal Law includes a number of definitions which are in line with those of the Revised Vienna Convention. Based on the definition of “radioactive products” or “waste” included in Article 1 of the Law, radioisotopes which have reached the final stage of fabrication so as to be usable for any scientific, medical, agricultural, commercial or industrial purpose are excluded from the scope of application of the Law, including the transport or transit of such items.

Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):⁷

N/A

7. COMPETENT PUBLIC AUTHORITIES

In charge of verifying the certificate of financial security:
Federal Authority for Nuclear Regulation (FANR)

In charge of authorising a national/foreign carrier to bear nuclear liability:
Federal Authority for Nuclear Regulation (FANR)

In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:
Federal Authority for Nuclear Regulation (FANR)

Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):
Federal Authority for Nuclear Regulation (FANR)

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

Federal Authority for Nuclear Regulation (FANR)
Legal Affairs Department
Landmark Tower, 1st Floor, Corniche Road, Al Markaziyah West
P.O. Box 112021
Abu Dhabi, UAE

E-mail: LAD@fanr.gov.ae / Phone: +971 2 651 6353
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3 The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NE/M(67)1 - NE(67)9]. There is no distinction between transport and transit regarding this recommendation.

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5 For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [NEA/SUM(2016)2 - NEA/NE(2016)8/FINAL]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

6 See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [NEA/SUM(2018)1 - NEA/NE(2018)3/FINAL]; Article I.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article 1.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.

7 See the Steering Committee Decision of 27 October 1977 [NE/M(77)2 - NE(77)20]. There is no distinction between transport and transit regarding this exclusion.