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Item 861

REGULATION OF THE MINISTER OF ECONOMY¹

of 23 July 2012

on detailed rules for the establishment and operation of Local Information Committees and cooperation on nuclear power facilities

Pursuant to Article 39n Section 9 of the Act of 29 November 2000 - Atomic Law (Dz. U. of 2012, item 264), it is hereby decreed as follows:

§ 1. The Regulation specifies the detailed rules for the following:

- 1) the establishment and operation of the Local Information Committees referred to in Article 39n Section 1 of the Act of 29 November 2000. - Atomic Law, hereinafter referred to as “Committees”;
- 2) the cooperation between the Committees and investors of nuclear power facilities or heads of organisational entities performing exposure-related activities.

§ 2. 1. The head of the municipality (mayor, president) shall appoint a representative to the Committee - an employee of municipal office where the nuclear power facility is sited, no later than 14 days from the date on which the decision on the construction license for the nuclear power facility became final.

2. The appointment of the municipal representative shall be notified by the head of the municipality (mayor, president) in the manner customary in the municipality referred to in Section 1, as well as through the office’s website and the Public Information Bulletin of that municipality.

§ 3. 1. A member of the local community shall submit a written application to participate in the work of the Committee to the municipal office, referred to in Article 2 Section 1, no earlier than on the date on which the decision on the construction license for a nuclear power facility becomes final.

2. The application referred to in Section 1 shall contain the first name, last name, PESEL number and residential address of the applicant. The application may include the applicant’s e-mail address.

3. The application referred to in Section 1 may be filed electronically.

§ 4. 1. The Committee acts during meetings.

2. A meeting of the Committee shall be convened in the manner customary in the municipality referred to in Article 2 Section 1, as well as through the office’s website and the Public Information Bulletin of that municipality, subject to Section 3.

3. In the case referred to in the second sentence of Article 3, Section 2, a meeting of the Committee shall also be convened by sending information in electronic form to the Committee member’s e-mail address indicated in the application.

4. The first meeting of the Committee shall be convened by the head of the municipality (mayor, president) referred to in § 2 Section 1 and, if a nuclear power facility is sited on the territory of more than one municipality, by

¹ The Minister of Economy heads the department of government administration - economy, pursuant to Article 1 Section 2 of the Regulation of the Prime Minister of 18 November 2011 on the detailed scope of activities of the Minister of Economy (Journal of Laws; Dz. U. no. 248, item 1478).

the head of the municipality (mayor, president) where the largest part of the nuclear power facility is sited.

5. The first meeting of the Committee shall be convened no later than 3 months after the date on which the decision on the construction license of a nuclear power facility becomes final.

6. At its first meeting, the Committee shall elect the chairman and one or more vice-chairmen by secret ballot.

7. Until the chairman is elected, his/her duties shall be performed by a representative of the municipality referred to in Article 2 Section 1 and, in the event that a nuclear power facility is sited on the territory of more than one municipality, by a representative of the municipality where the largest part of the nuclear power facility is sited.

§ 5. The work of the Committee is directed by the chairman, who in particular:

- 1) draws up draft rules of procedure for the Committee;
- 2) convenes meetings of the Committee, either his/her own initiative or at the request of a Committee member;
- 3) chairs the Committee's meetings;
- 4) represents the Committee externally;
- 5) prepares the motions referred to in Article 13 Section 2;
- 6) draws up periodic reports on the Committee's activities.

§ 6. 1. The Committee's resolutions shall be adopted by a simple majority in the presence of at least seven Committee members.

2. Each Committee member is entitled to one vote.

3. In the event of an equal number of votes, the chairman of the Committee or, in his/her absence, the vice-chairman chairing the Committee meeting shall have a casting vote.

4. The motion referred to in Article 13 Section 4 may be filed by the chairman or vice-chairman without the need for a resolution to this effect.

§ 7. 1. The chairman of the Committee may, upon application of a Committee member, be dismissed before the expiry of his or her term of office if he or she has flagrantly violated the law or the Committee's rules of procedure.

2. A Committee member may resign from the Committee by submitting a written declaration to the municipal office referred to in Article 2 Section 1.

3. The provision of Section 1 shall apply accordingly to the Committee member.

§ 8. The Committee shall publish periodic reports on its activities in the Local Information Committee Bulletin and on the municipal office's website referred to in Article 2 Section 1.

§ 9. The Committee shall adopt its rules of procedure, which will specify the following in particular:

- 1) the frequency of meetings;
- 2) the term of office of the chairman and vice-chairmen;
- 3) the organisational structure, including the number of vice-chairmen;
- 4) the manner and frequency of publication of the Local Information Committee Bulletin;
- 5) the frequency of publication of the report referred to in Article 8.

§ 10. The Committee monitors carrying out the investment with regard to the construction of the nuclear power facility and the performance of exposure-related activities:

- 1) by inspecting the nuclear power facility's site or its premises;
- 2) by arranging meetings with the head of the organisational entity carrying out the investment with regard to the construction of a nuclear power facility or performing activities with the use of that facility, or with his or her designees;
- 3) by obtaining explanations from the head of the organisational entity referred to in Item 2 and from other sources;
- 4) by analysing and evaluating the information gathered as a result of the activities referred to in Items 1 to 3.

§ 11. The Committee shall inform the local community of the results of the monitoring referred to in Article 10 in

the manner customary in the municipality referred to in Article 2 Section 1, as well as through the office's website and the Public Information Bulletin of that municipality.

§ 12. The Committee represents the local community before the authorities of the organisational entity carrying out the investment with regard to the construction of a nuclear energy facility or performing activities with the use of that facility:

- 1) by organising regular meetings with these authorities;
- 2) by presenting the positions of the local community;
- 3) by submitting requests for information and explanations as referred to in Article 13 Section 2.

§ 13. 1. The Committee shall cooperate with the investor of the nuclear power facility or the head of the organisational entity performing exposure-related activities to ensure that the local community has the opportunity to obtain the necessary information on the impact of a nuclear power facility on human health and the environment.

2. The Committee may make written requests to the entities referred to in Section 1 for information and explanations on the carrying out the investment with regard to the construction of a nuclear energy facility or on the activities performed with the use of that facility.

3. The investor of the nuclear energy facility or the head of an organisational entity performing exposure-related activities shall provide information and explanations within 14 days of receipt of the request referred to in Section 2, subject to Section 4.

4. In the event of a request by the Committee for information related to an emergency covered by the International Nuclear and Radiological Event Scale (INES), the request shall be answered promptly.

5. The Committee may invite the investor in the nuclear energy facility, the head of the organisational entity performing activities related to the use of that facility or persons authorised by them in writing to attend the Committee's meetings.

§ 14. This Regulation shall enter into force 14 days after its promulgation.

Minister of Economy: pp *M. Haladyj*