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REGULATION OF THE PRIME MINISTER

of 08 January 2010

on the method of carrying out supervision and inspection in the Internal Security Agency, Foreign Intelligence Agency and Central Anti-Corruption Bureau by the nuclear regulatory authority

Pursuant to Article 63 Section 4 of the Act of 29 November 2000 - Atomic Law (Journal of Laws of 2007 No. 42, Item 276, as amended¹⁾) it is hereby ordered as follows:

Article 1. Heads of the Internal Security Agency, Foreign Intelligence Agency and Central Anti-Corruption Bureau, by 31 January each year, will forward information to the President of the National Atomic Energy Agency about organisational units of the Internal Security Agency, Foreign Intelligence Agency and Central Anti-Corruption Bureau, performing activities which cause or may cause human and environmental exposure to ionizing radiation, as on 31 December of the previous year.

Article 2. As a part of the supervision, the nuclear regulatory authority orders an inspection after being informed of a violation of the principles of nuclear safety and radiation protection endangering life or health.

Article 3. The nuclear regulatory authority shall notify in writing the Head of the Internal Security Agency, the Head of the Foreign Intelligence Agency or the Head of the Central Anti-Corruption Bureau about ordering an inspection in the organisational units of the Internal Security Agency, the Foreign Intelligence Agency or the Central Anti-Corruption Bureau performing activities which cause or may cause human and environmental exposure to ionizing radiation, hereinafter referred to as "organisational units", specifying in the notice:

- 1) The designation of the nuclear regulatory authority;
- 2) The organisational unit to be inspected;
- 3) The scope of the inspection and its legal basis;
- 4) The starting date and the expected date of completion of the inspection;
- 5) First and last name of nuclear regulatory inspector, authorised to conduct the inspection, and the number of his official ID.

Article 4. 1. Actions taken during the inspection, hereinafter referred to as "inspection activities", shall be carried out in the presence of the head of inspected organisational unit or a person authorised by him.

2. Nuclear regulatory inspector conducting the inspection shall follow the principles of health and safety in force in the inspected organisational unit.

Article 5. 1. The nuclear regulatory inspector shall draw up an inspection report on the course of the inspection activities, which shall include in particular:

- 1) An indication of the inspected organisational unit;
- 2) The date of commencement and completion of the inspection;
- 3) First and last name of nuclear regulatory inspector, authorised to conduct the inspection, and the number of his official ID;
- 4) Determination of the subject matter and scope of the inspection;
- 5) A description of the facts established during the inspection, taking into account the non-compliances resulting from a violation of the regulations on nuclear safety and radiation protection;
- 6) A list of attached documents.

2. The inspection report is drawn up in two identical copies, one for nuclear regulatory inspector and one for the head of inspected organisational unit.

3. In the case of issuance of a post-inspection statement, it is attached to a copy of the inspection report forwarded to the head of the inspected organisational unit.

Article 6. In the case of issuance of an emergency order referred to in Article 68 Section 1 of the Act of 29 November 2000 - Atomic Law, hereinafter "the Act", or a decision ordering removal of non-compliances referred to in Article 67 Section 4 of the Act, the head of inspected organisational unit shall immediately inform the Head of the Internal Security Agency, the Foreign Intelligence Agency or the Central Anti-Corruption Bureau.

Article 7. 1. President of the National Atomic Energy Agency shall transmit the results of the inspection to the Head of the Internal Security Agency, the Foreign Intelligence Agency or the Central Anti-Corruption Bureau respectively, within 30 days from the date of signing the inspection report, and in the case of issuance of a post-inspection statement - within 30 days from submission of the post-inspection statement.

2. The inspection report, emergency orders referred to in Article 68 Section 1 of the Act, information about issuing a decision, referred to in Article 67 Section 4 of the Act, and the post-inspection statement, referred to in Article 69 Section 1 of the Act, are the basis for the preparation of information about the inspection results.

Article 8. This Regulation shall enter into force after 14 days from the date of publication.²⁾

President of the Council of Ministers: *D. Tusk*

¹⁾ Amendments to the consolidated text of the Act were published in the Journal of Laws of 2008, No. 93, Item 583 and No. 227, Item 1505 and of 2009, No. 18, Item 97 and No. 168, Item 1323.

²⁾ This Regulation was preceded by the Regulation of the Prime Minister of 20 February 2003 on the method of carrying out supervision and inspection in the Internal Security Agency

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and Foreign Intelligence Agency by the nuclear regulatory
authority (Journal of Laws No. 38, Item 330).