

REPUBLIC OF LITHUANIA
LAW
AMENDING THE LAW ON THE NUCLEAR POWER PLANT

21 June 2012 No. XI-2084
Vilnius

(Official Gazette, 2007, No 76-3004; 2008, No 19-674; 2009, No 93-3966)

Article 1. Revised Version of the Law of the Republic of Lithuania on the Nuclear Power Plant

The Law of the Republic of Lithuania on the Nuclear Power Plant shall be amended and set forth to read as follows:

“REPUBLIC OF LITHUANIA
LAW
ON THE NUCLEAR POWER PLANT

The Seimas of the Republic of Lithuania,
taking into account constitutional values, such as the general welfare of the Nation, the capacity and competitiveness of the national economy, the freedom and initiative of economic activity, and environmental protection;
implementing the National Energy Strategy and having regard to the European Strategy for Sustainable, Competitive and Secure Energy;
seeking to protect the vital interests and ensure the national security of the Republic of Lithuania;
seeking to secure the energy independence of the Republic of Lithuania, the reliability, competitiveness and sustainable development of the energy sector, and to promote future economic growth;
seeking to secure supplies of energy from diverse, secure, sustainable energy sources which do not emit greenhouse gases;
seeking to secure the continuity of nuclear energy and aiming at substituting the electricity generating capacities lost as a result of the decommissioning of the Ignalina Nuclear Power Plant and creating favourable conditions for the construction of a new nuclear power plant in the Republic of Lithuania corresponding to the results of the environmental impact assessment and investors' agreements;
taking into consideration nuclear safety requirements and the obligations undertaken by the Republic of Lithuania under international treaties;
envisaging that the nuclear power plant will operate in the national electric energy system of Lithuania interconnected for synchronous operation with the grid of Continental European;
taking into consideration the fact that already on 10 October 2002 the Seimas of the Republic of Lithuania by approving the National Energy Strategy supported the objective for Lithuania to remain a nuclear power state and to generate electricity at a nuclear power plant complying with the modern safety requirements. This objective has been numerously reiterated in the laws subsequently adopted by the Seimas of the Republic of Lithuania;

passes this Law of the Republic of Lithuania on the Nuclear Power Plant.

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose and Objective of the Law

The purpose and objective of this Law shall be to create favourable legal, financial and organisational conditions that would help to implement the new nuclear power plant project.

Article 2. Main Definitions of this Law

1. **Nuclear power plant** shall be a complex of equipment and buildings intended for generating electricity or electricity and heat by using nuclear fuel.

2. **Nuclear power plant project** (hereinafter – the **project**) shall be a new nuclear power plant project at the nuclear power plant plot, including design, development, production, supply, construction, operation and decommissioning.

3. **Nuclear power plant project implementing company** (hereinafter – the **project implementing company**) shall be a legal entity incorporated under this Law and other laws of the Republic of Lithuania, the key objective of which is to implement the project.

4. **Nuclear power plant plot** shall be the land plot intended for the construction of the nuclear power plant provided in subparagraph 2 of paragraph 1 of Article 3 of the Law of the Republic of Lithuania on Granting the Concession and Assuming the Essential Property Obligations of the Republic of Lithuania in Visaginas Nuclear Power Plant Project.

5. **Capacity of the nuclear installation** (hereinafter – the **capacity**) shall be the maximum effect (installed capacity) of the nuclear installation as set by the manufacturer, which the installation can achieve and maintain in a long-term uninterrupted operation.

6. **National investor** shall be a legal entity within the meaning of Article 6 of this Law.

7. **Reserve capacity** shall be the potential of electricity capacity and power generation necessary for regulating frequency and power flows and generating electricity in cases of unexpected decrease in generation or increase in consumption.

8. **Strategic investor** shall be a legal entity within the meaning of Article 7 of this Law.

9. **Strategic partner** shall be a legal entity within the meaning of Article 8 of this Law.

10. **Related entity** shall be an entity which is directly or indirectly controlled by a certain entity, controls a certain entity or is under a common control with a certain entity.

11. **Transport communications, required for transportation of heavy-weight and large-sized cargoes for construction of the new nuclear power plant, preparation at roads of state and local importance project** shall be the project of the construction and/or improvement of the road and the road infrastructure as well as other transport communications from Klaipeda State Seaport pier up to the boundary of the nuclear power plant plot implemented under the approved special plan and aiming at the construction of certain segments of transport infrastructure (roads, viaducts, bridges, etc.) located on the territory of the Republic of Lithuania in this section and at other works in order to enable the transportation of heavy-weight and large-sized cargoes to the nuclear power plant plot.

12. **State obligation for the national investor** shall be a State property obligation to fulfil obligations of the national investor and/or entity controlled by the national investor participating in the project implementing company, except for obligations undertaken by borrowing, necessary for implementation of the project or its separate stage, if latter fails to fulfil its obligations under the project implementation treaties or fulfils not all of such obligations.

13. The terms “a state-controlled legal entity “ and “control” used in this Law shall have the meaning provided in paragraphs 10 and 11 of Article 2 of the Law of the Republic of Lithuania on Concessions (hereinafter – the **Law on Concessions**).

Article 3. Decision on Construction of the new Nuclear Power Plant

1. The Seimas of the Republic of Lithuania shall give its approval for the construction of a new nuclear power plant.

2. The new nuclear power plant shall be constructed in Visaginas Municipality, the Republic of Lithuania, at the nuclear power plant plot, adhering to the following stages:

1) on approval by the Seimas of the Republic of Lithuania, the Concession Agreement shall be approved for granting a concession to the project implementing company;

2) establishment of the project implementing company;

3) preparation for implementation of the nuclear power plant project;

4) commencement of the nuclear power plant construction works performed on obtaining a corresponding licence indicated in the Law of the Republic of Lithuania on Nuclear Safety.

3. The obligations related to funding of the construction works referred to in subparagraph 4 of paragraph 2 of this Article may be assumed by the national investor or an entity controlled thereby only on approval by the Seimas of the Republic of Lithuania recommended by the Government of the Republic of Lithuania.

CHAPTER TWO PROJECT IMPLEMENTING COMPANY

Article 4. Project Implementing Company

1. A project implementing company shall be incorporated and registered according to the laws of the Republic of Lithuania. Its registered office shall be situated in the Republic of Lithuania.

2. The project implementing company shall be incorporated by the national investor (or an entity controlled by it), whether individually or jointly with the strategic investor and/or the strategic partner (partners) (or its/their controlled entity (entities)).

3. The project implementing company shall be responsible for carrying out the implementation of the project in compliance with the safety requirements imposed on nuclear activities. Having met the requirements laid down in legislation, the project implementing company shall become operator of the nuclear power plant.

4. The project implementing company shall pay up the costs of the transmission system operator of the Republic of Lithuania incurred in carrying out the function of provision of capacity and electricity reserves according to the procedure established by laws, which ensures equality of the electricity generators.

5. Upon completion of operation of the nuclear power plant, the decommissioning of the nuclear power plant shall be carried out in the procedure set forth in the Law of the Republic of Lithuania on Nuclear Energy (hereinafter – the **Law on Nuclear Energy**) and other laws.

Article 5. Shareholders of the Project Implementing Company

All of the following entities, or any one of them, may be shareholders of the project implementing company:

- 1) national investor and/or its controlled entity;
- 2) strategic investor;
- 3) strategic partner (partners) and/or its/their controlled entity (entities);
- 4) other entities that acquired a stake in the authorised capital of the project implementing company from other shareholders of the project implementing company or subscribed newly issued shares of the project implementing company following the procedure laid down in the agreement (agreements) entered into by the shareholders of the project implementing company, and the procedure set forth in the Law of the Republic of Lithuania on Enterprises and Facilities of Strategic Importance to National Security and Other Enterprises Important to Ensuring National Security, other laws and other regulations.

Article 6. National Investor

1. The national investor shall be a state-controlled legal entity incorporated with the aim of participating in implementation of the new nuclear power plant project, registered and operating according to the laws of the Republic of Lithuania, and participating, whether directly or through a controlled entity, in the authorised capital of the project implementing company based on the resolution of the Government of the Republic of Lithuania. The registered office of the national investor shall be situated in the Republic of Lithuania.

2. At the moment of the incorporation of the project implementing company the national investor and/or its controlled entity must own at least 34 per cent of the authorised capital in the project implementing company granting at least 34 per cent of votes in the general meeting of shareholders of the project implementing company to the national investor and/or its controlled entity.

Article 7. Strategic Investor

The strategic investor shall be a legal entity selected according to one of the procedures laid down in the Law on Concessions, complying with the requirements set forth in the laws, entitled to enter into a concession agreement, and, in the manner stipulated in the agreement of shareholders of the project implementing company, investing in the project implementing company at least 20 per cent of the investments required for the project before the launch of the commercial operation of the power plant and entitled to enter directly into, or assign a related entity (entities) which will enter into the project-related agreements with the project implementing company for engineering, procurement and construction services, operations and maintenance support services and nuclear fuel supply and related services.

Article 8. Strategic Partner (Partners)

1. The strategic partner (partners) shall be a legal entity, controlled (during the incorporation of the project implementing company) by a project-supporting state, having

expressed an initiative to participate, whether directly and/or through a controlled entity (entities), in the project (i.e. to participate in implementation of the project implementing company's business relations model, to finance the project implementing company as provided in paragraph 1 of Article 11 of this Law and otherwise participate in implementation of the project) and (directly and/or through a controlled entity (entities)) to enter into required agreements with other shareholders of the project implementing company, the project implementing company and/or other entities.

2. The participation of the strategic partner (partners) (and its/their controlled entity (entities), if applicable) in the project and the project implementing company shall not be an activity that requires a concession, therefore, the Law on Concessions shall not apply to it/them.

Article 9. Business Relations Model and Taxation of the Project Implementing Company

1. Transactions between the project implementing company and/or its shareholders relating to the purchase and sale of electricity and/or capacity, provision of guarantees and/or other security and/or extending of loans and/or credits during the respective tax year shall not be subject to Article 40 of the Law of the Republic of Lithuania on Corporate Income Tax (hereinafter – the **Law on Corporate Income Tax**), regulating the adjustment of the value of transactions or economic operations and the evaluation of income or benefits, if the business relations between the project implementing company and its shareholders meet the conditions established in paragraphs 2 – 8 of this Article during all period of the respective tax year.

2. The project implementing company shall, according to the conditions and procedures established in the agreement (agreements) between the shareholders and/or between the project implementing company and its shareholder (shareholders) and subject to paragraph 6 of this Article, sell the generated electricity and capacity to its shareholders for the price not lower than the costs of the project implementing company related to electricity generation. If due to the aforementioned activity the project implementing company during the certain tax year should generate taxable profit, such profit shall be taxed in accordance with the general terms of the Law on Corporate Income Tax.

3. Each shareholder of the project implementing company shall undertake, in accordance with an agreement (agreements) with the project implementing company, to acquire and to pay (in advance or after the acquisitions of the electricity and/or capacity) for a part of the entire amount of the electricity and/or capacity generated by the nuclear power plant pro rata to that shareholder's stake in the authorised capital of the project implementing company for the price established in accordance with paragraph 2 of this Article.

4. The project implementing company shall undertake, in accordance with the agreements with each of its shareholders, to sell a part of the entire quantity of the electricity and/or capacity generated by the nuclear power plant to each of its shareholders pro rata to that shareholder's stake in the authorised capital of the project implementing company for the price established in accordance with paragraph 2 of this Article.

5. The project implementing company shall exclusively fulfil its obligations under agreements with each of its shareholders, i.e. the project implementing company shall not sell its electricity and/or capacity directly to the market, except in the case stated in paragraph 6 of this Article.

6. If a shareholder of the project implementing company fails to fulfil its obligation to pay for the provided electricity and/or capacity or other financial obligations (because of any reason whatsoever, including *force majeure* circumstances) under the agreement (agreements) between the project implementing company and its shareholders, the project implementing company may sell the defaulting shareholder's part of the electricity and/or capacity for the respective period to other shareholders of the project implementing company for the price not lower than established in paragraph 2 of this Article or directly to the market for market price in cases, according to the procedure and conditions established in such agreements. Other means of the protection of rights established in an agreement (agreements) between the project implementing company and its shareholders may also be applied in the cases referred to in this paragraph.

7. The electricity and capacity selling price, indicated in paragraph 2 of this Article, shall be established for the shareholders in the project implementing company having assessed the costs of the project implementing company related to electricity generation. All the below mentioned costs shall be treated as deductible expenses for corporate income tax purposes. A non-exhaustive list of the costs which may be included in the electricity and capacity selling price shall be:

1) Costs incurred by the project implementing company in relation to the acquisition, transportation and storage of fuel;

2) Depreciation and amortisation costs (depreciation and amortisation ratio may be revised annually);

3) Labour remuneration costs consisting of labour remuneration paid to the workers (employees) of the project implementing company and other labour relations related payments, also payments for the performed work or provided services to persons engaged in individual or other similar activities (royalties, fees etc.);

4) Taxes, including social security contributions, customs and other mandatory contributions calculated and paid according to the procedure established by laws;

5) Interest and other costs of financial activity (provided that where each shareholder of the project implementing company provides a loan to the project implementing company and/or secures performance of the obligations thereto pro rata to each shareholder's stake in the authorised capital of the project implementing company, the payable interest related to each shareholder's loan provided and/or secured will be included in the electricity price for that particular shareholder, unless agreed otherwise in the agreement among the shareholders and/or the agreement (agreements) between the project implementing company and its shareholders);

6) Repair and operating costs, including related costs of acquisition or generation of the electricity;

7) General administrative costs of the project implementing company;

8) Costs related to the decommissioning of the new nuclear power plant and the management of radioactive waste;

9) Premiums for civil liability for nuclear damage insurance and other liability insurance and/or other insurance premiums related to the activity of the project implementing company;

10) Costs related to the creation of working capital and cash reserves in the project implementing company;

11) Costs incurred before the commencement of the generation of electricity and not included into the value of fixed assets.

8. All costs incurred by the project implementing company in relation to allowances created for decommissioning of the nuclear power plant and radioactive waste management may be treated as deductible expenses for corporate income tax purposes.

9. If the legal form of the project implementing company is a private limited liability company, the provisions of subparagraph 4 of paragraph 1 of Article 38, paragraphs 3-5 of Article 38, paragraphs 2 and 5 of Article 39, subparagraph 1 of paragraph 6 of Article 52 and subparagraph 7 of paragraph 2 of Article 59, paragraph 5 of Article 59, subparagraph 3 of paragraph 6 of Article 59 (to the extent a requirement to form mandatory reserve is established), subparagraph 2 of paragraph 9 of Article 59, paragraph 10 of Article 59 (however, undistributed losses of the project implementing company may be transferred to the next financial year) and paragraph 11 of Article 59 of the Law of the Republic of Lithuania on Companies (hereinafter – the **Law on Companies**) shall not apply. In that case the shareholders of the project implementing company shall cover its authorised capital by subscribing and paying for the company shares. The size of the authorised capital of the project implementing company shall comply with the requirements of paragraph 2 of Article 38 of the Law on Companies.

10. The regulation of prices, established in the Law on Electricity and other legal acts, shall not apply to transactions between the project implementing company and its shareholders and/or to transactions between shareholders of the project implementing company, related to purchase and sale of the electricity generated by the nuclear power plant.

11. The project implementing company's general meeting of shareholders, board or director in making decisions and taking other actions shall be guided by paragraphs 1-10 of this Article.

CHAPTER THREE IMPLEMENTATION OF THE PROJECT

Article 10. Award of Concession

1. The concession for the project shall be awarded to the project implementing company (as a concessionaire) following the procedure set forth in the Law on Concessions and in this Law.

2. The concession agreement shall be concluded in writing between the awarding authority acting in the name of the Republic of Lithuania, the project implementing company (the concessionaire) and the strategic investor (who is not the concessionaire) following the procedure set forth in the Law on Concessions, taking into account the exceptions of this Law. The concession agreement shall set forth the rights and obligations of the awarding authority, the concessionaire and the strategic investor related to the concession and the project.

3. The granting of the concession shall entitle the project implementing company to enter into project-related agreements with the strategic investor and/or its associated entity (entities) for engineering, procurement and construction services, operations and maintenance support services and nuclear fuel supply and related services. The indicated project-related agreements may be concluded together with the concession agreement or at any time thereafter.

4. The following shall apply/not apply to the award of concession and the concession agreement:

1) paragraphs 3-6 of Article 3 of the Law on Concessions shall not apply to the extent it is related to the prohibition to transfer assets owned by the state or by a state-controlled entity (and required for implementation of the project) to the concessionaire, or the prohibition to contribute such assets to the capital of the project implementing company;

2) paragraphs 7, 8 and 9 of Article 3 of the Law on Concessions, which establish the requirements for the insurance, management and/or use, and return of assets owned by the state or by a state-controlled entity and taken over by the concessionaire, shall not apply;

3) Article 16 of the Law on Concessions committing to enter into the concession agreement exclusively with the bidder shall not apply; the concession agreement shall be concluded between the entities referred to in paragraph 2 of this Article;

4) The six-month deadline for making a decision to award the concession established by paragraph 4 of Article 17 of the Law on Concessions shall not apply;

5) The requirement of Article 21¹ of the Law on Concessions that the concession agreement be concluded exclusively between the awarding authority and the concessionaire shall not apply;

6) subparagraph 3 of paragraph 1 of Article 22 of the Law on Concessions establishing the maximum duration of the concession agreement shall not apply and the duration of the concession shall be established by the project concession agreement;

7) subparagraph 13 of paragraph 1 of Article 22 and subparagraph 17 of paragraph 1 of Article 22 of the Law on Concessions establishing the requirements for content of the concession agreement shall not apply to the extent it is related to the requirement for a concessionaire to provide a performance security for its obligations, and the right of the awarding authority to inspect the assets owned by the project implementing company.

Article 11. Sources of Financing of the Project

1. The share of investments in the project implementing company of the strategic investor and the strategic partner (partners) and/or the strategic partner's (partners') controlled entity (entities) shall be granted as loans and/or by subscribing shares of the project implementing company, and/or by other legal means. The shareholders of the project implementing company shall themselves decide on how to finance their investments, including borrowing, issuance of shares and/or other legal means.

2. The share of the national investor and/ or its controlled entity (if the shareholder of the project implementing company is a controlled entity) in the project implementing company shall be financed as follows:

1) the national investor and/or its controlled entity investing its own and/or borrowed funds, and/or extending loans;

2) the national investor and/or its controlled entity reinvesting profit or a part of it;

3) and/or employing other legal means.

3. The national investor and/ or its controlled entity, participating in the project implementing company (if applicable), with the prior approval of the Government of the Republic of Lithuania or its authorised institution, shall be entitled to issue securities (bonds, shares, etc.) or otherwise following laws to raise capital for financing the implementation of the project. The Law of the Republic of Lithuania on Privatisation of State-owned and Municipal Property shall not apply to the issue of securities provided in this paragraph.

4. At request of the national investor and/or its controlled entity participating in the project implementing company, the Government of the Republic of Lithuania shall, in accordance with the procedure established by the Law of the Republic of Lithuania on State Debt, have the right to borrow in the State's name the funds required to finance a share of the project implementation. The Government of the Republic of Lithuania shall have the right to re-lend these funds to the national investor and/or its controlled entity participating in the project implementing company, by extending the State re-lended loans for financing the former's share of the project implementation.

Article 12. Other Obligations of the State

The State, on approval of the Seimas of the Republic of Lithuania, may assume other State obligations (than the obligations stipulated in the concession agreement) and/or provide other securities for performance of obligations for the national investor and/or its controlled entity, participating in the project implementing company, related to the project or its separate stage, by securing fulfilment of obligations by the national investor and/or its controlled entity, participating in the project implementing company (if applicable).

Article 13. Selection of the Nuclear Power Plant Plot and Project Preparatory Works

1. The nuclear power plant plot shall be selected in accordance with the procedure laid down by the Law of the Republic of Lithuania on Territorial Planning, the Law on Environmental Impact Assessment of Planned Economic Activities of the Republic of Lithuania, the Law on Nuclear Energy and other legal acts, as well as taking into account the recommendations of the International Atomic Energy Agency.

2. The separate construction permitting documents, in accordance with the procedure established in the Law of the Republic of Lithuania on Construction (the **Law on Construction**), may be issued for the nuclear power plant construction site preparatory works and buildings required for construction technological process (on request by the builder of the nuclear power plant) and for the implementation of the transport communications, required for transportation of heavy-weight and large-sized cargoes for construction of the new nuclear power plant, preparation at roads of state and local importance project (on request by the project implementing institution). The buildings required for construction technological process of the nuclear power plant shall not be treated as the nuclear energy object (nuclear facility) buildings. A list of buildings required for construction technological process of the nuclear power plant, including nuclear power plant construction site preparatory works, shall be established by the Government of the Republic of Lithuania.

3. Projects of the nuclear power plant construction site preparatory works and buildings required for construction technological process must be coordinated with the State Nuclear Power Safety Inspectorate.

4. Supervision of proper execution of the nuclear power plant builder's obligations related to construction site preparatory works and construction of the buildings required for construction technological process shall be carried out by the State Territorial Planning and Construction Inspectorate under the Ministry of Environment of Republic of Lithuania and by the State Nuclear Power Safety Inspectorate.

Article 14. Allotment of Land and Other Assets Required for the Implementation of the Project

1. The new nuclear power plant project and transport communications, required for transportation of heavy-weight and large-sized cargoes for construction of the new nuclear power plant, preparation at roads of state and local importance project shall be considered projects of special significance to the State the implementation of which is subject to the Law of the Republic of Lithuania on Taking of Land for Public Needs in Implementing Projects of Special Significance to the State, except for the requirement of paragraph 2 of Article 3 of such Law to present the project feasibility study as well as other exemptions stipulated in this Law. The new nuclear power plant project shall be implemented as a project of special significance to the State by the Ministry of Energy of the Republic of Lithuania. The project of preparation of transport communications, required for transportation of heavy-weight and large-sized cargoes for construction of the new nuclear power plant, at roads of state and local importance as a project of special significance to the State shall be implemented, in accordance with an approved special plan, by the State institutions appointed by a separate resolution of the Government of the Republic of Lithuania and by the competent municipal institutions indicated in the Annex to this Law. Special and/or detailed territorial planning documents prepared before the submission of the application for adoption of the resolution to start the taking of land for public needs may be used for the implementation of such projects and taking of land for public needs for that purpose.

2. Land and other assets taken for public needs or otherwise used or held by the State or by legal entities (whether directly or indirectly controlled by the State) by the right of ownership or trust or other right, may be transferred to the ownership of the national investor, its controlled entity (if a shareholder of the project implementing company is a controlled entity) and/or the project implementing company as a contribution in kind to the capital of legal entities, and/or sold, allocated, leased or otherwise provided for use to the national investor, its controlled entity (if a shareholder of the project implementing company is a controlled entity) and/or the project implementing company, also on grounds other than stated in the Law of the Republic of Lithuania on Land as well as free of any restrictions prescribed by paragraphs 3-6 and 9 of Article 3 of the Law on Concessions, including the right to invest assets by contributing them to the capital of any of the indicated legal entities, by selling, leasing or otherwise transferring them by other methods stipulated in the Civil Code of the Republic of Lithuania and the Law on Companies. Transactions, by which assets are invested by contributing them to the capital of any of the indicated legal entities, are sold, leased or otherwise transferred, shall be performed without organising a tendering procedure or an auction. The specific method of transfer shall be provided by the agreement between the Government of the Republic of Lithuania and/or respective entities involved in the project. The status of the land transferred into the ownership of the project implementing company and the procedure of use of such land during and after the decommissioning of the nuclear power plant shall be indicated in a separate law on decommissioning of the nuclear power plant and its funding.

CHAPTER FOUR FINAL PROVISIONS

Article 15. Work Permits and Temporary Residence Permits

1. Natural persons as well as employees, staff (whether they work on the grounds other than the employment contract) and/or representatives of the entities (including, but not limited to, all contractors and subcontractors of any tier) participating in the project implementing, who are not nationals of the Member States of the European Union or the European Free Trade Association and who arrive to the Republic of Lithuania to work or engage in lawful activities in designing, constructing or otherwise implementing the project and who hold a certifying document issued respectively by the strategic investor or the project implementing company, and their family members as indicated in the Law of the Republic of Lithuania on Legal Status of Foreign Nationals, shall not be subject to the requirement to have permits for work in the Republic of Lithuania. Temporary residence permits in the Republic of Lithuania valid for three years (with the right to replace them with new ones for an unlimited number of times as long as project implementing work or lawful activities continue) or, if the work or lawful activity relating to the implementation of the project lasts less than three years, for the period such work or lawful activity lasts, may be issued to these foreign nationals.

2. Family members of the foreign nationals specified in paragraph 1 of this Article, as indicated in the Law of the Republic of Lithuania on Legal Status of Foreign Nationals, arriving to reside in the Republic of Lithuania together with such foreign nationals or in order to reside at their place of residence may be issued temporary residence permits in the Republic of Lithuania, which shall be valid for the same period as the permits for temporary residence in the Republic of Lithuania held by the foreign nationals with whom such family members will be residing.

3. The Law of the Republic of Lithuania on Legal Status of Foreign Nationals of the Republic of Lithuania and regulatory enactments shall apply to the foreign nationals stated in paragraphs 1 and 2 of this Article to the extent they do not conflict with this Law.

Article 16. Qualification Requirements

Foreign natural persons and legal entities shall have the right to carry out the project implementation-related works (the performance whereof requires a certificate or a document of recognition of the right to carry out corresponding activities as provided for in the Law on Construction) upon obtaining the certificate in the procedure set forth in the Law on Construction, or upon recognition of their right to carry out similar activities in the Republic of Lithuania as they are entitled to in their countries of origin, subject to the procedure for recognition of the qualification laid down *mutatis mutandis* in the legal acts and applied to natural persons, legal entities or other organisations, divisions of a legal person or organisation of the Member States of the European Union, except for the requirement stipulated in paragraph 12 of Article 10 and paragraph 2 of Article 18¹ of the Law on Construction to file the document valid in the home state (country of origin) that confirms the recognition of the right enjoyed in the home state (country of origin), if such document in their country of origin is not issued.

Article 17. Separation of Ignalina Nuclear Power Plant from the Project

1. The decommissioning works of State Enterprise Ignalina Nuclear Power Plant shall be carried out and the funds required for this shall be accumulated separately and independently from the project. State Enterprise Ignalina Nuclear Power Plant shall not participate in the project.

2. Without prejudice to the nuclear, radiation and physical security and accounting and control of nuclear materials as well as licensing requirements of Ignalina Nuclear Power Plant, a part of the State-owned infrastructure used by State Enterprise Ignalina Nuclear Power Plant and required or adaptable for the implementation of the project may be contributed (directly or indirectly) to the capital of the project implementing company, sold, leased or otherwise provided without tendering to the project implementing company on other grounds specified in legislation.

3. State Enterprise Ignalina Nuclear Power Plant, without prejudice to the safety and security requirements for nuclear energy objects (nuclear facilities), must cooperate with the project implementing company, strategic investor, their employees and representatives, ensuring that activities of State Enterprise Ignalina Nuclear Power Plant do not disturb implementation of the new nuclear power plant project, including granting of an efficient access to the new nuclear power plant plot.

Annex
to the Law of the Republic of Lithuania
on the Nuclear Power Plant

**THE LIST OF MUNICIPALITIES
THE COMPETENT INSTITUTIONS WHEREOF SHALL IMPLEMENT
AS A PROJECT OF SPECIAL SIGNIFICANCE TO THE STATE
THE PROJECT OF PREPARATION OF THE TRANSPORT
COMMUNICATIONS, REQUIRED FOR TRANSPORTATION OF HEAVY-WEIGHT
AND LARGE-SIZED CARGOES FOR CONSTRUCTION OF THE NEW NUCLEAR
POWER PLANT, AT ROADS OF LOCAL IMPORTANCE**

The list of municipalities the competent institutions whereof shall implement as a project of special significance to the State the project of preparation of transport communications, required for transportation of heavy-weight and large-sized cargoes for construction of the new nuclear power plant, at roads of local importance :

1. Ignalina District Municipality;
2. Kaunas District Municipality;
3. Kėdainiai District Municipality;
4. Klaipėda City Municipality;
5. Klaipėda District Municipality;
6. Kretinga District Municipality;
7. Kupiškis District Municipality;
8. Palanga City Municipality;
9. Panevėžys City Municipality;
10. Panevėžys District Municipality;
11. Plungė District Municipality;
12. Radviliškis District Municipality;
13. Rokiškis District Municipality;
14. Šiauliai City Municipality;

15. Šiauliai District Municipality;
16. Telšiai District Municipality;
17. Visaginas Municipality;
18. Zarasai District Municipality.”

Article 2. Entry into Force of the Law

Article 9 of the Law of the Republic of Lithuania on Nuclear Power Plant indicated in Article 1 of this Law shall enter into force on 1 June 2015.

Article 3. Proposals to the Government of the Republic of Lithuania

1. The Government of the Republic of Lithuania or its authorised institutions shall adopt the legal acts implementing this Law.
2. The Government of the Republic of Lithuania or its authorised institutions, in the manner and under the conditions established by the legal acts, shall evaluate issues of the state aid pertaining to implementation of this Law and shall provide the European Commission with the information and/or coordinate such issues with the European Commission.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ