

## 英譯法規內容

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法規內文(Content) :

Nuclear Materials and Radioactive Waste Management Act

Promulgated by Presidential Decree on 25th December, 2002

Chapter I

General Principles

Article 1

This Act is enacted to administer radioactive material, prevent radioactive hazard and secure public safety; matters not provided for herein shall be applied to other relevant laws/statutes and(/or)\*\* decrees.

Article 2

The competent authorities referred to in this Act shall be Atomic Energy Council, Executive Yuan.

Article 3

The “radioactive material” \*\* referred to in this Act means nuclear source material, nuclear fuel and(/or) radioactive waste.

Article 4

In this Act, the terminology used herein shall be defined as follows:

1. “Nuclear source material” means ores of uranium (and/)or thorium, etc., and(/or) any other materials designated by the competent authorities.
2. “Nuclear fuel” means the material that shall generate energy through self-sustained chain reaction of fission of nucleus, and(/or) any other materials designated by the competent authorities.
3. “Radioactive waste” means the discarded material that is radioactive or is contaminated by radioactive substance, including the spent nuclear fuel ready for final disposal.
4. “Nuclear safeguard” means the relevant administrative measures prescribed to execute the international prevention of proliferation of nuclear weapon.

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5. “Final disposal” means the permanent isolation treatment of radioactive waste.

6. “Decommission” means after the permanent cease of operation (and/)or utilization

of production (and/or) or storage facilities of nuclear source material (and/or) or nuclear fuel, and(/or) of treatment (and/or) or storage facilities of radioactive waste, the various measures that are implemented to enable that facilities and(/or) the land resource to be re-developed and(/or) utilized again.

7. "Closure" means facilities of final disposal receive no further radioactive waste and complete necessary measures of de-contamination, overburden and shutdown, etc.

8. "Institutional control" means after the closure of facilities of final disposal, the necessary measures to be executed for maintenance, administration, environmental radiation monitoring and(/or) prevention of external intrusion, et al.

9. "Operator" means an entity who or which has been designated or approved by the government (agencies) to operate production (and/or) or storage facilities of nuclear source material (and/or) or nuclear fuel, and(/or) of treatment, storage or final disposal facilities of radioactive waste; or has been approved by the government (agencies) to hold or utilize the radioactive material.

#### Article 5

If any of the registered items under the license issued according to this Act has been changed, the licensee shall apply for the registration of amendment within the time limit prescribed by the competent authorities.

#### Article 6

Unless permitted by the competent authorities, the following facilities and(/or) the land where facilities are located, the license and(/or) the rights vested in the license, which are (is) administered in accordance with this Act, shall not be assigned, leased, lent, pledged or mortgaged:

1. Production (and/or) or storage facilities of nuclear source material (and/or) or nuclear fuel(; and/or)
2. Treatment, storage (and/or) or final, disposal facilities of radioactive waste.

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#### Article 7

The competent authorities, being accompanied by the inspector(s), under the supervision thereof, dispatched by the foreign or international atomic energy organizations, may execute various inspections and(/or) monitorings according to the relevant nuclear safeguard treaties or agreements executed by and between this country and foreign countries (and/or) or international atomic energy organizations, and may ask the operator to submit designated materials; wherein, the inspection fees for nuclear safeguard to be paid to the international atomic energy organizations shall be

borne by the operator of facilities.

The regulations for the nuclear safeguard operation referred to in the preceding Paragraph shall be prescribed by the competent authorities.

## Chapter II

### Administration of Nuclear Source Material and Nuclear Fuel

#### Article 8

For the construction of production (and/or) storage facilities of nuclear source material (and/or) nuclear fuel, an application for construction license shall be filed with the competent authorities, and the construction shall not commence until the application has been reviewed and approved (by the competent authorities) to satisfy the following prescription and the competent authorities have issued a construction license therefor:

1. The purpose of construction is consistent with that of peaceful use of atomic energy(; and)
2. The equipment and the facilities are sufficient to secure the public health and safety(; and)
3. The impact to the environmental ecology complies with the prescription of relevant laws/statutes and decrees(; and)
4. The technology, the management ability and the financial basis, etc., of the applicant are competent to operate the facilities.

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For the construction of production facilities referred to in the preceding Paragraph, the materials to prove the capability of managing, stowing and finally disposing of the radioactive waste to be generated due to the operation thereof shall be submitted (to the competent authorities).

The competent authorities shall publicize and display the application referred to in the preceding Paragraph within thirty (30) days of the receipt of it; the time period for publication and display is sixty (60) days. During the time period for publication and display, individuals, government agencies or organizations may submit to the competent authorities reference opinions in written document stating the name or appellation and the address; and a hearing (or hearings) shall be held by the competent authorities subsequently.

The regulations for the qualification, documents required, review and approval procedures and other matters to be complied with for an application for construction license for constructing the production (and/or) storage facilities of nuclear source material (and/or) nuclear fuel shall be prescribed by the competent authorities.

## Article 9

Even after the completion of construction of production (and/or) storage facilities of nuclear source material (and/or) nuclear fuel, the facilities shall not be formally operated, until the competent authorities have inspected the construction engineering and qualified the pre-operation thereof, and have issued an operation license therefor. Before the issuance of the operation license for production (and/or) storage facilities of nuclear source material (and/or) nuclear fuel, the competent authorities shall verify that an approval from the domestic or foreign final disposal facilities for storage of radioactive waste, or a contract for handling the same on an agency basis has been obtained.

The valid period of the license referred to in Paragraph 1 of this Article is forty (40) years at longest, and when there is need to continue operation after the license is expired, an application shall be filed two (2) years prior to expiration thereof with the competent authorities for renewing the license thereof. The operation thereof shall not be continued without the renewal of license as per the prescription.

Paragraph 1 of the preceding Article is applicable, *mutatis mutandis*, to the issuance and(/or) the renewal of an operation license; Paragraph 2 (of the preceding Article) is also applicable, *mutatis mutandis*, to the renewal of an operation license.

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## Article 10

The operator of production (and/or) storage facilities of nuclear source material (and/or) nuclear fuel shall follow the prescription of the competent authorities to submit the following reports and(/or) records regularly, and the competent authorities may dispatch the inspector(s) to inspect the facilities at anytime:

1. Reports related to operation, radiation protection, environmental radiation monitoring, irregularity (and/or) emergency event, and(/or) any other reports designated by the competent authorities(; and/or)
2. Production, inventory, (and/or) sales record(s) of nuclear source material (and/or) nuclear fuel(; and/or)
3. Records on generation, treatment, storage and(/or) final disposal of radioactive waste.

## Article 11

The production facilities of nuclear source material (and/or) nuclear fuel shall be operated by qualified operating personnel.

The qualification of operating personnel referred to in the preceding Paragraph shall be prescribed by the competent authorities.

## Article 12

During the construction (and/)or operation period of production (and/)or storage facilities of nuclear source material (and/)or nuclear fuel, neither of the design amendment nor the equipment change, if involved in the following significant safety items, shall be made without an approval from the competent authorities:

1. Modification of operational technical specification(; and/or)
2. Newly added safety issue not covered in the safety analysis report(; and/or)
3. Change of safety-related equipment that has to amend the safety analysis report and that may lower the original design standard after assessment(; and/or)
4. Any other items designated by the competent authorities.

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## Article 13

During the construction (and/)or operation period of production (and/)or storage facilities of nuclear source material (and/)or nuclear fuel, the competent authorities may dispatch the inspector(s) to inspect the facilities at anytime, and may ask the operator to submit relevant materials; and if there is anything not conform to the prescription or if the public health, safety or environmental ecology may be hazarded, the competent authorities shall order the operator to improve the situation or take any other necessary measures within a limited time period. If the operator does not improve it in the limited time period or the situation is serious, the competent authorities may order the operator to cease construction or operation thereof or may revoke the license.

When making the (administrative) decision according to the preceding Paragraph, the competent authorities shall notify the operator by a document detailing the reason. When the situation is urgent, the (administrative) decision may be made verbally at first and the (administrative) decision in writing shall be served supplementally upon the operator within seven (7) days.

For the inspection referred to in Paragraph 1, the competent authorities may entrust relevant government agencies (institutes), schools or organizations to perform; the regulation for entrusting in this context shall be prescribed further by the competent authorities.

## Article 14

For the permanent cease of operation of production (and/)or storage facilities of nuclear source material (and/)or nuclear fuel, the operator shall prepare a decommission plan and shall implement it after the same has been reported to and approved by the competent authorities; and during the implementation period, the

competent authorities may dispatch the inspector(s) to inspect the same at anytime; and after the completion of decommission, the operator shall report it to the competent authorities for inspection.

Where the facilities referred to in the preceding Paragraph have ceased operating for more than one (1) year consecutively but the operator does not report it to the competent authorities for approval, it shall be deemed as the permanent cease of operation; and the decommission procedure shall follow the prescription of the preceding Paragraph.

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The decommission referred to in Paragraph 1 shall be completed within fifteen (15) years of the permanent cease of operation.

#### Article 15

Unless approved by the competent authorities, the nuclear source material (and/)or nuclear fuel shall not be held, utilized, imported, exported, transited, transhipped en route, carried, stowed, discarded, assigned, leased, lent or pledged.

For each of the operations referred to in the preceding Paragraph, a comprehensive material and accounting record shall be made and kept properly and submitted regularly to the competent authorities for recordation and reference.

During the operation process referred to in Paragraph 1, the competent authorities may dispatch the inspector(s) to inspect at anytime and ask the operator to submit relevant materials; and if the public health, safety or environmental ecology may be hazarded, the competent authorities may suspend or restrict the operation wholly or partly, or order the operator to take necessary measures.

When making the (administrative) decision according to the preceding Paragraph, the competent authorities shall notify the operator by a document detailing the reason.

When the situation is urgent, the (administrative) decision may be made verbally at first and the (administrative) decision in writing shall be served supplementally upon the operator within seven (7) days.

The safety administrative rules for the operation of nuclear source material (and/)or nuclear fuel shall be prescribed by the competent authorities.

#### Article 16

The prescription under this Chapter shall not be applicable to nuclear source material (and/)or nuclear fuel which is below a specified weight or activity, or its production (and/)or storage facilities.

The limit value of the specified weight or activity referred to in the preceding Paragraph shall be prescribed by the competent authorities.

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### Chapter III

#### Administration of Radioactive Waste

##### Article 17

For the construction of treatment, storage (and/)or final disposal facilities of radioactive waste, an application for construction license shall be filed with the competent authorities, and the construction shall not commence until the application has been reviewed and approved (by the competent authorities) to satisfy the following prescription and the competent authorities have issued a construction license therefor:

1. The construction is consistent with the prescription of the relevant international conventions(; and)
2. The equipment and the facilities are sufficient to secure the public health and safety(; and)
3. The impact to the environmental ecology complies with the prescription of relevant laws/statutes and decrees(; and)
4. The technology, the management ability and the financial basis, etc., of the applicant are competent to operate the facilities.

The competent authorities shall publicize and display the application referred to in the preceding Paragraph within thirty (30) days of the receipt of it; and the time period for publication and display as to treatment and(/or) storage facilities is sixty (60) days; while the time period for publication and display as to the final disposal facilities is one hundred and twenty (120) days. During the time period for publication and display, individuals, government agencies or organizations may submit to the competent authorities reference opinions in written document stating the name or appellation and the address; and a hearing (hearings) shall be held by the competent authorities subsequently.

The regulations for the qualification, documents required, review and approval procedures and other matters to be complied with for an application for construction license for constructing treatment, storage (and/)or final disposal facilities of radioactive waste shall be prescribed by the competent authorities.

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##### Article 18

Even after the completion of the construction of treatment, storage (and/)or final disposal facilities of radioactive waste, the facilities shall not be formally operated, until the competent authorities have approved and issued an operation license thereof.

The valid period of the license referred to in the preceding Paragraph 1 shall be prescribed by the competent authorities; and when there is need to continue operation after the license is expired, an application shall be filed two (2) years prior to expiration thereof with the competent authorities for renewing the license thereof. The operation thereof shall not be continued without the renewal of license as per the prescription.

Paragraph 1 of the preceding Article is applicable, mutatis mutandis, to the issuance and(/or) the renewal of an operation license.

#### Article 19

During the construction (and/)or operation period of treatment, storage (and/)or final disposal facilities of radioactive waste, neither of the design amendment nor equipment change, if involved in the significant safety items, shall be made without an application therefor submitted to and approved by the competent authorities.

Article 12 is applicable, mutatis mutandis, to the significant safety items referred to in the preceding Paragraph.

#### Article 20

The operator of treatment, storage (and/)or final disposal facilities of radioactive waste shall submit regularly to the competent authorities the reports related to operation, radiation protection, environmental radiation monitoring, irregularity (and/)or emergency event, and(/or) any other reports designated by the competent authorities; and the competent authorities shall publicize the relevant reports.

#### Article 21

The safety administrative rules for the treatment, storage (and/)or final disposal of radioactive material and the operation, design of and safety requirements for the facilities, and(/or) other matters to be complied with shall be prescribed by the competent authorities.

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#### Article 22

Article 13 is applicable, mutatis mutandis, to the administration and(/or) the relevant punishment as to the construction (and/)or operation period of treatment, storage (and/)or final disposal facilities of radioactive waste.

#### Article 23

For the permanent cease of operation of treatment, storage (and/)or final disposal facilities of radioactive waste, the operator shall prepare a decommission plan and shall implement it after the same has been reported to and approved by the competent authorities.

For the closure of the final disposal facilities of radioactive waste, the operator shall prepare the closure plan and the institutional control plan and shall implement the same after they have been reported to and approved by the competent authorities. During the implementation period of the plan(s) referred to in preceding two (2) Paragraphs, the competent authorities may dispatch the inspector(s) to inspect the same at anytime; after the completion of the plan(s), the operator shall report it to the competent authorities for inspection.

Where the facilities referred to in Paragraph 1 has ceased operating for more than one (1) year consecutively but the operator does not report it to the competent authorities for approval, it shall be deemed as the permanent cease of operation; and the decommission procedure shall follow the prescription of Paragraph 1.

The decommission referred to in Paragraph 1 shall be completed within fifteen (15) years of the permanent cease of operation.

#### Article 24

For the re-utilization or the exemption from institutional control of the land where final disposal facilities of radioactive waste are located, the operator shall submit to the competent authorities the materials as to environment assessment and the radiation safety assessment report approved by the competent authorities of environment protection and shall implement the same after approval.

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#### Article 25

Unless approved by the competent authorities, the radioactive waste shall not be imported, exported, transited, transhipped en route, carried, discarded, or assigned; and the regulations for documents required, review and approval procedures and other matter to be complies with for an application in this regard shall be prescribed further by the competent authorities..

Article 15 is applicable, mutatis mutandis, to the administration and the relevant publishment as to the operation procedures referred to in the preceding Paragraph.

#### Article 26

The application for the construction (and/)or the operation of treatment (and/)or storage facilities of radioactive waste within the premises of nuclear reactor facilities, covered by the safety analysis report, may be made in combination with the application for the construction license and the operation license of the nuclear reactor facilities.

After being reported to and approved by the competent authorities, the decommission of treatment (and/)or storage facilities of radioactive waste referred to in the

preceding Paragraph may be implemented in combination with the decommission of the nuclear reactor facilities

#### Article 27

Treatment facilities of radioactive waste shall be operated by qualified operating personnel. The qualification of the operating personnel shall be prescribed by the competent authorities.

#### Article 28

The producer of radioactive waste shall bear the necessary expenses for treatment, carriage, storage and(/or) final disposal of waste and(/or) the decommission of facilities.

#### Article 29

The treatment, carriage, storage and(/or) final disposal of radioactive waste shall be -12/19- 20021230

done by the producer of radioactive waste itself solely or be entrusted to the entrepreneur' who or which is of technical capability of finally disposing of the domestic or foreign radioactive waste, or holds the facilities thereof; and the producer shall be responsible for minimizing the generation amount and the cubic measure of radioactive waste. The plan of final disposal shall be actually proceeded in accordance with the planned schedule.

The fee scale of the entrepreneur' entrusted to implement treatment, carriage, storage and(/or) final disposal referred to in the preceding Paragraph shall be reported and determined (approved) by the competent authorities.

#### Article 30

The final disposal facilities of radioactive waste shall receive the radioactive waste generated by the whole country; and before the implementation of this Act, the necessary expenses for the final disposal of the radioactive waste entrusted to treat or stow referred to in Paragraph 1 of the preceding Article shall be supported by the budget drawn up by the government.

#### Article 31

The prescription of this Chapter is not applicable to the radioactive waste tantamount to a specified activity or a lower activity, and(/or) the waste generated by naturally occurring radioactive material.

The limit value of the specified activity (and/)or the lower activity referred to in the preceding Paragraph and its administrative regulations for the waste generated by naturally occurring radioactive material shall be prescribed by the competent authorities.

## Chapter IV

## Penal Provisions

## Article 32

One who commits any of the following acts (or omission) shall be punished with imprisonment for not more than three (3) years, or detention; or in lieu thereof or in -13/19- 20021230

addition thereto, a fine of not more than New Taiwan Dollars Three Million (NT\$ 3,000,000):

1. Operating the facilities in violation of Paragraph 1 or Paragraph 3 of Article 9, or Paragraph 1 or Paragraph 2 of Article 18.
2. Violating Paragraph 1 of Article 13 or Article 22, to which Paragraph 1 of Article 13 is applicable, *mutatis mudandis*, not to obey the order of the competent authorities to prohibit him (her) from construction or operation.

One who disposes of radioactive waste shall be punished with imprisonment for not more than five (5) years, or detention; or in lieu thereof or in addition thereto, a fine of not more than New Taiwan Dollars Six Million (NT\$6,000,000).

One who commits negligently the offence specified in the preceding Paragraph shall be punished with imprisonment for not more than one (1) year, or detention; or in lieu thereof or in addition thereto, a fine of not more than New Taiwan Dollars Two Million (NT\$ 2,000,000.00).

## Article 33

One who violates Paragraph 1 of Article 8 or Paragraph 1 of Article 17 to construct the facilities arbitrarily shall be punished with an (administrative) fine of more than New Taiwan Dollars Five Million (NT\$5,000,000) but not more than New Taiwan Dollars Twenty-Five Million (NT\$25,000,000) and shall be ordered to prohibit from construction and to supplement formalities; and when it is necessary, the person may be ordered to dismantle the facilities within a limited time.

If an order to prohibit from construction has been issued in accordance with the preceding Paragraph but the construction is resumed arbitrarily or the facilities have not been dismantled within the prescribed time limit, one shall be punished with an (administrative) fine of more than New Taiwan Dollars Ten Million (NT\$10,000,000) but not more than New Taiwan Dollars Fifty Million (NT\$50,000,000), and shall be compulsorily executed to dismantle the facilities.

If after the facilities have been compulsorily dismantled according to the preceding Paragraph, the construction is resumed arbitrarily and an order to prohibit therefrom is not obeyed, one shall be punished with imprisonment for not more than one (1)

year, or detention; and in addition thereto, a fine of not more than New Taiwan Dollars Ten Million (NT\$10,000,000) may be imposed.

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#### Article 34

One who does not submit the decommission plan, the closure plan, or the institutional control plan according to Paragraph 1 of Article 14, or Paragraph 1 or Paragraph 2 of Article 23 respectively, shall be punished with an (administrative) fine of more than New Taiwan Dollars Two Million (NT\$2,000,000) but not more than New Taiwan Dollars Ten Million (NT\$10,000,000), and shall be ordered to submit the plan(s) in a limited time.

One who violates Paragraph 1 of Article 14, or Paragraph 1 or Paragraph 2 of Article 23 not to implement the decommission plan, the closure plan, or the institutional control plan approved by the competent authorities shall be punished with an (administrative) fine of more than New Taiwan Dollars Five Million (NT\$5,000,000) but not more than New Taiwan Dollars Twenty-Five Million (NT\$25,000,000).

One who fails to submit the decommission plan, the closure plan, or the institutional control plan within the limited time period ordered in accordance with Paragraph 1 of this Article shall be punished with imprisonment for not more than one (1) year, or detention; and in addition thereto, a fine of not more than New Taiwan Dollars Ten Million (NT\$10,000,000) may be imposed.

#### Article 35

Where the responsible person for a juristic person (entity), the agent, the employee or any other practitioners of a juristic person (entity) or natural person, who commits in the performance of his(/her) duties any of the offences prescribed in the preceding three (3) Articles, not only shall the wrongdoer be punished in accordance with the respective Articles but the aforesaid juristic person (entity) or natural person shall be fined as in each of those Articles.

#### Article 36

One who violates Article 24 to re-utilize the land arbitrarily or cease the institutional control shall be punished with an (administrative) fine of more than New Taiwan Dollars Twenty Million (NT\$20,000,000) but not more than New Taiwan Dollars One Hundred Million (NT\$100,000,000) and shall be ordered to improve the situation in a limited time; and if it is not improved within the prescribed time limit, the punishment may be continually imposed for each violation.

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#### Article 37

One who fails to complete the decommission within the time limit prescribed in accordance with Paragraph 3 of Article 14 or Paragraph 5 of Article 23, or fails to implement the final disposal plan in accordance with the planned schedule referred to in Paragraph 1 of Article 29 shall be punished with an (administrative) fine of more than New Taiwan Dollars Ten Million (NT\$10,000,000) but not more than NT Fifty Million (NT\$50,000,000), and the punishment may be respectively imposed annually.

#### Article 38

One who commits any of the following acts (or omission) shall be punished with an (administrative) fine of more than New Taiwan Dollars Two Million (NT\$2,000,000) but not more than New Taiwan Dollars Ten Million (NT\$10,000,000) and shall be ordered to improve the situation within a limited time; and if it is not improved within the prescribed time limit, the competent authorities may prohibit the person from construction (and/)or operation wholly or partly, or may revoke the license:

1. Violating Article 12 or Paragraph 1 of Article 19.
2. Violating Article 10 or Article 20, not to make timely relevant records, reports (and/)or submit them regularly, or to make a false entry therein.

#### Article 39

One who evades, obstructs, or refuses the inspection, monitoring or submission of records or materials specified in Paragraph 1 of Article 7, Paragraph 1 of Article 13, Paragraph 2 or Paragraph 3 of Article 15, Article 22, to which Paragraph 1 of Article 13 is applicable, mutatis mutandis, or Paragraph 2 of Article 25, to which Paragraph 2 (and/)or Paragraph 3 of Article 15 is applicable, mutatis mutandis, shall be punished with an (administrative) fine of more than New Taiwan Dollars Two Million (NT\$2,000,000) but not more than New Taiwan Dollars Ten Million (NT\$10,000,000), and may be continually punished for each violation and be subject to compulsory inspection.

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#### Article 40

One who violates Article 6, Paragraph 1 of Article 11, Paragraph 1 of Article 15, Paragraph 1 of Article 25, or Paragraph 1 of Article 27 shall be punished with an (administrative) fine of more than New Taiwan Dollars Two Million (NT\$2,000,000) but not more than New Taiwan Dollars Ten Million (NT\$10,000,000).

#### Article 41

One who violates Article 5 not to apply to amend the registration in the prescribed time limit when any of the registered items under the license has been changed shall be punished with an (administrative) fine of more than New Taiwan Dollars One

Million (NT\$1,000,000) but not more than New Taiwan Dollars Five Million (NT\$5,000,000).

#### Article 42

One who violates the safety administrative rules prescribed pursuant to Paragraph 5 of Article 15 or Article 21 shall be punished with an (administrative) fine of more than New Taiwan Dollars Five Hundred Thousand (NT\$500,000) but not more than New Taiwan Dollars Two Million and Five Hundred Thousand (NT\$2,500,000), and shall be ordered to improve the situation within a limited time; and if it is not improved within the prescribed time limit, the punishment may be continually imposed for each violation and the person may be ordered to prohibit from operation.

#### Article 43

One who fails to pay the administrative fine(s) under this Act within the prescribed time limit after being served a notice demanding payment shall be referred to the Court for compulsory execution.

#### Article 44

If a license is revoked according to Paragraph 1 of Article 13 or Article 22, to which Paragraph 1 of Article 13 is applicable, *mutatis mutandis*, the same kind of license shall not be applied by and(/or) granted to the same one within one (1) year commencing from the date of its revocation.

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#### Article 45

For the cases punished with administrative fine(s), the related nuclear source material, nuclear fuel, (and/)or radioactive waste may be administratively confiscated.

If the confiscated or administratively confiscated material due to the violation of this Act is handled or institutionally controlled by the competent authorities, the necessary expenses shall be borne by the punished person or the owner of material.

One who fails to pay the expenses referred to in the preceding Paragraph within the prescribed time limit after being served a notice demanding payment shall be referred to the Court for compulsory execution.

### Chapter V

#### Supplemental Provisions

#### Article 46

The operator of nuclear power shall raise from the nuclear back end operation funds, by way of setting aside at least two percent (2%) thereof, and transfer funds to carry on the research and(/or) the development of operating technology of radioactive materials and(/or) final disposal.

Those who made distinguished contributions to the research and(/or) the development referred to in the preceding Paragraph may be encouraged; and the regulations therefor shall be prescribed by the competent authorities.

#### Article 47

The competent authorities when implementing administration, accepting application for approval and(/or) issuing license according to this Act, may charge inspection fee, review fee, and(/or) license fee; and the fee scale shall be prescribed by the competent authorities.

#### Article 48

Before the implementation of this Act, the production (and/)or storage facilities of nuclear source material (and/)or nuclear fuel, (and/)or treatment (and/)or storage

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facilities of radioactive waste which have been permitted to install by the competent authorities shall be deemed to have obtained an operation license; and it (they) may continue to be operated until the originally approved valid date is expired.

Before the implementation of this Act, the operating personnel responsible for the operation of production facilities of nuclear source material (and/)or nuclear fuel and(/or) treatment facilities of radioactive waste may continue to operate the original facilities, provided, however, that he (or she or they) shall obtain qualified qualifications within two (2) years of the implementation of this Act.

#### Article 49

After the implementation of this Act, the competent authorities shall supervise and urge upon the producer of radioactive waste to plan the preliminary construction of the domestic final disposal facilities of radioactive waste, and ask the producer of radioactive waste to resolve the issues as to the final disposal of radioactive waste. After the implementation of this Act, for the newly built production (and/)or storage facilities of nuclear source material (and/)or nuclear fuel which are for the purpose of education, research, or medical cure, the final disposal facilities to be planned and constructed in accordance with the preceding Paragraph shall substitute temporarily for that prescribed under Paragraph 2 of Article 9.

After the implementation of this Act, for the entrepreneur' handling, carrying or stowing the radioactive waste arising from the industry other than education, research, medical cure, agriculture or nuclear power, the final disposal facilities to be planned and constructed in accordance with the preceding Paragraph shall substitute temporarily for that prescribed under Paragraph 2 of Article 9.

#### Article 50

Enforcement rules for this Act shall be prescribed by the competent authorities.

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Article 51

This Act shall become effective as of the date of promulgation.