

# Enforcement Decree of the Act on Establishment and Operation of the Nuclear Safety and Security Commission

Enacted by Presidential Decree No. 23247, Oct. 25, 2011  
(Entered into force Oct. 26, 2011)

## Article 1 (Purpose)

The purpose of this Decree is to provide for those matters stipulated by the Act on Establishment and Operation of the Nuclear Safety and Security Commission and for matters necessary for the enforcement thereof.

## Article 2 (Guarantee of Independence of Safety Management of Nuclear Power)

“Matters specified by Presidential Decree” in Article 3 (2) 4 of the Act on Establishment and Operation of the Nuclear Safety and Security Commission (hereinafter referred to as the “Act”) means any of the following:

1. Matters concerning the formulation of comprehensive nuclear safety plans under Article 3 of the Nuclear Safety Act;
2. Matters concerning orders pursuant to Articles 12 (3), 15 (2), 16 (2) (including cases where it is applied mutatis mutandis in Article 34 of the same Act), 17 (1), 22 (2) (including cases where it is applied mutatis mutandis in Article 34 of the same Act), 23 (2), 24 (1), 27 (including cases where it is applied mutatis mutandis in Article 34 of the same Act), 28 (4) (including cases where it is applied mutatis mutandis in Article 34 of the same Act), 32, 37 (2), 38 (1), 41, 42 (4), 47 (2), 48, 50 (2), 52 (3), 56 (2), 57 (1), 59 (2), 65 (2), 66 (1), 68 (2), 75 (2), 80 (2), 81 (1), 92 (2), 98 (1) and (3) and 104 (3) of the Nuclear Safety Act;
3. Matters concerning the designation of restricted areas under Article 89 (1) of the Nuclear Safety Act and concerning orders to restrict the entry and residence of the general public within areas restricted under paragraph (2) of the same Article.

## Article 3 (Prohibition of For-profit Business)

No standing member of the Nuclear Safety and Security Commission under Article 3 (1) of the Act (hereinafter referred to as the “Commission”) shall

engage in any business for which he/she provides labor and receives regular remuneration, pursuant to Article 9 (3) of the Act.

**Article 4** (Special Committees)

(1) Special Committees under Article 15 of the Act (hereinafter referred to as “special committee”) shall include no more than 15 members, including one chairperson.

(2) The chairperson of a special committee shall be nominated by the Commission chairperson from among the members of the special committee; the members of a special committee shall be commissioned or appointed by the Commission chairperson from among the following persons:

1. Persons who have extensive knowledge and experience in nuclear power;
2. Employees of related agencies.

(3) The term of office for each member of a special committee shall be two years and may be renewed only once.

(4) A meeting of a special committee shall be convened with the attendance of the majority of incumbent members and agenda items shall be resolved through a majority of those members present.

(5) In any of the following cases, the Commission may organize a separate special committee to investigate relevant issues:

1. Where a critical accident occurs in the safety system of a facility related to nuclear power;
2. Where environmental pollution from a radiation accident occurs;
3. Where a grave accident with radiation exposure occurs;
4. Where an overseas radiation-related accident corresponding to cases under subparagraphs 1 through 3 occurs, or where radioactive contamination spreads.

(6) Paragraph (3) shall not apply to special committees under paragraph (5)

(7) In addition to matters prescribed in paragraphs (1) through (6), matters necessary for the organization and operation of special committees shall be prescribed by the Decree of the Nuclear Safety and Security Commission.

**Article 5** (Request for Investigation, Research, etc.)

(1) When necessary for the deliberation of business falling under their jurisdiction and for other tasks, the chairpersons of the Commission and of special committees may request related agencies or specialists from home or

abroad to conduct investigations or research or provide data on the relevant issues.

(2) Where investigation or research or the provision of data is requested pursuant to paragraph (1), expenses to be incurred therein may be provided within budgetary limits.

#### **Article 6** (Hearing Opinions)

If recognized as necessary for deliberation, the Commission and special committees may request the attendance of employees of related agencies, etc. in order to hear their opinions.

#### **Article 7** (Allowances and Travel Expenses)

Allowances and travel expenses may be provided to members and to employees of related agencies, etc. who attend a meeting of the Commission or special committees, within budgetary limits: Provided, That this shall not apply where a member who is a public official attends the Act on Establishment and Operation of the Nuclear Safety and Security Commission or special committees in direct relation to his/her pertinent business.

**ADDENDUM** <Presidential Decree No. 23247, Oct. 25, 2011>

This Decree shall enter into force on October 26, 2011.