

(Text in force on: 20/11/2013)

Decree of 8 October 1969 implementing Sections 13 and 14 of the Nuclear Energy Act

We JULIANA, by the grace of God Queen of the Netherlands, Princess of Orange-Nassau, etc., etc., etc.

On the proposal of our Minister of Economic Affairs of 5 April 1967, no. 667/321 W.J.A., having heard the Central Council for Nuclear Energy;

Having regard to Sections 13, 14, 26, 73 and 76 of the Nuclear Energy Act (*Bulletin of Acts and Decrees* 1963, 82);

Having heard the Council of State (Recommendation of 26 April 1967, no. 51);

Having regard to the further report of Our Minister aforementioned of 3 October 1969, no. 669/658 W.J.A.;

Have approved and decreed:

§1. Definitions

Article 1

For the purposes of the provisions of or pursuant to this Decree, the following terms are defined as follows:

Act: the Nuclear Energy Act;

register: the register as referred to in Section 13 (1) of the Act;

Our Minister: Our Minister of Housing, Spatial Planning and the Environment;

Head: the Head of the Tax and Customs Administration, Central Import and Export Office;

content: as defined in Article 1 (1) of the Nuclear Facilities, Fissionable Materials and Ores Decree;

degree of enrichment: as defined in Article 1 (1) of the Nuclear Facilities, Fissionable Materials and Ores Decree.

In this Decree and the provisions based upon it:

a. ores: substances other than fissionable materials and ores from which fissionable materials can be obtained and that contain at least one-tenth of a per cent uranium or three per cent thorium by weight;

b. holding: producing, processing, handling and storing.

§2. The Register

Article 2

1. The register shall be organized in such a way that from it can easily be ascertained what quantity of reported fissionable materials and ores are being held on Dutch soil and where they are being held.

2. Our Minister shall lay down more detailed rules on the organization of the register.

Article 3

1. Our Minister shall furnish from the register to persons entrusted with responsibilities for implementing the Act or international agreements or decisions of international organizations that are binding on the Netherlands and relate wholly or partly to the area of nuclear energy or ionizing radiation such information as is needed to fulfil those responsibilities on request by them.
2. Our Minister shall furnish from the register to Dutch government bodies on request by them such information as is needed to fulfil their responsibilities.
3. Our Minister may also furnish information from the register to other persons on request by them. Such information shall not in any event include data from which conclusions could be drawn concerning an individual person, enterprise or institution.
4. Our Minister may impose a requirement of confidentiality when furnishing information.

§3. Record-Keeping

Article 4

1. Any person required under Section 14 (1) of the Act and this Decree to report fissionable materials or ores must keep records of these materials that enable him at all times to report them in this way and to substantiate the correctness of the reports done by him.
2. Any person who keeps or has kept records in accordance with (1) shall retain the documents that comprise these records, and the documents from which the data contained in the records are derived, for five years after the calendar year to which they relate.

§4. Reports concerning Fissionable Materials

Article 5

Any person who pursuant to a licence granted to him under Section 15 of the Act holds fissionable materials for or partly for his own use in a plant in which nuclear energy can be released, or for or partly for his own use in a production process connected with the nuclear fuel cycle, shall no later than the fifteenth day after the end of each calendar month report in writing to the Head:

- a. the quantity, chemical and physical state, form, content and degree of enrichment of the fissionable materials that he held on the first and last day respectively of that calendar month;
- b. the quantity, chemical and physical state, form, content and degree of enrichment, and the origin and destination, of the fissionable materials that he received or dispatched respectively during that calendar month;
- c. the changes that took place in the stock of fissionable materials during that calendar month other than as a result of receipt or dispatch.

Article 6

Any person who other than in the cases referred to in Article 5 pursuant to a licence granted to him under Section 15 of the Act holds fissionable materials other than in storage in connection with transport shall no later than the fifteenth day after the end of each calendar quarter report in writing to the Head:

- a. the quantity, chemical and physical state, form, content and degree of enrichment, and the origin, of the fissionable materials that he received during that calendar quarter, stating the purposes for which they are intended;
- b. the quantity, chemical and physical state, form, content and degree of enrichment of the fissionable materials that he held on the last day of that calendar quarter.

§5. Reports concerning Ores

Article 7

Any person who pursuant to a licence granted to him under Section 15 of the Act holds ores for or partly for his own use for the production of fissionable materials shall no later than the fifteenth day after the end of each calendar month report in writing to the Head:

- a. the nature and quantity and the average uranium or thorium content of the ores that he held on the first and last day respectively of that calendar month;
- b. the nature and quantity and the average uranium or thorium content, and the origin and destination, of the ores that he received or dispatched respectively during that calendar month;
- c. the changes that took place in the stock of ores during that calendar month other than as a result of receipt or dispatch.

Article 8

Any person who other than in the cases referred to in Article 7 pursuant to a licence granted to him under Section 15 of the Act holds ores shall no later than the fifteenth day after the end of each calendar quarter report in writing to the Head:

- a. the nature and quantity and the average uranium or thorium content, and the origin, of the ores that he received during that calendar quarter, stating the purposes for which they are intended;
- b. the nature and quantity and the average uranium or thorium content of the ores that he held on the last day of that calendar quarter.

Article 9

Any person who has ascertained the presence of ores in the ground in such quantity and form that he can reasonably be expected to assume that they could be suitable for extraction shall:

- a. report the presence of those ores in writing to Our Minister;
- b. in that report state all the data available to him that he can reasonably be expected to assume could be of importance in assessing the possibility of extracting those ores.

§6. Other Provisions

Article 10

Our Minister shall lay down more detailed rules concerning the way in which the reports referred to in Articles 5-8 are to be made.

Article 11

Failure to comply with Article 4 (2) is a criminal offence.

§7. Final Provisions

Article 12

1. This Decree may be cited as the 'Fissionable Materials and Ores (Recording) Decree'.
2. It shall enter into force on the date to be stipulated by Us.

Our Minister of Economic Affairs shall be responsible for the implementation of this Decree, which shall be published with its Explanatory Memorandum in the *Bulletin of Acts and Decrees* and a copy of which shall be sent to the Council of State.

Soestdijk, 8 October 1969

JULIANA.

The Minister of Economic Affairs,
L. DE BLOCK.

Issued this eleventh day of November 1969.

The Minister of Justice,
C. H. F. POLAK.