

NUCLEAR ENERGY FORUM

CONSIDERATIONS AND ESSENTIAL INFORMATION

NUCLEAR ENERGY FORUM


22 August 2017 | Novotel Manila

SENATOR WIN GATCHALIAN



ROLE OF THE SENATE

- Political mandate
- Overall policy direction
- Legislative framework
- Policy consistency
- Check and balance
- Appropriations
- International commitments



KEY PHILIPPINE LAWS ON NUCLEAR ENERGY



Republic Act No. 1815 (1957)
**Created the Philippine Nuclear
Energy Commission**

Powers of Philippine Nuclear Energy Commission

- **Issue licenses to sell, buy, process, use, and/or dispose of radioactive and fissionable materials**
- **Make arrangements for the establishment of a nuclear reactor**
- **Conduct research and development**
- **Promulgate rules and regulations**



Republic Act No. 2067(1958)
**Creates the Philippine Atomic
Energy Commission**

Powers of Philippine Atomic Energy Commission

- **Establish laboratories for nuclear research and training**
- **Conduct research and development**
- **Issue rules and regulations**
- **Approve and facilitate the procurement of radioactive material**
- **Issue licenses**
- **Study and evaluate project proposals**

Republic Act No. 5207(1968) Atomic Energy Regulatory and Liability Act of 1968



Philippine Atomic Energy Commission is the **regulator** and acts as a **quasi-judicial** entity



Powers of Philippine Atomic Energy Commission

- Establish and issue regulations and orders including those for transport of atomic energy
- License and regulate or prohibit the import or export of atomic energy
- Issue licenses
- Modify, amend, suspend, or revoke any license
- Inspect activities and require reports
- Hold hearings and conduct investigations
- Issue, amend, and revoke such regulations

Executive Order No. 128 (1987)



The image shows the exterior of a modern building with a dark brown, vertically-ribbed upper section and a light-colored lower section. A prominent dark brown horizontal band across the middle contains the text "PHILIPPINE NUCLEAR RESEARCH INSTITUTE" in white, uppercase letters. To the right of this band, there is a logo consisting of a blue stylized flower or atom symbol above the letters "PNRI" in blue. The building has several large glass windows and doors, some with dark frames. The foreground shows a concrete walkway with a yellow and black striped safety barrier, and some green grass at the bottom of the frame.

PHILIPPINE NUCLEAR RESEARCH INSTITUTE



**Reorganized the Philippine Atomic
Energy Commission into the
Philippine Nuclear
Research Institute (PNRI)**

Functions of Philippine Nuclear Research Institute

- **Conduct research and development**
- **Operate and maintain nuclear research reactors and other radiation facilities**
- **License and regulate activities relative to production, transfer, and utilization of nuclear and radioactive substances**

Executive Order No. 243 (1995)



Creates a **Nuclear Power Steering Committee** to provide policies, direction, monitoring, evaluation and other functions



Nuclear Power Steering Committee

- DOE
- DOST
- DENR
- DOJ
- NEDA
- Office of the Press Secretary
- NPC
- PNRI
- Office of the President
- 2 members from private sector



NPC shall provide administrative and secretariat support



Republic Act No. 6969 (1990)
**An Act to Control Toxic Substances and
Hazardous and Nuclear Wastes**

Covers importation, manufacture, processing, handling, storage, transportation, sale, distribution, use and disposal of **all unregulated chemical substances**





**PHILIPPINE NUCLEAR
POLICY:
MOVING
FORWARD**

Existing Policy vs. International Standard

- **Lack of cohesive policy direction**
- **No specialized agency**
- **No regulator**
- **Lack of manpower**
- **Lack of research and development**

Necessary Legislative Measures

- **Regulator**
 - Having a single organization exercise regulatory control
- **Radiation protection**
- **Safety of Nuclear Facilities and Decommissioning**
- **Emergency preparedness and response**
- **Processing of radioactive material**

Necessary Legislative Measures

- **Transport of radioactive material**
- **Radioactive waste and spent fuel**
- **Nuclear liability and coverage**
- **Safeguards**
- **Export and import controls**
- **Nuclear security, physical protection, and illicit trafficking**

Laws Governing South Korean Nuclear Power Industry

	LAW
1	Nuclear Safety Act
2	Nuclear Promotion Act
3	Act on Physical Protection and Radiological Emergency
4	Nuclear Liability Act
5	Act of Indemnification Agreement for Nuclear Liability
6	Industrial Safety and Health Act
7	Building Act
8	Basic Act of Environmental Policy
9	Act on Environmental Impact Assessment
10	Framework Act on Fire Services
11	Radioactive Waste Management Act
12	Electricity Business Act
13	Electric Source Development Promotion Act
14	Basic Act on Civil Defense
15	Basic Act on Management of Disasters and Safety
16	Industrial Accident Compensation Insurance Act

France Nuclear Legislation

	LAW	
1	Public Health Code	Use of radioactive materials, general safety involved in operations
2	TSN Act	All operations of Nuclear Installations
3	Mining Code	Mining of radioactive materials
4	Decree 2006-649	Underground storage works and mines
5	Decree 2006-648	Mining concessions
6	Environment Code	Zoning rules for nuclear energy facilities, waste disposal
7	Finance Act	Interaction of TSN with taxation of nuclear facilities
8	Planning Act	General Funding of Nuclear Energy
9	Decree 99-1046	Nuclear pressure equipment
10	Defense Code	Interaction of TSN with military systems and military installations
11	Commune Protection Plan	Modernization of civil protection
12	Decree 2008-378	Formation of the Nuclear Policy Council
13	Decree 72-1158	Invention Patents for Nuclear Energy
14	Industrial Property Code	Inventions involving National Defense
15	Employment Code	Protection of workers, radiation safety, accreditation
16	TMD Order	Transportation of Dangerous Goods
17	Nuclear 3 rd Party Liability	Rules governing the liability of nuclear operators
18	Paris Convention	Nuclear incidents, damages

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