

*Consolidated version from 01-11-2019*

**HEAD OF THE STATE NUCLEAR POWER SAFETY INSPECTORATE**

**ORDER**

**ON THE APPROVAL OF NUCLEAR SAFETY REQUIREMENTS BSR-1.1.4-2017 “RULES OF PROCEDURE FOR APPLYING THE ENFORCEMENT MEASURES SET BY THE STATE NUCLEAR POWER SAFETY INSPECTORATE”**

24 October 2011 No. 22.3-106

Vilnius

Acting pursuant to the Article 6 Paragraph 9, Article 10 Paragraph 3, Article 11 Subparagraphs 1 and 2, Article 12 Paragraph 4 and Article 48 Paragraph 5 of Law on Nuclear Safety of the Republic of Lithuania, Article 19 Paragraph 3 and Article 22 Paragraph 1 Subparagraphs 1 and 3 of Law on Nuclear Energy of the Republic of Lithuania, Article 8 Paragraph 2 of Law on Radiation Protection of the Republic of Lithuania and Article 36<sup>9</sup> Paragraph 2 of Law on Public Administration of the Republic of Lithuania,

*Amendments of preamble:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

I approve the Nuclear Safety Requirements BSR-1.1.4-2017 “Rules of Procedure for Applying the Enforcement Measures Set by the State Nuclear Power Safety Inspectorate” (attached).

DEPUTY HEAD,  
ACTING AS HEAD OF VATESI

MICHAIL DEMČENKO

APPROVED BY  
Order No. 22.3-106 of 24 October 2011 of  
Head of the State Nuclear Power Safety Inspectorate  
(Version of Order No. 22.3-115 of 4 July 2017 of  
Head of the State Nuclear Power Safety Inspectorate)

**NUCLEAR SAFETY REQUIREMENTS  
BSR-1.1.4-2017**

**RULES OF PROCEDURE FOR APPLYING THE ENFORCEMENT MEASURES SET BY  
THE STATE NUCLEAR POWER SAFETY INSPECTORATE**

**CHAPTER I  
GENERAL PROVISIONS**

1. The Nuclear Safety Requirements BSR-1.1.4-2017 “Rules of Procedure for Applying Enforcement Measures Set by the State Nuclear Power Safety Inspectorate” (hereinafter – the Rules) regulate the procedure for applying the following enforcement measures, set by the State Nuclear Power Inspectorate (hereinafter – VATESI):

1.1. the provision of mandatory requirements, set out in the Article 6 Paragraphs 2 and 3 of Law on Nuclear Safety of the Republic of Lithuania (hereinafter jointly referred to as – the mandatory requirement), licences, set out in the Article 22 Paragraph 1 of Law on Nuclear Safety of the Republic of Lithuania, and permits provided to holders, indicated in the Article 22 Paragraph 2 of Law on Nuclear Safety of the Republic of Lithuania, as well as persons, indicated in Article 20 Paragraph 1 Subparagraphs 2 and 3 of this law and other economic entities, whose supervision is carried out in accordance with this law (hereinafter – the economic entity);

1.2. drawing up of protocols of administrative offences and imposition of administrative penalties and administrative sanctions, set out in the Code of Administrative Offences of the Republic of Lithuania (hereinafter – CAO), on natural persons;

1.3. procedure for imposition of fines, set out in Article 47 Paragraphs 1 and 2 of the Law on Nuclear Safety of the Republic of Lithuania, on legal persons;

1.4. Provision of mandatory requirements to eliminate the identified violations of legislation, regulating physical security of nuclear and radioactive sources, to persons, indicated in the Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania (hereinafter – the mandatory requirement for persons, indicated in the Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania);

1.5. notification of persons, indicated in the Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania about the possible suspension of work with a specific source of ionising radiation, and suspension of work with the specific source of ionising radiation;

1.6. provision of mandatory requirements to eliminate the identified violations of legislation, regulating radiation protection training, to persons, providing radiation protection training;

1.7. provision of mandatory requirements to eliminate the identified violations of legislation, regulating the requirements for recognition of dosimetry services of nuclear installations, to dosimetry services of nuclear installations, having a certificate of recognition (hereinafter – dosimetry services).

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

<sup>1</sup> The Rules also regulate the criteria of insignificant violations of the regulatory and supervisory requirements, set out in the legislation of the State Nuclear Power Safety Inspectorate (hereinafter – insignificant violations) and actions taken after identification of such violations.

*Supplemented by the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

2. Operational violations of the nuclear safety, physical security of a nuclear installation, the site of a nuclear installation, nuclear materials and nuclear fuel cycle materials, radiation protection during the performance of nuclear power activities with sources of ionising radiation, as well as accounting and control of nuclear materials and other requirements arising out of the international obligations for non-proliferation of nuclear weapon as assumed by the Republic of Lithuania, which are indicated in the Rules and set out in Article 6 Paragraphs 2 and 3 of Law on Nuclear Safety of the Republic of Lithuania; violations subject to administrative penalties and administrative sanctions, indicated in CAO; and violations subject to pecuniary penalties, indicated in Article 47 Paragraphs 1 and 2 of Law on Nuclear Safety of the Republic of Lithuania, are jointly referred to as safety violations. Violations of legislation, regulating radiation protection and/or physical security of radioactive sources, indicated in the Law on Radiation Protection of the Republic of Lithuania, are referred to as violations of radiation protection and/or physical security in the Rules.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

3. Terms used in the Rules correspond to terms used in the Law on Nuclear Energy of the Republic of Lithuania, Law on Nuclear Safety of the Republic of Lithuania, Law on Radiation Protection of the Republic of Lithuania, Law on Public Administration of the Republic of Lithuania and CAO.

## CHAPTER II

### POWERS OF VATESI EMPLOYEES TO APPLY ENFORCEMENT MEASURES

*Name of the chapter was changed:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

4. *Invalid from 29-12-2018*

*Annulment of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

5. VATESI employees, who were authorised by the Head of VATESI to perform the inspections, are entitled to give verbal requirement to eliminate insignificant violation and to give orders, set out in Article 6 Paragraph 4 of Law on Nuclear Safety of the Republic of Lithuania, to suspend safety violation.

6. Head of VATESI is entitled to provide mandatory requirements, indicated in Subparagraphs 1.1, 1.4, 1.6 and 1.7 of the Rules, including written orders to eliminate an insignificant violation, if it is impossible to eliminate such insignificant violation in the face of VATESI employee, who is performing an inspection.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

7. The following persons of VATESI are entitled to drawn up administrative offences protocols to examine cases of administrative offences and to impose administrative penalties and sanctions in cases and according to the procedure, set out in CAO:

7.1. Head of VATESI;

7.2. Deputy Heads of VATESI;

7.3. Heads of VATESI Divisions;

7.4. other VATESI employees authorised by the Head of VATESI. Such authorisation is being established upon order issued by the Head of VATESI or job descriptions of VATESI employees approved by the Head of VATESI.

7<sup>1</sup>. Head of VATESI shall notify about the possible suspension of work with the specific source of ionising radiation and suspend work with the specific source of ionising radiation.

*Supplemented by the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

**CHAPTER III**  
**ACTIONS THAT SHALL BE TAKEN IN CASE OF IDENTIFICATION OF SAFETY VIOLATIONS, VIOLATIONS OF RADIATION PROTECTION AND/OR PHYSICAL SECURITY, VIOLATIONS OF LEGISLATION, REGULATING RADIATION PROTECTION TRAINING OR VIOLATIONS OF LEGISLATION, REGULATING THE REQUIREMENTS FOR RECOGNITION OF DOSIMETRY SERVICES OF NUCLEAR INSTALLATIONS**

*Name of the chapter was changed:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

8. After VATESI employee identifies safety violation, violation of radiation protection and/or physical security, violation of legislation, regulating radiation protection training or violation of legislation, regulating the requirements for recognition of dosimetry services of nuclear installations during the inspection (hereinafter referred to in this chapter as “violation”), such employee shall make a proposal to the Head of VATESI to apply enforcement measures in the inspection report, except where the activities, having the characteristics of offences, indicated in Article 6 Paragraph 3 Subparagraphs 5 and 6 of Law on Nuclear Safety of the Republic of Lithuania have been identified (hereinafter – gross violation), and the case, indicated in Paragraph 73<sup>1</sup> of the Rules. The proposal to impose an administrative penalty and administrative sanction should not be provided in the inspection report, if the protocol of administrative offence (hereinafter – protocol) has been drawn up at the place where offence was committed.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

9. If the gross violation was identified during the inspection, then VATESI employee shall immediately, after identification of such violation, inform the management of the inspected economic entity and Head of VATESI about it and draw up an official report to the Head of VATESI, where the employee shall indicate the essence of violation, legal entity which allegedly committed a violation, riskiness of violation, the proposed enforcement measure and other significant circumstances. If natural person is also suspected of the commitment of the indicated violation, such person should also be indicated in the official report and it should be proposed to draw up a protocol of administrative offence, if the protocol hasn't been drawn up at the place where offence was committed.

10. If the gross violation was identified outside the time of inspection (for example, not for the purpose of inspection by performing review and assessment of documents, related to evaluation of nuclear safety, obtained from other institutions, information provided through the means of mass communication, etc.), then after identification of such violation, then VATESI employee shall immediately, after identification of such violation, inform the management of the inspected economic entity and Head of VATESI about it and draw up an official report, indicated in Paragraph 9 of the Rules.

11. If VATESI employee received information outside the time of inspection, stating that certain activity or omission of a person subject to the application of enforcement measures by VATESI have the characteristics of offence, which is not deemed as gross violation, the VATESI employee shall inform the Head of VATESI about it in the official report. The circumstances of activity or omission having the characteristics of offence, as well as a person suspected of the commitment of the indicated violation and other well-known significant circumstances shall be indicated in the official report, and proposal shall be made regarding the application of the enforcement measure, if there is sufficient evidence of the committed violation and no inspection is necessary. Such official report shall be accompanied with documents and other evidence (if any)

justifying circumstances indicated in the report. This paragraph shall not be applied, if activity having characteristics of offence, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania, was identified outside the time of inspection.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

12. Upon receipt of official report, indicated in Paragraph 11 of the Rules, Head of VATESI shall make a resolution in such official report, where he shall:

12.1. order to perform an inspection and appoint a responsible VATESI employee, if he determines that it is necessary to gather additional evidence and/or that it is necessary to verify the authenticity of the collected evidence at the premises of a person or at the place of activity;

12.2. order to apply the corresponding enforcement measure and appoint a responsible VATESI employee, if he determines that there is sufficient evidence regarding the committed violation and/or that it is not necessary to verify the authenticity of the collected evidence at the premises of a person or at the place of activity; therefore, it is not necessary to perform an inspection. The appointed VATESI employee shall prepare a draft letter to a person who allegedly committed a violation. Such letter should contain information about the possible violation, the fact that a person may be subject to the application of enforcement measures, and a period of time, during which the person may submit his explanations regarding the possible violation, and which shall not be shorter than 10 business days. After the letter is signed by the Head of VATESI, it shall be immediately sent to such person by mail and fax or e-mail (if any). If such person provides his explanation in a letter within the given period of time, then information indicated in such letter shall be assessed during the performance of the further procedure for application of the enforcement measures.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

13. If violations are found after the performance of inspection, then Head of VATESI shall make a proposal in the inspection report regarding the application of enforcement measures. If gross violations are found during such inspection, the procedure shall be implemented, set out in Paragraph 9 of the Rules.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

14. After Head of VATESI approves the inspection report, where it was proposed to apply an enforcement measure for the committed violation, it shall be deemed that VATESI employee, who signed the inspection report, will take further actions related to the application of enforcement measures, if Head of VATESI hasn't appointed any other responsible employee of VATESI.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

15. After the Head of VATESI finds out about the activity or omission having characteristics of offence (after receipt of such information from law enforcement authorities, other state or municipal institutions or bodies, public organisation and other subjects, upon receipt reports, applications, complaints and similar documents from natural or legal persons), he shall make a decision regarding the performance of inspection:

15.1. order to perform an inspection and appoint a responsible VATESI employee, if he determines that it is necessary to gather additional evidence and/or that it is necessary to verify the authenticity of the collected evidence at the premises of a person or at the place of activity;

15.2. if he determines that there is sufficient evidence and/or that it is not necessary to verify the authenticity of the collected evidence at the premises of a person or at the place of activity; therefore, it is not necessary to perform an inspection.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

16. If gross violations are found during such inspection, indicated in Subparagraph 15.1 of the Rules, the procedure shall be implemented, set out in Paragraph 9 of the Rules.

17. If Head of VATESI receives information about the occurred nuclear and/or radiological accident, Nuclear Safety Requirements BSR-1.4.4-2019 “Use of the Experience of the Individuals Operating in the Nuclear Energy Industry”, approved by Order No. 22.3-148 of 4 July 2019 of the Head of VATESI “On the Approval of Nuclear Safety Requirements BSR-1.4.4-2019 “Use of the Experience of the Individuals Operating in the Nuclear Energy Industry”, should be applied during the performance of inspection of nuclear and/or radiological accident.

*Amendments of the paragraph:*

No. [22.3-149](#) of 04-07-2019, published in the Register of Legal Acts (TAR) on 04-07-2019-07-04 by identification number 2019-11094

18. If commission established for the investigation of the accident by order of the Head of VATESI, acting pursuant to Nuclear Safety Requirements BSR-1.4.4-2019 “Use of the Experience of the Individuals Operating in the Nuclear Energy Industry”, approved by Order No. 22.3-148 of 4 July 2019 of the Head of VATESI “On the Approval of Nuclear Safety Requirements BSR-1.4.4-2019 “Use of the Experience of the Individuals Operating in the Nuclear Energy Industry”, identifies safety violations, the further procedure for the application of enforcement measures shall be performed by the head of commission for investigation of the accident, acting pursuant to the procedure after Head of VATESI approves report of the independent investigation of nuclear and/or radiological accident, where it was proposed to initiate the procedure for application of enforcement measures for safety violation, if Head of VATESI does not appoint any other responsible employee of VATESI.

*Amendments of the paragraph:*

No. [22.3-149](#) of 04-07-2019, published in the Register of Legal Acts (TAR) on 04-07-2019-07-04 by identification number 2019-11094

#### **CHAPTER IV ACTIONS TAKEN IN CASE OF INSIGNIFICANT VIOLATIONS**

19. If VATESI employee identifies an insignificant violation during the inspection of the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or dosimetry services, the VATESI employee must immediately notify the authorised representative of such person in order to correct it immediately in the face of VATESI employee, who is performing an inspection. The consequences of elimination or failure to eliminate such insignificant violation, as well as consequences of repetitive commitment of such violation shall be explained to the authorised representative of the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or dosimetry services.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

20. If the insignificant violation is corrected in the face of VATESI employee, who is performing an inspection, the investigation of such violation shall be terminated and no enforcement measures shall be imposed. In such a case, a verbal remark should be made to the authorised representative of the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or dosimetry services; meanwhile, the fact of the identified insignificant violation, the fact of given verbal remark, a person who received a verbal remark, criterion according to which such

violation was classified as insignificant violation, the fact that it was eliminated and method of elimination should be indicated in the inspection report.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

21. If it is impossible to correct an insignificant violation immediately in the face of VATESI employee, who is performing an inspection, a written order to eliminate an insignificant violation of requirements, set out in the legislation shall be provided to the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or dosimetry services (Annex No. 1) and the time limit of the maximum 5 business days shall be given to eliminate such violation, which shall be calculated from the day of receipt of Order to Eliminate an Insignificant Violation of requirements, set out in the legislation (hereinafter – OEIV). A written OEIV, signed by the Head of VATESI, shall be sent to a person by fax or e-mail (if any) and by registered mail at the latest by the following business day after such signing. The report of inspection, during which a violation was found, shall be sent together with OEIV. A time limit, given to eliminate an insignificant violation in the OEIV, may be extended once for the same period of time, if a person, who is the recipient of OEIV, provides reasonable circumstances, due to which it is impossible to eliminate such violation during the given period of time, before the deadline given to eliminate such insignificant violation. After such person eliminates the insignificant violation during the period of time given (or extended) in OEIV, the investigation of violation shall be terminated and no enforcement measure shall be imposed.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

22. After the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or a dosimetry service eliminate the insignificant violation, indicated in OEIV, it shall notify VATESI about it in writing within 3 business days and submit the supporting documents.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

23. If the economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or a dosimetry service failed to eliminate the insignificant violation, indicated in OEIV, during the given period of time (or during the extended period of time if it was extended), a repeated verbal remark or repeated OEIV cannot be provided again and violation of such nature cannot be deemed as insignificant violation any longer. In such a case, the enforcement measures, set out in the Law on Nuclear Safety of the Republic of Lithuania or Law on Radiation Protection of the Republic of Lithuania, shall be applied.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

## **CHAPTER V CRITERIA FOR IDENTIFICATION OF INSIGNIFICANT VIOLATIONS**

24. Violation shall be classified as insignificant, if it was determined that it was a small, formal violation of requirements, set out in the legislation (except for CAO), which corresponds to at least one of the following criteria:

24.1. it did not cause and cannot cause any deviations from the normal operation of a nuclear installation;

24.2. *Invalid from 29-12-2018*

*Annulment of subparagraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

24.3. it is related to inaccuracies in the documents (journals, registries, cases, permits), absence of documents *in situ* and/or delay to provide information to VATESI:

24.3.1. technical, grammatical or typing errors in the completed documents;

24.3.2. incorrect completion of journals or failure to complete them in a timely manner;

24.3.3. the mandatory data which should be recorded in the registration journal or the electronic registration system is not recorded;

24.3.4. failure to comply with the requirement to have and complete the journal;

24.3.5. failure to provide or delay to provide information about such changes as changed e-mail address or other contact details;

*Amendments of subparagraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

34.3.5<sup>1</sup>. too late notification of VATESI about the change of documents, indicated in the list of documents regarding activities subject to the licence or permit (according to Paragraph 38 of Regulations on the Issue of Licenses and Permits Necessary to Engage in Nuclear Energy Activities, approved by Resolution No. 722 of 20 June 2012 of the Government of the Republic of Lithuania “Regarding the Approval of Regulations on the Issue of Licenses and Permits Necessary to Engage in Nuclear Energy Activities”);

*Supplemented by subparagraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

24.3.6. the subject provides incomplete contact details;

24.3.7. omission of deadlines, when mandatory information must be provided to VATESI, except for cases where provision of information to VATESI is necessary for the implementation of:

24.3.7.1. Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards (OJ L 54, 2005, p. 1);

24.3.7.2. Agreement between Ireland, the Kingdom of Belgium, the Kingdom of Denmark, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Federal Republic of Germany, the European Atomic Energy Community and the International Atomic Energy Agency in implementation of Article III (1) and (4) of the Treaty on the non-proliferation of nuclear weapons (OJ *Special Edition of 2004*, chapter 11, volume 13, p. 3);

24.3.7.3. Agreement between Ireland, the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden, the Federal Republic of Germany, the European Atomic Energy Community and the International Atomic Energy Agency in implementation of additional protocol of Article III (1) and (4) of the Treaty on the non-proliferation of nuclear weapons (OJ *Special Edition of 2004*, chapter 11, volume 31, p. 40);

24.4. it cannot and it will not be able to have any direct impact on the operation of physical security system of nuclear installation, nuclear materials, nuclear fuel cycle materials and/or sources of ionising radiation, and it does not reduce its efficiency;

24.5. it did not cause and may not cause any introduction of international sanctions as it is defined in the Law on the Implementation of Economic and Other International Sanctions of the Republic of Lithuania.

25. A small violation is deemed a violation which corresponds to one or several following criteria:

25.1. it lasted for a short period of time, taking into account the duration of the usual activities related to the violation;

25.2. it is not systematic (it was a single event, which was not carried out on a full scale of the entire economic entity, a person indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania, a person providing radiation protection training or dosimetry service).

*Amendments of subparagraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

26. A formal violation is deemed such violation, which has no material consequences or they could not become large, if such violation would have been committing for a long period of time.

27. *Invalid from 29-12-2018*

*Annulment of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

## **CHAPTER VI PROCEDURE FOR APPLICATION OF MANDATORY REQUIREMENTS**

28. After Head of VATESI receives an official report, indicated in Paragraph 9 of the Rules, and determines that a safety violation has been made due to which VATESI is entitled to provide mandatory requirement, he shall indicate in the resolution that mandatory requirement shall be concluded, including the type of mandatory requirement, deadline and person who will be responsible for the conclusion of mandatory requirement. If it is determined that safety violation has been made, then official report, indicated in Paragraph 9 of the Rules shall be sent for the acknowledgement of the economic entity within 1 business day from the day resolution of the Head of VATESI has been concluded.

29. *Invalid from 29-12-2018*

*Annulment of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

30. The mandatory requirement shall be concluded in form, provided in Annex No. 2 or 3 (depending on the type of mandatory requirement). The mandatory requirement shall be concluded in two copies, one of which should be sent to the economic entity in default by fax or e-mail (if any) and registered mail at the latest by the following business day after signing them. Such mandatory requirement to the economic entity shall be accompanied with the inspection report, during which safety violation was identified, except for cases, when inspection hasn't been carried out, and cases of gross violation.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

31. The mandatory requirement shall contain the following information:

31.1. data of the economic entity, who is a recipient of the mandatory requirement;

31.2. actions taken (inspection, review and assessment of documents, etc.);

31.3. the essence of safety violation, its circumstances and their reasoned assessment;

31.4. provision (article, its paragraph and subparagraph) of a legislation, which requirements were violated by the economic entity;

31.5. which article, its paragraph or subparagraph of Law on Nuclear Safety of the Republic of Lithuania does apply responsibility for such violation;

31.6. reasons for selecting the mandatory requirement;

31.7. type of mandatory requirement in accordance with Article 6 Paragraph 2 and Paragraph 3 of Law on Nuclear Safety of the Republic of Lithuania;

31.8. when mandatory requirement, indicated in Article 6 Paragraph 2 of Law on Nuclear Safety of the Republic of Lithuania, is provided, then deadline for elimination of safety violations should be provided; meanwhile, when mandatory requirement, indicated in Article 6 Paragraph 3 of Law on Nuclear Safety of the Republic of Lithuania, is provided, then information, indicated in

Article 6 Paragraph 6 of this law, should be provided;

31.9. other information related to selection of mandatory requirement.

32. The mandatory requirement shall be signed by the Head of VATESI.

33. Templates of mandatory requirements should be completed by computer. If the mandatory requirement is completed manually, its template should be filled in clearly and legibly. Corrections, if any, shall be approved by the signature of employee, who concluded a mandatory requirement.

34. An economic entity may request to extend the period of time given for elimination of safety violations in cases and according to the procedure, set out in Article 6 Paragraph 9 of Law on Nuclear Safety of the Republic of Lithuania. The request to extend the period of time given for elimination of safety violations shall be submitted in a form provided in Annex No. 4.

34<sup>1</sup>. Head of VATESI shall make one of the following decisions regarding the request to extend the period of time given for elimination of safety violations, submitted by the economic entity:

34<sup>1</sup>.1. to extend the deadline for the period of time provided by the economic entity, if there are no circumstances, indicated in Subparagraphs 34<sup>1</sup>.2 and/or 34<sup>1</sup>.3 of the Rules;

34<sup>1</sup>.2. not to extend the deadline due to the fact that safety violation may result in human exposure, exceeding the limit values, set out by the Minister of Health, including the release of radionuclides into the environment, exceeding the limits, set out in the Plan for Release of Radionuclides Into the Environment, or deviation from the limits and conditions of safe operation of equipment, if such violation is not eliminated;

34<sup>1</sup>.3. not to extend the deadline, if the request of the economic entity is unreasoned or it is not based on the objective circumstances.

*Supplemented by the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

35. If the economic entity, subject to mandatory requirement, fails to implement the mandatory requirement during the period of time given by the Head of VATESI, the enforcement measures shall be applied, as it is indicated in Article 27 Paragraphs 2 and 3 of Law on Nuclear Safety of the Republic of Lithuania; meanwhile, a protocol (Annex No. 5) should be issued to the natural persons, who are responsible for the implementation of mandatory requirement according to the procedure, set out in CAO.

## **CHAPTER VI<sup>1</sup>**

### **PROVISION OF MANDATORY REQUIREMENTS TO PERSONS, INDICATED IN ARTICLE 8 PARAGRAPH 1 OF LAW ON RADIATION PROTECTION**

35<sup>1</sup>. The mandatory requirement shall be issued to persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection, for violations, indicated in Article 8 Paragraph 6 and Article 30 Paragraph 10 Subparagraph 2 of Law on Radiation Protection of the Republic of Lithuania, except for insignificant violations.

35<sup>2</sup>. The mandatory requirement shall be issued to persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection in form, which is provided in Annex No. 2. The mandatory requirement to persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection, shall be concluded in two copies, one of which should be sent to the person in default by fax or e-mail (if any) and registered mail at the latest by the following business day after signing them. The mandatory requirement to the person in default shall be accompanied with the inspection report, during which safety violation was identified (if such inspection was performed) or with the official report, indicated in Paragraph 11 of the Rules (if violation was identified outside the time of inspection).

35<sup>3</sup>. If persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection, fails to implement mandatory requirement during the period of time given by the Head of VATESI, such persons shall be subject to the enforcement measures as it is indicated in Article 15 Paragraph 1,

Article 16 Paragraph 1 and Article 30 Paragraph 10 of Law on Radiation Protection of the Republic of Lithuania.

35<sup>4</sup>. The period of time given in mandatory requirement for elimination of violations, issued to persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection, may be extended in cases, set out in Article 8 Paragraph 5 of Law on Radiation Protection of the Republic of Lithuania. The request to extend the period of time given for elimination of violations, indicated in Article 8 Paragraph 5 of Law on Radiation Protection of the Republic of Lithuania, shall be submitted in form, provided in Annex No. 10.

35<sup>5</sup>. Head of VATESI shall make one of the following decisions regarding the request, indicated in Paragraph 35<sup>4</sup> of the Rules:

35<sup>5</sup>.1. to extend the deadline for the period of time provided by a person, if there are no circumstances, indicated in Subparagraphs 35<sup>5</sup>.2 and/or 35<sup>5</sup>.3;

35<sup>5</sup>.2. not to extend the deadline due to the fact that violation may result in human exposure, exceeding the limit values, set out by the Minister of Health, if it is not eliminated;

35<sup>5</sup>.3. not to extend the deadline, if the request is unreasoned or it is not based on the objective circumstances.

35<sup>6</sup>. Decision regarding the extension of deadline shall be made and a person, who submitted the request, shall be notified at the latest by one business day from the day when request was received.

*Supplemented by a chapter:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

## **CHAPTER VI<sup>2</sup>**

### **NOTIFICATION ABOUT THE POSSIBLE SUSPENSION OF WORK WITH A SPECIFIC SOURCE OF IONISING RADIATION, SUSPENSION OF WORK WITH A SPECIFIC SOURCE OF IONISING RADIATION**

35<sup>7</sup>. Persons, indicated in Article 8 Paragraph 1 of Law on Radiation Protection of the Republic of Lithuania shall be notified about the possible suspension of work with a specific source of ionising radiation in case of violations, indicated in Article 8 Paragraph 7 of Law on Radiation Protection of the Republic of Lithuania, if all of the following circumstances are present:

35<sup>7</sup>.1. violation is related only to a specific source of ionising radiation (it does not involve all the activities performed);

35<sup>7</sup>.2. the exposure doses received by employees may exceed the limit values, set by the Minister of Health, during work with a specific source of ionising radiation.

35<sup>8</sup>. In cases, set out in Article 8 Paragraph 9 of Law on Radiation Protection of the Republic of Lithuania, notification about the possible suspension of work with a specific source of ionising radiation, and suspension of work with a specific source of ionising radiation shall be documented by order of the Head of VATESI, where a specific source of ionising radiation and period of time given for elimination of violations shall be indicated. Approved copy of an order shall be sent by fax or e-mail (if any) and registered mail at the latest by the following business day after the approval of an order. The inspection report, during which safety violation was identified (if such inspection was performed) or an official report, indicated in Paragraph 11 of the Rules (if violation was identified outside the time of inspection) shall also be sent to a person.

35<sup>9</sup>. The period of time given for elimination of violations, indicated in order of the Head of VATESI, may be extended in cases, set out in Article 8 Paragraph 5 of Law on Radiation Protection of the Republic of Lithuania. The request to extend the period of time given for elimination of violations, indicated in Article 8 Paragraph 5 of Law on Radiation Protection of the Republic of Lithuania, shall be submitted in form, provided in Annex No. 10.

35<sup>10</sup>. Head of VATESI shall make one of the following decisions regarding the request, indicated in Paragraph 35<sup>9</sup> of the Rules:

35<sup>10</sup>.1. to extend the deadline for the period of time provided in a person's request, if there are no circumstances, indicated in Subparagraphs 35<sup>10</sup>.2 and/or 35<sup>10</sup>.3;

35<sup>10</sup>.2. not to extend the deadline due to the fact that violation may result in human exposure, exceeding the limit values, set out by the Minister of Health, if it is not eliminated;

35<sup>10</sup>.3. not to extend the deadline, if the request is unreasoned or it is not based on the objective circumstances.

35<sup>11</sup>. Decision regarding the extension of deadline shall be made and a person, who submitted the request, shall be notified at the latest by one business day from the day when request was received.

*Supplemented by a chapter:*

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### **CHAPTER VI<sup>3</sup>**

#### **PROVISION OF MANDATORY REQUIREMENTS TO ELIMINATE THE IDENTIFIED VIOLATIONS OF LEGISLATION, REGULATING RADIATION PROTECTION TRAINING**

35<sup>12</sup>. The mandatory requirement to eliminate the identified violations of legislation, regulating radiation protection training shall be concluded in form, provided in Annex No. 2. Such mandatory requirement shall be concluded in two copies, one of which should be sent to a person in default by fax or e-mail (if any) and registered mail at the latest by the following business day after signing them. The mandatory requirement to the person in default shall be accompanied with the inspection report, during which safety violation was identified (if such inspection was performed) or with the official report, indicated in Paragraph 11 of the Rules (if violation was identified outside the time of inspection).

*Supplemented by a chapter:*

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### **CHAPTER VI<sup>4</sup>**

#### **PROVISION OF MANDATORY REQUIREMENTS TO ELIMINATE THE IDENTIFIED VIOLATIONS OF LEGISLATION, REGULATING THE REQUIREMENTS FOR RECOGNITION OF DOSIMETRY SERVICES, TO DOSIMETRY SERVICES**

35<sup>13</sup>. The mandatory requirement to eliminate the identified violations of legislation, regulating the requirements for recognition of dosimetry services, shall be concluded in form, provided in Annex No. 2. Such mandatory requirement shall be concluded in two copies, one of which should be sent to a person in default by fax or e-mail (if any) and registered mail at the latest by the following business day after signing them. The mandatory requirement to the person in default shall be accompanied with the inspection report, during which safety violation was identified (if such inspection was performed) or with the official report, indicated in Paragraph 11 of the Rules (if violation was identified outside the time of inspection).

*Supplemented by a chapter:*

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### **CHAPTER VII**

#### **PROCEDURE FOR CONCLUSION OF A PROTOCOL**

36. The protocol is drawn up in 2 copies of form, provided in Annex No. 5, in accordance with CAO and Resolution No. 640 of 22 June 2015 of the Government of the Republic of Lithuania “On the Approval of Forms and Rules for Completing the Protocol of the Administrative Offence, Resolution in Case of Administrative Offence, Resolution Regarding Administrative Offence When Protocol Is Not Concluded”.

37. The protocol shall be completed in the Register of Administrative Offences (hereinafter – RAO). If it is impossible to complete the protocol in RAO, it shall be completed in paper form of a

special template.

38. If it was impossible to conclude a protocol at the place, where offence was committed, and a person subject to administrative liability fails to appear at the administrative premises or Surveillance Division of VATESI after providing him the summons, prepared by VATESI employee, who is responsible for the conclusion of such protocol in this case, and signed by the Head of VATESI or Head of Surveillance Division (hereinafter – SD) (the latter shall sign such summons only when SD employee is entitled to conclude such protocol and only if the protocol will be concluded at the premises of SD), and if it is impossible to examine the case of administrative offence in absence of such person, then VATESI employee, who is responsible for the conclusion of such protocol in this case, acting pursuant to Article 596 of CAO, shall prepare a notice to the territorial police station regarding bringing of such person, who is subject to administrative liability, to administrative premises or SD of VATESI to conclude such protocol; meanwhile, such notice should be signed by the Head of VATESI or Head of SD (if a protocol will be concluded at the premises of SD). If location of a person subject to administrative liability is unknown, then VATESI employee, who is responsible for conclusion of a protocol in such a case, shall prepare a letter to the territorial police station regarding the announcement of search of the person subject to administrative liability, which shall be signed accordingly by the Head of VATESI or Head of SD.

39. If VATESI is entitled to examine the case of administrative offence, one copy of the concluded protocol, belonging to VATESI, should be given to the Head of VATESI. Head of VATESI can examine the case of administrative offence in person or he may authorise Deputy Head of VATESI, Head of Division or other responsible VATESI employee to examine the case by passing resolution. If the protocol is concluded by a responsible VATESI employee, the case may be examined by the Heads of Divisions; meanwhile, if the protocol is concluded by the Heads of Divisions, the case may be examined by Deputy Heads of VATESI and if the protocol is concluded by the Head of VATESI, the case shall be examined by the Head of VATESI.

40. If the protocol is concluded by the employee of SD and VATESI employees are entitled to examine the case of administrative offence in accordance with the provisions of CAO, then the Head of SD shall immediately, but no later than the following business day after conclusion of a protocol, send the concluded protocol to the Head of VATESI by fax or e-mail. The Head of VATESI shall indicate in his resolution which VATESI employee is entitled to examine the case of administrative offence and, if he appoints the Head of SD, then the protocol with such resolution shall be returned to the SD by fax or e-mail. A copy of the protocol with resolution made by the Head of VATESI shall be kept in the concluded file of a case at the Information Technologies Division of the Administration Department.

*Amendments of the paragraph:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

41. Deputy Head of VATESI, who is appointed to examine a case, shall examine it in person or authorise the corresponding Head of VATESI Division to examine it; however, the case cannot be transferred for examination to the Head of Division, who concluded a protocol.

42. Head of Division, who was authorised to examine a case, shall examine it in person or authorise subordinate employee to examine it; however, the case cannot be transferred for examination to the employee, who concluded a protocol.

43. Information which is deemed to be an object of the register shall be registered in RAO on the basis of the concluded procedural document within 3 business days from the conclusion of a protocol, if it hasn't been recorded in RAO, in accordance with procedure, set out in the provisions of Register of Administrative Offences, approved by Resolution No. 1278 of 28 December 2016 of the Government of the Republic of Lithuania "On the Approval of Reorganisation of Register of Administrative Offences and Provisions, Set out in the Register of Administrative Offences".

44. If other institution is entitled to examine case of administrative offence in cases, set out in CAO, the protocol shall be sent to the competent institution entitled to examine the case within 3 business days from the moment of its conclusion, if other deadlines given for dispatch of a protocol, indicated in Article 613 of CAO, are not applicable in the specific case.

45. Items and documents shall be seized in accordance with Article 599 of CAO. A protocol shall be concluded regarding the seizure of items and documents (Annex No. 6).

## **CHAPTER VIII PROCEDURE FOR MAKING RESOLUTION IN CASE OF ADMINISTRATIVE OFFENCE**

46. The case of administrative offence shall be examined according to the procedure, set out in Article 616 of CAO.

47. Resolution in case of administrative offence (hereinafter – Resolution) shall be concluded in accordance with CAO and Resolution No. 640 of 22 June 2015 of the Government of the Republic of Lithuania “On the Approval of Forms and Rules for Completing the Protocol of the Administrative Offence, Resolution in Case of Administrative Offence, Resolution Regarding Administrative Offence When Protocol Is Not Concluded”. Resolution shall be completed in RAO (Annexes 7 and 8 of the Rules). If it is impossible to complete the Resolution in RAO, it shall be completed in paper form of a special template.

48. After Resolution is completed, it shall be printed out.

49. Information which is deemed to be an object of the register shall be registered in RAO on the basis of the concluded procedural document within 3 business days from the conclusion of a Resolution, if it hasn't been recorded in RAO, in accordance with procedure, set out in the provisions of Register of Administrative Offences, approved by Resolution No. 1408 of 10 December 2014 of the Government of the Republic of Lithuania “On the Approval of Reorganisation of Register of Administrative Offences and Traffic Accidents, and Provisions, Set out in the Register of Administrative Offences”.

## **CHAPTER IX PROCEDURE FOR INVESTIGATION OF VIOLATIONS, THEIR EXAMINATION AND IMPOSITION OF FINES TO A LEGAL ENTITY, INDICATED IN ARTICLE 47 PARAGRAPHS 1 AND 2 OF LAW ON NUCLEAR SAFETY OF THE REPUBLIC OF LITHUANIA, IN ACCORDANCE WITH CHAPTER TEN OF LAW ON NUCLEAR SAFETY OF THE REPUBLIC OF LITHUANIA**

50. The investigation of violations and imposition of fines, indicated in Article 48 of Law on Nuclear Safety of the Republic of Lithuania, consist of the following steps:

50.1. conclusion of official report by VATESI employee, who identified the activities, having the characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania;

50.2. decision making by the Head of VATESI regarding the performance of investigation of violation, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania (hereinafter – investigation) and provision of a copy of such decision to the legal entity;

50.3. performance of investigation and provision of official report regarding investigation results to the Head of VATESI;

50.4. decision making by the Head of VATESI to initiate examination of the case regarding the possible violation and forming a commission for examination or decision making to terminate the investigation;

50.5. examination of a case of violation and provision of conclusion made by the commission to the Head of VATESI;

50.6. decision making (issuing an order) by the Head of VATESI to impose a fine, to return a conclusion made by the commission for its supplementation or clarification or decision making not to impose any fine.

51. After VATESI employee identifies activities, having the characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania, during the inspection or outside it, shall write an official report to the Head of VATESI by indicating the following information:

51.1. name and office address of a legal entity, which activities have characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania;

51.2. known circumstances of activities, having the characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania and, if it is known, – nature, riskiness, duration, the extent and scope of the damage caused;

51.3. legislation, which provisions were possibly violated by a legal entity (its article, paragraph and subparagraph);

51.4. a proposal to initiate investigation;

51.5. persons concerned and other persons, whose participation is necessary for the performance of investigation.

52. VATESI employee shall attach to the official report all available documents, justifying information, indicated in his official report, as well as other material, which is necessary for the proper performance of investigation.

53. Head of VATESI shall make a decision to initiate the investigation or reject a proposal to initiate the investigation in accordance with procedure, set out in Article 48 Paragraph 1 of Law on Nuclear Safety of the Republic of Lithuania.

54. It shall be indicated in the decision to initiate the investigation that:

54.1. it was decided to initiate the investigation;

54.2. name, legal form, legal entity code and office address of a legal entity, which activities have the characteristics of violations, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania;

54.3. the essence of the possible violation and purpose of investigation;

54.4. deadline, until which the investigation shall be completed (in accordance with Article 48 Paragraph 2 of Law on Nuclear Safety of the Republic of Lithuania);

54.5. VATESI employees, who were authorised to perform the investigation;

54.6. a reference to provisions of legislation, establishing the rights of VATESI employees, who were authorised to perform the investigation;

54.7. rights and legal remedies of a legal entity, which activities have characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania, during the investigation.

55. It shall be indicated in the decision not to initiate the investigation that:

55.1. it was decided not to initiate the investigation;

55.2. name, legal form, legal entity code and office address of a legal entity, which activities was described as having the characteristics of violations, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania, in the official report;

55.3. the essence of violation, which was possibly committed by the alleged legal entity;

55.4. reasons due to which the decision not to initiate the investigation was made:

55.4.1. based on the circumstances, indicated in the official report, it is clear that there are no constituent elements of violations, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Energy of the Republic of Lithuania;

55.4.2. legal entity, which activities have characteristics of offences, indicated in Article 47 Paragraph 1 or 2 of Law on Nuclear Safety of the Republic of Lithuania, has ceased to exist after its liquidation;

55.4.3. imposition of a fine would not meet the conditions, set out in Article 48 Paragraph 25 of Law on Nuclear Safety of the Republic of Lithuania.

56. VATESI employees, performing the investigation and implementing the requirements, set out in Article 48 Paragraph 4 of Law on Nuclear Safety of the Republic of Lithuania, shall provide a copy of decision to initiate such investigation made by the Head of VATESI and show the certificate of a public official, civil servant or employee to the representatives of the legal entity.

57. During the performance of investigation, VATESI employees shall do the following:

57.1. document the results of inspection as it is indicated in the Nuclear Safety Requirements BSR-1.1.3-2016 “Inspections Conducted by the State Nuclear Power Safety Inspectorate”, approved by Order No. 22.3-82 of 25 August 2011 of the Head of VATESI “On the Approval of

Nuclear Safety Requirements BSR-1.1.3-2016 “Inspections Conducted by the State Nuclear Power Safety Inspectorate”;

57.2. document a letter regarding information necessary for the performance of powers in writing;

57.3. record verbal explanations given to them in a protocol or by the means of audio or video recorders. Before making any audio or video record, VATESI employees must notify persons, giving verbal explanations, about it. VATESI employees shall state the purpose of a record, indicate its date and time, as well as name and surname of a person, giving verbal explanations, in the beginning of a record;

57.4. by seizing the original documents and other items, which may have evidential value during the investigation, temporarily, VATESI employees shall document a reasoned decision regarding such actions (Annex No. 9). Documents or other items may be temporarily seized for no longer than until the end of investigation;

57.5. during the process of taking photographs or making videos, they shall comply with the following rules:

57.5.1. before starting to record any evidence, they shall ensure that correct date and time is set in the device they are using;

57.5.2. to record evidence under good visibility conditions (if it is possible to do objectively due to the time of the day or similar reasonable circumstances);

57.5.3. to record not only the evidence, but also the context of location where evidence was identified (a general photo or a general video). At least two identical photos shall be taken;

57.5.4. when dimensions of an item have evidential value, a photo of such item shall be taken or video shall be made next to the ruler or other item, which would allow identification of the size of such item.

58. The identified circumstances of the possible violation (location, time and/or duration of the committed violation, its nature, riskiness, consequences (extent and scope of the damage), circumstances mitigating or aggravating the liability and other circumstances that are important for the qualification of violation or imposition of a fine) shall be indicated in the official report regarding the results of investigation, provided according to the procedure, set out in Article 48 Paragraph 6 of Law on Nuclear Safety of the Republic of Lithuania, including the possibly violated provisions of legislation; meanwhile, documents justifying the indicated circumstances and other collected evidence shall be attached to the official report.

59. Having examined the indicated information and acting pursuant to Article 48 Paragraph 7 of Law on Nuclear Safety of the Republic of Lithuania, Head of VATESI shall make one of the following decisions:

59.1. a decision to initiate the examination of a case regarding the possible violation and establish a certain commission. Such decision should provide a legal basis of decision, objective data (facts), on the basis of which such decision was made and composition of the commission members;

59.2. a decision to terminate investigation. Such decision should provide a legal basis of decision, objective data (facts), on the basis of which such decision was made, and procedure to appeal against such decision;

60. If Head of VATESI makes a decision, indicated in Subparagraph 59.1 of the Rules, a notice, indicated in Article 48 Paragraph 9 of Law on Nuclear Safety of the Republic of Lithuania, shall be sent to a person. If Head of VATESI make a decision, indicated in Subparagraph 59.2 of the Rules, a copy of such decision shall be sent to a legal entity, due to which activities such decision was made, at the latest by the following business day after it was adopted.

61. A commission for examination of the possible violation (hereinafter – the commission) shall be formed out of 3 or 5 VATESI employees. A commission shall be led by the chairman of the commission. A secretary of commission, which is not a member of commission, shall be appointed to document decisions made by the commission.

62. The commission meetings shall be deemed legal, if more than half of the commission members attend them. If a member of commission cannot attend more than 2 meetings of the commission due to objective reasons (for example, illness), Head of VATESI shall appoint other

member of commission instead of him/her.

63. The commission meeting shall be held at the premises of VATESI or, if it is impossible, then at other suitable premises, indicated in the decision made by the chairman of the commission.

64. Secretary of the commission shall document the meetings of the commission. In order to maintain the accuracy of the minutes, an audio record can be made during the meetings. Before making any audio record, persons attending the meeting, shall be notified about it. The minutes of the meeting shall be signed by members and secretary of the commission.

65. Chairman of the commission shall begin the commission meeting by announcing the composition of commission members, stating the type of possible violation to be examined, indicating which legal entity may be subject to a fine and explaining rights and obligations of persons attending the meeting.

66. Decisions in the commission's meeting shall be made by the majority of votes. If there is equal number of votes, chairman of the commission shall cast the final vote.

67. Decisions (except for the commission's conclusion) made in the commission's meeting shall be documented by including them into the minutes of the commission's meeting.

68. The following information shall be indicated in the minutes of the meeting:

68.1. date and place of the meeting;

68.2. members and secretary of the commission attending the meeting;

68.3. names and surnames of the meeting participants;

68.4. subject-matters to be discussed;

68.5. decisions made during the meeting and included in the minutes, regarding the identified actual circumstances, explanations and requests of persons who participated in the meeting and outcomes of the discussed requests;

68.6. documents and material evidence, which were examined during the course of the case;

68.7. other important information used for qualification of a violation or imposition of a fine.

69. Minutes of the commission's meeting shall be completed at the latest of the following business day after the meeting.

70. Conclusion made by the commission shall consist of the following parts:

70.1. introductory part, where composition of commission is indicated; legal basis of commission's activities; name, legal form, legal entity code and office address of the legal entity, which possible violation was examined; position, name and surname of head of the legal entity; name and surname of other representative of the legal entity (if such legal entity has such representative); a reference to decision to initiate the investigation; brief description of the examined possible violation; and other important information, related to procedural aspects of examination of a violation;

70.2. descriptive part, which shall indicate the following information:

70.2.1. if it is proposed to impose a fine in the conclusion:

70.2.1.1. circumstances, which were recognised as a violation, i.e. it shall indicate place, where violation was committed, time and/or duration, its nature, riskiness, consequences (extent and scope of the damage), circumstances mitigating or aggravating the liability and other circumstances that are important for the qualification of violation or imposition of a fine;

70.2.1.2. evidence used to justify the conclusions and reasons, explaining why other evidence was rejected;

70.2.1.3. reasons for qualification of violation and conclusions;

70.2.1.4. reasons for imposition of a fine;

70.2.2. if it is proposed not to impose a fine in the conclusion:

70.2.2.1. the essence of the possible violation, which circumstances were examined;

70.2.2.2. circumstances of the identified activity, which was examined as a possible violation;

70.2.2.3. reasons for assessment of the evidence;

70.2.2.4. conclusion regarding the decision not to impose a fine;

70.3. operative part, which shall indicate a proposed resolution:

70.3.1. if it is proposed to impose a fine in the conclusion:

70.3.1.1. name, legal form, legal entity code and office address of a legal entity subject to the imposition of the proposed fine; position, name and surname of head of the legal entity;

70.3.1.2. legal basis for the imposition of a fine (a reference to the provision of a legislation, establishing liability for such violation, and provision of the violated legislation, if any);

70.3.1.3. proposal to impose a fine and amount of such fine;

70.3.1.4. if it is also proposed to provide a mandatory requirement, then proposal regarding the type of the mandatory requirement and deadline for its implementation;

70.3.2. if it is proposed not to impose a fine in the conclusion:

70.3.2.1. name, legal form, legal entity code and office address of a legal entity subject to the imposition of the proposed fine; position, name and surname of head of the legal entity;

70.3.2.2. a proposal not to impose a fine;

70.3.2.3. legal basis for the imposition of a fine (a reference to provisions of legislation, entitling and/or providing the basis for making such proposal).

71. Decisions made by the Head of VATESI, indicated in Subparagraph 50.6 of the Rules, shall indicate the legal basis of decision; name, legal form, legal entity code and office address of the legal entity, regarding which activity such decision is made; the essential and objective circumstances (facts), related to the decision (it is possible to provide a reference to commission's conclusion instead of the description of such circumstances, if Head of VATESI agrees with the information provided in the conclusion and if there is no additional information). If it is decided to impose a fine, the amount of such fine and reasons for selecting such amount shall also be indicated in the decision (it is possible to provide a reference to commission's conclusion instead of the description of such reasons, if Head of VATESI agrees with the information provided in the conclusion and if there is no additional information), including the procedure to appeal against such decision. If it is decided not to impose a fine, the reasons of such decision shall also be indicated in the decision (it is possible to provide a reference to commission's conclusion instead of the description of such reasons, if Head of VATESI agrees with the information provided in the conclusion and if there is no additional information), including the procedure to appeal against such decision. If it is decided to return a conclusion made by the commission for its supplementation or clarification, the decision shall also indicate reasons for making such decision, as well as deadline, during which such conclusion should be clarified.

72. If Head of VATESI completely or partially disagrees with the commission's conclusion and does not return such conclusion made by the commission for its clarification, then information, set out in Subparagraphs 70.2 and 70.3 of the Rules, except for Subparagraph 70.3.1.4 of the Rules, shall be indicated in the decision to impose a fine or not to impose it, made by the Head of VATESI (based on the type of decision).

## **CHAPTER X FINAL PROVISIONS**

73. If documents, related to the application of enforcement measures, are marked as confidential, such documents shall be sent to the designated persons according to the procedure, set out in the Law on State Secrets and Official Secrets of the Republic of Lithuania.

73<sup>1</sup>. Documents for the application of the enforcement measures, indicated in Subparagraphs 1.1, 1.4, 1.5, 1.6 and 1.7 of the Rules, shall not be prepared, if a violation, except for violations, indicated in CAO and Article 48 of Law on Nuclear Safety of the Republic of Lithuania, or an insignificant violation, except for its correction in the face of VATESI employee, who is performing an inspection, is eliminated until the provision of inspection report and document regarding the application of the enforcement measures, indicated in Subparagraphs 1.1, 1.4, 1.5, 1.6 and 1.7 of the Rules, to a person, who committed a violation, and there are documents proving such fact. In such a case, the following information shall be indicated in the inspection report:

73<sup>1</sup>.1. the fact about the committed violation shall be recorded;

73<sup>1</sup>.2. it shall be indicated in the conclusions that violation was eliminated;

73<sup>1</sup>.3. it shall be indicated in the conclusions that it is proposed not to apply the enforcement measure, taking into account the fact that violation was eliminated.

*Supplemented by the paragraph:*

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73<sup>2</sup>. By implementing the right, indicated in Article 8 Paragraph 12 Subparagraph 5 of Law on Radiation Protection of the Republic of Lithuania, a reasoned decision regarding the seizure of documents and/or other items and description of the seized documents and/or items shall be registered in the form, provided in Annex No. 11.

*Supplemented by the paragraph:*

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Annex 1 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the Enforcement  
Measures Set by the State Nuclear Power Safety  
Inspectorate”

**(A template of order to eliminate the insignificant violation of requirements, set out in  
legislation)**



**STATE NUCLEAR POWER SAFETY INSPECTORATE**

Budgetary institution, A. Goštauto St. 12, LT-01108 Vilnius

Phone: (+370 5) 262 4141, 266 1584, fax: (+370 5) 261 4487, e-mail: [atom@vatesi.lt](mailto:atom@vatesi.lt), <http://www.vatesi.lt>

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(Addressee)

**AN ORDER TO ELIMINATE AN INSIGNIFICANT VIOLATION OF REQUIREMENTS,  
SET OUT IN THE LEGISLATION**

\_\_\_\_\_ 20\_\_ No. \_\_\_\_\_

**The State Nuclear Power Safety Inspectorate has performed an inspection**

\_\_\_\_\_  
*(please indicate name and date of the inspection)*

\_\_\_\_\_  
**and identified the following insignificant violation of requirements, set out in the legislation  
(hereinafter – the insignificant violation):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**The violation is deemed to be insignificant due to the following reasons:**

\_\_\_\_\_  
\_\_\_\_\_

Acting pursuant to Article 36<sup>9</sup> Paragraph 1 of Law on Public Administration of the Republic  
of Lithuania, **I order to eliminate the above-mentioned insignificant violation.**

The period of time given to eliminate this insignificant violation is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you fail to implement this order within the given period of time, you will be subject to enforcement measures, indicated in the legislation, and violation of such nature will not be considered as insignificant violation any longer.

This order may be appealed to the Chief Administrative Disputes Commission (*address*) or Vilnius Regional Administrative Court (*address*) optionally within one month from its delivery to the interested party according to procedure, set out in the Law on Administrative Proceedings of the Republic of Lithuania.

\_\_\_\_\_  
(*position*)

\_\_\_\_\_  
(*signature*)

\_\_\_\_\_  
(*name and surname*)

The order to eliminate insignificant violation has been drawn up in two copies one of which was sent to: \_\_\_\_\_.

(*please indicate method for dispatch of order to eliminate insignificant violation*)

*Amendments of the annex:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

Annex 2 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the Enforcement  
Measures Set by the State Nuclear Power Safety  
Inspectorate”

**(Template of the mandatory requirement)**



**STATE NUCLEAR POWER SAFETY INSPECTORATE**

Budgetary institution, A. Goštauto St. 12, LT-01108 Vilnius

Phone: (+370 5) 262 4141, 266 1584, fax: (+370 5) 261 4487, e-mail: [atom@vatesi.lt](mailto:atom@vatesi.lt), <http://www.vatesi.lt>

Data is collected and stored in the Register of Legal Entities, company code: 188639874

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(Addressee)

**THE MANDATORY REQUIREMENT  
TO ELIMINATE VIOLATIONS**

\_\_\_\_\_ 20\_\_ No. \_\_\_\_\_

State Nuclear Power Safety Inspectorate \_\_\_\_\_

\_\_\_\_\_  
*(please indicate the actions taken, for example, inspection, review and assessment of  
documents, etc.)*

\_\_\_\_\_  
and found out that:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acting pursuant to \_\_\_\_\_

*(Article 6 Paragraph 2 of Law on Nuclear Safety of the Republic of Lithuania and Article 8  
Paragraphs 5 and 6, Article 26 Paragraph 8 or Article 28 Paragraph 19 of Law on Radiation Protection  
of the Republic of Lithuania) and having regard to*

\_\_\_\_\_  
*(reasons for selecting the mandatory requirement)*

\_\_\_\_\_  
**I order to eliminate the above-mentioned violations.**

The period of time, during which mandatory requirement shall be implemented, is: \_\_\_\_\_

---

If you fail to implement this mandatory requirement within the given period of time, you will be subject to sanctions, indicated in the legislation.

This mandatory requirement may be appealed to the Chief Administrative Disputes Commission (*address*) or Vilnius Regional Administrative Court (*address*) optionally within one month from its delivery to the interested party according to procedure, set out in the Law on Administrative Proceedings of the Republic of Lithuania.

\_\_\_\_\_  
(*position*)

\_\_\_\_\_  
(*signature*)

\_\_\_\_\_  
(*name and surname*)

The mandatory requirement has been drawn up in two copies, which of which was sent to \_\_\_\_\_.

(*Please indicate a method of dispatch of the mandatory requirement*)

*Amendments of the annex:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

Annex 3 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the Enforcement  
Measures Set by the State Nuclear Power Safety  
Inspectorate”

**(Template of the mandatory requirement)**



**STATE NUCLEAR POWER SAFETY INSPECTORATE**

Budgetary institution, A. Goštauto St. 12, LT-01108 Vilnius  
Phone: (+370 5) 262 4141, 266 1584, fax: (+370 5) 261 4487, e-mail: [atom@vatesi.lt](mailto:atom@vatesi.lt), <http://www.vatesi.lt>  
Data is collected and stored in the Register of Legal Entities, company code: 188639874

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(Addressee)

**THE MANDATORY REQUIREMENT**

**(Please indicate the appropriate option – to terminate works related to a violation, to stop the nuclear reactor, to reduce the power of a nuclear reactor and/or to stop operation of other equipment)**

\_\_\_\_\_ 20\_\_ No. \_\_\_\_\_

State Nuclear Power Safety Inspectorate \_\_\_\_\_

\_\_\_\_\_  
*(please indicate the actions taken, for example, inspection, review and assessment of documents, etc.)*

\_\_\_\_\_  
and found out that: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acting pursuant to Article 6 Paragraph 3 Subparagraph \_\_\_ of Law on Nuclear Safety of the Republic of Lithuania and taking into account the following

\_\_\_\_\_  
*(reasons for selecting the mandatory requirement)*

**I order** \_\_\_\_\_,

\_\_\_\_\_  
*(type of the mandatory requirement – to terminate works related to a violation, to stop the nuclear reactor, to reduce the power of a nuclear reactor and/or to stop operation of other equipment; please indicate the specific works and equipment)*

The period of time, during which mandatory requirement shall be implemented, is:

1) \_\_\_\_\_;

*(please indicate the period of time, during which works related to a violation should be terminated, nuclear reactor should be stopped, the power of a nuclear reactor should be reduced and/or operation of other equipment should be stopped)*

2) violation(-s) shall be eliminated and documents, proving the elimination of such violation(-s), shall be provided until \_\_\_\_\_.

*(period of time, until which violation(-s) shall be eliminated and documents, proving the elimination of such violation(-s) shall be provided)*

If you fail to implement this mandatory requirement within the given period of time, you will be subject to sanctions, indicated in the legislation.

This mandatory requirement may be appealed to the Chief Administrative Disputes Commission (*address*) or Vilnius Regional Administrative Court (*address*) optionally within one month from its delivery to the interested party according to procedure, set out in the Law on Administrative Proceedings of the Republic of Lithuania.

\_\_\_\_\_  
(*position*)

\_\_\_\_\_  
(*signature*)

\_\_\_\_\_  
(*name and surname*)

The mandatory requirement has been drawn up in two copies, which of which was sent to

\_\_\_\_\_  
*(please indicate a method of dispatch of the mandatory requirement)*

*Amendments of the annex:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752

Annex 4 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the Enforcement  
Measures Set by the State Nuclear Power Safety  
Inspectorate”

**(A template of request regarding the extension of the period of time given for elimination of safety violations)**

**NAME OF THE ECONOMIC ENTITY**

Details and contacts of the economic entity

---

To: State Nuclear Power Safety Inspectorate

Date

No.

**REQUEST  
TO EXTEND THE PERIOD OF TIME GIVEN FOR  
ELIMINATION OF SAFETY VIOLATIONS**

Please extend the period of time given for elimination of safety violations, which was indicated in the mandatory requirement No. \_\_\_\_\_ of *(date)*, received on *(date)*, until *(date)*.

The objective circumstances due to which it is impossible to eliminate a safety violation within a period of time given in the mandatory requirement:

---

Date and circumstances when objective circumstances, due to which it is impossible to eliminate a safety violation within a period of time given in the mandatory requirement, were found out *(please indicate, if the request is being submitted later than within 5 days from the date of receipt of the mandatory requirement)*:

---

ATTACHMENTS. Documents, justifying the objective circumstances due to which it is impossible to eliminate a safety violation within a period of time given in the mandatory requirement, number of pages.

(Position)

(Signature)

(Name and surname)





form in capital letters). **2** – Personal identification number (or date of birth, if a person does not have a personal identification number or if it's a foreign citizen) and citizenship. **3** – Residential address. **4\*** – Name of the place of employment, address and person's position. **5\*** – Name of identity document, its number and name of the country that issued the document. **6\*** – Driver's driving experience in years. **7** – Contact data (phone number, e-mail address or address of other electronic means of communication). **8** – Place, date and time where a violation(-s) was/were committed, its essence and identified circumstances. **9\*** – Make and model of vehicle(-s). **10\*** – Public plate number or identification number (VIN or other identification code). **11\*** – Vehicle's operator, owner (name, surname, personal identification number, residential address or name of the legal entity, legal entity code and address). **12\*** – Technical measures used to identify violation (name, number, certificate No. of the metrological verification, readings of the device, error of a measuring instrument). **13** – Article and paragraph of the Code of Administrative Offences of the Republic of Lithuania (hereinafter – CAO), which establishes liability for them, as well as name, article, paragraph and subparagraph of the legislation, which requirements were violated. **14\*** – A fact of violation was witnessed by (person's name and surname, date of birth, residential address, phone number and signature). **15\*** – A person who was negatively affected during violation (name and surname, date of birth, residential address, phone number and signature). **16** – Person's explanation and comments, date, signature / a mark about person's refusal to provide personal data and/or to sign / a mark showing that a protocol was drawn up without the attendance of person subject to administrative liability. **17\*** – Investigative actions, their results and other knowledge necessary for investigation of a case or other additional information, signatures of persons who attended while investigative actions were taken. **18** – Information about the issue of a temporary permit to operate an inland waterway transport and/or suspension of validity of licence, indicated in Article 602 Paragraph 2 of CAO. **19** – Attachments to the protocol.

\* To be completed in cases, established in the rules for completion of forms of the Protocol of Administrative Offence, Resolution in a Case of Administrative Offence or Resolution Regarding Administrative Offence When Protocol Is Not Concluded.

## PERSONAL REQUEST, ASKING NOT TO ISSUE AN ADMINISTRATIVE ORDER

\_\_\_\_\_ 20 \_\_\_\_\_

(person's signature)

## ADMINISTRATIVE ORDER

(to be completed in the absence of grounds, indicated in Article 610 Paragraph 2 of CAO)

Paragraph \_\_\_\_\_ of Article \_\_\_\_\_ of the CAO

\_\_\_\_\_  
(signature of a person, who concluded the protocol of administrative offence)

a fine from \_\_\_\_\_ to \_\_\_\_\_ euro shall be imposed;

a special right shall be deprived from \_\_\_\_\_ to \_\_\_\_\_.

for a violation, indicated in Article \_\_\_\_\_ Paragraph \_\_\_\_\_) of CAO

(to be completed, if several violations were made at the same time and administrative order may be applied for their commitment)

(please indicate article and paragraph, established fines and limits for deprivation of a special right; amount of the proposed fine and duration of deprivation of a special right)



---

**\* Article 577 of CAO. A person subject to administrative liability, as well as his/her rights and obligations**

1. A person subject to administrative liability is a person, who is suspected of having committed administrative violation and to whom an officer, conducting the investigation of administrative offence, has issued or have to issue the protocol of administrative offence.

2. The person subject to administrative liability is entitled:

1) to familiarise with material of the case;

2) to participate at the oral hearing of the case and to provide explanations;

3) to provide explanations in writing or by electronic means of communication during the written proceeding of the case;

4) to provide documents and items which are relevant to the case;

5) to submit requests and removals;

6) to use the legal aid of attorney or other authorised representative;

7) to speak in mother tongue or other language a person can speak and use translator's services, if a person can't speak Lithuanian language;

8) to appeal against procedural decisions according to the established procedure.

3. The person subject to administrative liability must:

1) comply with the established procedure of legal proceeding and not to abuse his/her procedural rights;

2) to arrive to an officer, investigating the administrative offence, a court or an institution, examination of a case of administrative offence out-of-court.

4. The police officers may bring a person subject to administrative liability to an officer, investigating the administrative offence, a court or an institution, hearing a case of administrative offence, if such person avoids arriving after the receipt of summons. If location of a person subject to administrative liability is unknown, then police or court may announce the search of the person subject to administrative liability.

5. The owner of property, which may be confiscated in accordance with Article 29 Paragraph 4 of CAO, have rights and obligations, set out in Article 29 Paragraphs 2 and 3 of CAO, in the case of administrative offence.

Annex 6 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the Enforcement  
Measures Set by the State Nuclear Power Safety  
Inspectorate”

(A template of protocol regarding the seizure of items and/or documents)

STATE NUCLEAR POWER SAFETY INSPECTORATE

THE PROTOCOL REGARDING THE SEIZURE OF ITEMS AND/OR DOCUMENTS

\_\_\_\_\_ 20\_\_ No.

\_\_\_\_\_  
(place)

I, \_\_\_\_\_  
(position, name and surname of employee, who concluded a protocol)

\_\_\_\_\_,  
have concluded this protocol due to the fact that according to Article 599 of the Code of Administrative  
Offences of the Republic of Lithuania,  
the following items and/or documents have been seized  
from \_\_\_\_\_  
(person's name, surname and date of birth)

Seq. No.	Name and brief description of items and/or documents	Unit of measurements	Quantity	
			in numbers	in words
1	2	3	4	5

Total number of names of items and/or documents in the protocol

\_\_\_\_\_  
(in numbers)

\_\_\_\_\_  
(in words)

A person from whom items and documents were seized \_\_\_\_\_  
(name and surname)

I received a copy of the protocol \_\_\_\_\_  
(signature)

Employee of the State Nuclear  
Power Safety Inspectorate

\_\_\_\_\_  
(position)

\_\_\_\_\_  
(name and surname)

\_\_\_\_\_  
(signature)

**(A template of resolution in case of administrative offence)**

**STATE NUCLEAR POWER SAFETY INSPECTORATE**

**RESOLUTION IN CASE OF ADMINISTRATIVE OFFENCE**

\_\_\_\_\_ 20\_\_ \_\_ hour \_\_\_\_\_ minute No. XXX0000000

\_\_\_\_\_ (place)

\_\_\_\_\_,  
(person’s name, surname and position or name of commission, which examined a case of administrative offence)  
Having examined the case(-s) of administrative offence, I found out that \_\_\_\_\_

\_\_\_\_\_ (description of circumstances identified during the examination of the case and a reasoned assessment;  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_.  
Article and Paragraph of Code of Administrative Offences of the Republic of Lithuania (hereinafter – CAO),  
providing liability for it and name, article, paragraph and subparagraph of legislation, which requirements were  
violated.

\_\_\_\_\_.  
Circumstances mitigating and/or aggravating the liability) \_\_\_\_\_

\_\_\_\_\_.  
Decision regarding items and/or documents seized during the investigation  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_.  
Data about persons, who participated in examination of the case (a person subject to  
administrative liability, witnesses, affected persons, etc. (name, surname and date of birth)  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_.  
Acting pursuant to the CAO \_\_\_\_\_

\_\_\_\_\_.  
I decided: \_\_\_\_\_

\_\_\_\_\_  
(name and surname of a person, who committed a violation)

The following decision was made \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(signature of a person, who adopted a resolution, or a chairman of the commission (and a secretary of the meeting)

Acting pursuant to Article 34 Paragraph 5 of CAO and sanction of the court, I decided:

\_\_\_\_\_  
(name and surname of offender and type of administrative penalty: 1) to impose less minimum fine than estimated in the sanction

\_\_\_\_\_  
(amount of a fine in numbers and words), 2) to impose more lenient administrative penalty or administrative sanction than indicated in the sanction,

\_\_\_\_\_  
3) not to impose administrative penalty or administrative sanction at all;

\_\_\_\_\_  
please indicate the reasons for not imposing the administrative penalty)

I SANCTION \_\_\_\_\_ Judge of the District Court

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(name and surname)

\_\_\_\_\_  
20

I received a resolution:

\_\_\_\_\_  
20

\_\_\_\_\_  
(signature of a person subject to administrative liability (affected person)

The seized items and documents \_\_\_\_\_ have been returned to me.

\_\_\_\_\_  
20

\_\_\_\_\_  
(signature)

Resolution was sent on \_\_\_\_\_ 20 \_\_\_\_\_. Registration No. \_\_\_\_\_

The procedure of appeal against resolution in a case of administrative offence is established in Articles 621–623 of CAO. An appeal regarding resolution of an institution in a case of administrative offence may be brought within 20 calendar days from the day resolution was sent or issued. Other information which may be important to a person subject to such resolution, is provided in Articles 675 and 676 of CAO.

A person subject to administrative liability shall pay a fine to the income deposit account of the State Tax Inspectorate Under the Ministry of Finance of the Republic of Lithuania (reference number \_\_\_\_\_) at the latest by 40 days from the day resolution to impose a fine was sent or issued; meanwhile, if such resolution was appealed, – at the latest by 40 days from the day judgement subject to the dissatisfied appeal was sent or issued.

Tax administrator shall administrate the imposed fine according to the procedure, set out in the Law on Tax Administration of the Republic of Lithuania, other laws and their subordinate legislation. It should be noted that if the enforcement order regarding the collection of a fine is served to bailiffs, the recovery costs of a fine may be higher than the fine imposed.

Translator \_\_\_\_\_ has been warned about administrative liability in case of false or incorrect translation, knowing that it was incorrect.

\_\_\_\_\_  
(translator’s signature)

\_\_\_\_\_  
(signature of a person, who adopted a resolution or a chairman of the commission (and a secretary of the meeting)



<b>13</b>															
CAO	Art.		Par.		Art.		Par.		Art.		Par.		Art.		Par.

(signature of a person, who adopted a resolution)

<b>14</b>
<b>15</b>
<b>16</b>
<b>17</b>
<b>18</b>
<b>19</b>

**The following information shall be indicated in lines 1 to 19 of this document:** **1** – Name and surname of a person subject to the administrative liability (hereinafter – the person) (please complete this form in capital letters). **2** – Personal identification number (or date of birth, if a person does not have a personal identification number or if it's a foreign citizen) and citizenship. **3** – Residential address. **4\*** – Name of the place of employment, address and person's position. **5\*** – Name of identity document, its number and name of the country that issued the document. **6\*** – Driver's driving experience in years. **7** – Contact data (phone number, e-mail address or address of other electronic means of communication). **8** – Place, date and time where a violation(-s) was/were committed, its essence and identified circumstances. **9\*** – Make and model of vehicle(-s). **10\*** – Public plate number or identification number (VIN or other identification code). **11\*** – Vehicle's operator, owner (name, surname, personal identification number, residential address or name of the legal entity, legal entity code and address). **12\*** – Technical measures used to identify violation (name, number, certificate No. of the metrological verification, readings of the device, error of a measuring instrument). **13\*** – A fact of violation was witnessed by (person's name and surname, date of birth, residential address, phone number and signature). **14\*** – A person who was negatively affected during violation (name and surname, date of birth, residential address, phone number

and signature). **15** – Article and Paragraph of the Code of Administrative Offences of the Republic of Lithuania (hereinafter – CAO), which establishes liability for them, as well as name, article, paragraph and subparagraph of the legislation, which requirements were violated. **16** – A form of culpability, as well as circumstances mitigating and/or aggravating the liability. **17** – Person’s explanation and comments, date, signature / a mark about person’s refusal to sign. **18** – Data of persons, who participated in examination of the case (name, surname and residential address). **19** – Attachments to the protocol.

\* To be completed in cases, established in the rules for completion of forms of the Protocol of Administrative Offence, Resolution in a Case of Administrative Offence or Resolution Regarding Administrative Offence When Protocol Is Not Concluded.

Acting pursuant to the CAO \_\_\_\_\_,

I decided: \_\_\_\_\_,

(name and surname of a person, who committed a violation)

The following decision was made \_\_\_\_\_

**(Signature of a person, who adopted a resolution)** \_\_\_\_\_

**I received resolution** \_\_\_\_\_

(signature of a person subject to administrative liability)

**I prefer to receive and send documents of a case by electronic means of communication, using e-mail address or address of other electronic means of communication, indicated in the contact details.**

\_\_\_\_\_  
(signature of a person subject to administrative liability)

**The seized items and documents** \_\_\_\_\_ **have been returned to me.**

\_\_\_\_\_  
(signature of a person subject to administrative liability)

**Resolution was sent on** \_\_\_\_\_ **20** \_\_\_\_\_. Registration No. \_\_\_\_\_

The procedure of appeal against resolution in a case of administrative offence is established in Articles 621–623 of CAO. An appeal regarding resolution of an institution in a case of administrative offence may be brought within 20 calendar days from the day resolution was sent or issued. Other information which may be important to a person subject to such resolution, is provided in Articles 675 and 676 of CAO.

A person subject to administrative liability shall pay a fine to the income deposit account of the State Tax Inspectorate Under the Ministry of Finance of the Republic of Lithuania (reference number \_\_\_\_\_) at the latest by 40 days from the day resolution to impose a fine was sent or issued; meanwhile, if such resolution was appealed, – at the latest by 40 days from the day judgement subject to the dissatisfied appeal was sent or issued.

Tax administrator shall administrate the imposed fine according to the procedure, set out in the Law on Tax Administration of the Republic of Lithuania, other laws and their subordinate legislation. It should be noted that if the enforcement order regarding the collection of a fine is served to bailiffs, the recovery costs of a fine may be higher than the fine imposed.

Translator \_\_\_\_\_ has been warned about administrative liability in case of false or incorrect translation, knowing that it was incorrect. \_\_\_\_\_

(translator’s signature)

\_\_\_\_\_  
(Signature of a person, who adopted a resolution)

Annex 9 to  
Nuclear Safety Requirements BSR-1.1.4-2017  
“Rules of Procedure for Applying the  
Enforcement Measures Set by the State  
Nuclear Power Safety Inspectorate

(A template of decision regarding a temporary seizure of documents or other items)

STATE NUCLEAR POWER SAFETY INSPECTORATE

DECISION  
REGARDING A TEMPORARY SEIZURE OF DOCUMENTS OR OTHER ITEMS

\_\_\_\_\_ 20\_\_ No. \_\_\_\_\_  
(date)

\_\_\_\_\_  
(place)

Acting pursuant to Article 12 Paragraph 2 Subparagraph 5 of Law on Nuclear Safety of the  
Republic of Lithuania and having regard to the facts that

\_\_\_\_\_  
(reasons of decision)

I (we), \_\_\_\_\_ of  
the State Nuclear Power Safety Inspectorate  
(position, name(-s) and surname(-s) of person(-s) seizing items and/or documents)

seize the following documents and/or items temporarily (for no longer than until \_\_\_\_\_ 20\_\_):  
(Date)

Seq. No.	Number and date of a document (document file) and identification number of an item (if any)	Name of a document (document file), name of an item and its brief description	Number of documents or number of pages forming a document file, Number of items (pcs.)
1	2	3	4

\* If a document file is being seized, please indicate the number of its pages.

\_\_\_\_\_ pages of \_\_\_\_\_ documents (document files) were seized in total.  
The total number (pcs.) of seized items is \_\_\_\_\_.

NOTES:

\_\_\_\_\_  
(Position of employee(-s) who drew up resolution)

\_\_\_\_\_  
(Signature(-s))

\_\_\_\_\_  
(Name(-s) and surname(-s))

I have familiarised with resolution regarding the seizure of documents or items and received a copy of it:

\_\_\_\_\_  
(Person's position, signature, name and surname)

\_\_\_\_\_ 20\_\_

---

To be completed after the return of documents or items

I received \_\_\_\_\_ pages of \_\_\_\_\_ returned documents (document files):

---

(Person's position, signature, name and surname)

\_\_\_\_\_ 20\_\_

I received the returned items \_\_\_\_\_ ( \_\_\_\_\_ pcs.):

---

(Person's position, signature, name and surname)

\_\_\_\_\_ 20\_\_

**(A template of request to extend the period of time given for elimination of violations)**

(name of a legal entity, other organisation or their branch / name and surname of a natural person)

(legal form, legal entity code, office address phone number(-s) and e-mail address of a legal entity, other organisation or their branch / postal address, phone number(-s) and e-mail address of a natural person)

To: State Nuclear Power Safety Inspectorate

**REQUEST  
TO EXTEND THE PERIOD OF TIME GIVEN FOR ELIMINATION OF VIOLATIONS**

*(date) (number)*

Please extend the period of time given for elimination of violations, which was received on *(date)* in:

The mandatory requirement No. *(number)* of *(date)*,

Order No. *(number)* of *(date)* of Head of the State Nuclear Power Inspectorate “Regarding the notice about the possible suspension of work with a specific source of ionising radiation” *(please specify the accurate title, if it does not meet the indicated title)*,

Order No. *(number)* of *(date)* of Head of the State Nuclear Power Inspectorate “Regarding the suspension of work with a specific source of ionising radiation” *(please specify the accurate title, if it does not meet the indicated title)*,

for *(a period of time, for example, 1 month)* or  
until *(date)*.

*(the indicated period of time cannot exceed a time limit, indicated in Article 8 Paragraph 5 of Law on Radiation Protection of the Republic of Lithuania)*

The objective circumstances due to which it is impossible to eliminate a violation during the given period of time:

---

ATTACHMENTS. Documents, justifying the objective circumstances due to which it is impossible to eliminate a violation during the given period of time and number of their pages *(if such documents will be attached)*.

(Position)

(Signature)

(Name and surname)

Supplemented by the annex:

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752



I have familiarised with resolution regarding the seizure of documents and/or items and received a copy of it:

---

(Person's position, signature, name and surname)

\_\_\_\_\_ 20 \_\_\_\_\_

---

To be completed after the return of documents or items

I received \_\_\_\_\_ pages of \_\_\_\_\_ returned documents (document files):

---

(Person's position, signature, name and surname)

\_\_\_\_\_ 20 \_\_\_\_\_

I received the returned items \_\_\_\_\_ ( \_\_\_\_\_ pcs.):

---

(Person's position, signature, name and surname)

\_\_\_\_\_ 20 \_\_\_\_\_

*Supplemented by the annex:*

No. [22.3-339](#) of 28-12-2018, published in the Register of Legal Acts (TAR) on 28-12-2018, identification number 2018-21752