

Content

Title :	Nuclear Safety Commission Organization Act Ch
Date :	2023.06.21
Legislative :	Promulgated on June 21, 2023 by Presidential Decree No. Hwa-Tsong-Yi-Tsu-11200051791
Content :	<p>Article 1</p> <p>The Nuclear Safety Commission (hereinafter referred to as the NSC) is established by the Executive Yuan to ensure the nation' s nuclear energy, radiation, and radioactive material safety, which is equivalent to the third-level independent agency of the Central Government.</p> <p>Article 2</p> <p>The NSC shall conduct the followings:</p> <ol style="list-style-type: none">1.Nuclear energy, radiation, and radioactive material safety regulatory policies, laws, and the planning, drafting, and execution of international nuclear cooperation affairs.2.Nuclear safeguards supervision and nuclear security regulation.3.Safety review and regulation of nuclear reactor facilities.4.Safety review and regulation of radiation source, practice and environmental radiation.5.Supervision and coordination of preparedness, response and recovery related to nuclear accidents and radiological emergencies; the investigation and assessment of nuclear accident damage compensation.6.Safety review and regulation of radioactive materials and related facilities.7.Research and development of regulation and application of nuclear energy, radiation and radioactive material safety.8.Supervision of the affiliated agency conducting the detection and analyses of environmental radiation.9.Other matters related to nuclear energy, radiation and radioactive material safety regulation. <p>Article 3</p> <p>The NSC exercises its authority independently in accordance with the law. The NSC shall consist of five to seven Commissioners, one of whom is the Chairperson ranked as senior 14th grade equivalently. The NSC Chairperson shall represent the Commission on all external affairs. Another one is the Vice Chairperson, whose position is ranked as senior 13th grade equivalently. The remaining three to five are adjunct Commissioners. The Chairperson and the Vice Chairperson are appointed by the president of Executive Yuan. Adjunct Commissioners are appointed by the Premier respectively from related agencies and scholars and experts. All of them will serve a three-year term and are allowed to be reappointed one more time.</p> <p>Three months prior to the expiration of the Commissioners' term, or if there is a vacancy within three months, new Commissioners shall be appointed with the previous procedure. When a Commissioner' s position is vacant, the succeeding members shall serve until the term of the original member expires. But when the NSC is established, two of the first appointed Members, excluding the Chairperson and the Vice Chairperson, shall serve for a term of two years without being subject to the term limit set forth previously.</p> <p>The Commissioners shall possess knowledge and experience with regard to nuclear energy safety, radiation safety, radioactive materials and law. The number of the Commissioners with the same political party membership shall not exceed one-half of the total number of Commissioners.</p> <p>In the event where a Commissioner should fall under any one of the</p>

following circumstances, the president of the Executive Yuan may dismiss his or her position or exempt him or her from duty:

- 1.A Commissioner is unable to fulfill his or her duties due to contracting illness.
- 2.A Commissioner is found breaching the law, neglecting his or her duties, or in other act of breaching his or her fiduciary duties.
- 3.A Commissioner is detained or prosecuted in connection with a case.

Article 4

In the event where the Chairperson should be vacant or indisposed to exercise his or her duties, the Vice Chairperson is to act on behalf of the Chairperson; in the event where both the Chairperson and the Vice Chairperson should be vacant or indisposed to exercise their duties, the president of the Executive Yuan shall designate one Commissioner to act on behalf of the Chairperson.

Article 5

The following matters shall be approved by the Commission Meeting:

- 1.Review of policies for the safety regulation of nuclear energy, radiation and radioactive materials.
- 2.Review and evaluation of the annual technological policy plan for nuclear energy, radiation and radioactive material safety.
- 3.Review of the formulation, amendment, and repeal of laws under the NSC's jurisdiction.
- 4.Review of proposals presented by the Commissioners.
- 5.Other significant decisions to be made at Commission Meetings.

Article 6

The NSC shall hold a Commission Meeting once per two months, and all the meetings shall be convened by the Chairperson. Ad hoc meetings may be held when necessary.

The Commission Meeting in the preceding paragraph shall be chaired by the Chairperson; when unable to do so, the Vice Chairperson shall act on his or her behalf.

When convening a Commission Meeting, the NSC may extend invitations to scholars and experts to attend the meeting, and may also extend invitations to relevant agencies, enterprises or organizations to dispatch representatives to sit in as nonvoting delegates to clarify or offer opinions.

All decisions made in the Commission Meetings shall require more than one half of attendance of the Commission Meetings and the consent of more than half of the attending Commission Members.

The Commission Meetings shall not be opened to public access but the minutes of the Meetings, in accordance with Article 7 of the Freedom of Government Information Law, shall be made open to the public actively.

Article 7

The NSC shall have one Secretary-General ranked as senior 11th grade to 12th grade.

Article 8

The NSC shall establish Radiation Monitoring Center, which conducts environmental radiation detection and analysis matters.

Article 9

To meet operational needs, the NSC may dispatch its officers overseas if approved by the Executive Yuan pursuant to the Organization Act of Diplomatic Missions of the Republic of China (Taiwan).

Article 10

When necessary, an individual may be hired as the head of the first-level implementation units based on the relevant regulations of Act Governing the Appointment of Educators; the retirement benefits and bereavement compensation of such individuals shall be under the same conditions as those prescribed in laws and regulations concerning teachers and be subject to the approval of the NSC.

Article 11

The official ranks, grades, and headcounts of personnel at the NSC shall be regulated by a separate Personnel Establishment Table.

Article 12

The commence date of this Act shall be determined by an order issued by the Executive Yuan.

Data Source : Nuclear Safety Commission Laws and Regulations Retrieving System