

## COUNTRY SHEET: SLOVAK REPUBLIC

The Slovak Republic is a member country of the OECD Nuclear Energy Agency. For more information on the legal, regulatory and institutional frameworks for nuclear activities in the Slovak Republic, see [here](#).

### 1. APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME

#### *International convention(s):*

- 1963 Vienna Convention on Civil Liability for Nuclear Damage (“[Vienna Convention](#)”)
- 1988 Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention (“[Joint Protocol](#)”)

#### *National law(s):*

- Act No. 54/2015 Coll. on Civil Liability for Nuclear Damage and on its Financial Coverage of 19 March 2015 (“[Act No. 54/2015](#)”)
- Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015 Coll. establishing a List of Radioactive Materials, Their Quantities and Their Physical and Chemical Parameters Justifying the Low Risk of Nuclear Damage (“[Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015](#)”)

### 2. NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)<sup>1</sup>

#### *Transport to/from a nuclear installation located in the Slovak Republic (“the Country”):*

- EUR 185 million

#### *Transit through the Country:*

- EUR 185 million

There are no specific provisions on the amounts of nuclear liability applicable to transit under the Act No. 54/2015. The requirements relevant to transport will also apply to transit.

### 3. FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)

#### *Domestic transport:*

- EUR 185 million

#### *International transport to/from a nuclear installation located in the Country:*

- EUR 185 million

If the operator holds a license to transport radioactive materials, the carriage of radioactive materials from or to its nuclear installation will be covered by the financial security issued to cover the operator’s nuclear liability in case an incident occurred at that nuclear installation; there is no need to have a specific financial security for transport [Article I, Section 5 (3) and (4) and Section 6(8) of the Act No. 54/2015].

#### *Transit through the Country:*

- EUR 185 million

There are no specific provisions on the financial security limits for transit under the Act No. 54/2015. The requirements relevant to transport will also apply to transit.

Slovak legislation does not provide that certificates of financial security detail the amount applicable for each transit country.

**4. CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)**

*Certificate of Financial Security for national transports:*<sup>2</sup>

Required

However, the operator does not need to conclude another insurance policy or arrange for a special financial security for the transport of nuclear material, spent nuclear fuel or radioactive waste if it already has an insurance policy or other financial security to cover its nuclear installation [Article I, Section 6 (9) of the Act No. 54/2015].

National legislation does not provide for a model insurance certificate or other financial security certificate.

*Type of Certificate of Financial Security for international carriage:*<sup>3</sup>

- International transport to/from a nuclear installation located in the Country:

Required

However, the operator does not need to conclude another insurance policy or arrange for a special financial security for the transport of nuclear material, spent nuclear fuel or radioactive waste if it already has an insurance policy or other financial security to cover its nuclear installation [Article I, Section 6 (9) of the Act No. 54/2015].

National legislation does not provide for a model insurance certificate or other financial security certificate.

- Transit through the Country:

Required

As the Act No. 54/2015 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

*Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:*

- International transport to/from a nuclear installation located in the Country:

No specific requirement

- Transit through the Country:

No specific requirement

**5. ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY**<sup>4</sup>

*Transport to/from a nuclear installation located in the Country:*

- Operator
- National carrier
- Foreign carrier

[Article I, Section 4 (4) of the Act No. 54/2015]

A carrier (national or foreign), at its request and with the consent of an operator of a nuclear installation based on a contract between them, by decision of the competent public authority, can be liable in place of that operator. A certificate of financial security shall be obtained by such carrier which will be deemed an operator.

*Transit through the Country:*

- Operator
- National carrier
- Foreign carrier

As the Act No. 54/2015 does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

**6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)<sup>5</sup>***Exclusion of small quantities of nuclear substances:<sup>6</sup>*

- Applied under national law [Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015]
- IAEA Board of Governors Resolution of 20 November 2014 [GOV/2014/63] implemented in national legislation

*Exclusion of radioisotopes which have reached the final stage of fabrication:<sup>7</sup>*

- Applied under national law [Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015]
- Nuclear liability regime stops applying to radioisotopes depending on the formula on determination of level of activity and type of radionuclides as stipulated in the Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015

*Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):<sup>8</sup>*

N/A

*Other exclusions:*

- Applied under national law
- Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 170/2015 provides a formula on determination of level of activity and type of radionuclides subject to exclusion

*Liability regime applicable to exclusions:*Civil code No. 40/1964 Coll. as amended, available only in [Slovak](#)*Compulsory financial security for exclusions*

Not required

**7. COMPETENT PUBLIC AUTHORITIES***In charge of verifying the certificate of financial security:*

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky) in co-operation with the National Bank of Slovakia

*In charge of authorising a national/foreign carrier to bear nuclear liability:*

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

*In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:*

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

*Entitled to confirm that the transported substances are covered by the definition of "nuclear substances" (as defined under the Paris Convention) or "nuclear material" (as defined under the Vienna Conventions and the CSC):*

The Nuclear Regulatory Authority of the Slovak Republic (Urad jadroveho dozoru Slovenskej Republiky)

**8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY**

Office of the Slovak Nuclear Insurance Pool

Email: [nuclearpool.sk@allianzsp.sk](mailto:nuclearpool.sk@allianzsp.sk) / Phone: +421 90 777 5256

Slovenske elektrarne, a.s.

Email: [info@seas.sk](mailto:info@seas.sk) / Phone: +421 2 5866 1111

Nuclear and Decommissioning Company - Jadrová a vyrad'ovacia spoločnosť, a.s.

Email: [info@javys.sk](mailto:info@javys.sk) / Phone: +421 3 3531 1111

## NOTES

\* **“Transport”** means an international or domestic carriage of nuclear substances by any means of transportation (i.e. sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.

**“Transit”** means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.

1 All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the [Paris Convention](#), Article V.3 of the [Revised Vienna Convention](#), and Article 6.1 of the Annex to the [Convention on Supplementary Compensation \(CSC\)](#).

Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and Article 6.2 of the CSC Annex.

2 National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(d) of the Paris Convention, and Article III of the Revised Vienna Convention.

3 The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [NE/M(67)1/NE(67)9]. On 8 October 2021, the same Committee adopted a Recommendation [[NEA/NE\(2021\)14, Annex 2, Appendix A](#)] to replace the Recommendation [NE/M(67)1], which was revoked on 21 April 2022. There is no distinction between transport and transit regarding this recommendation.

4 National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(e) of the Paris Convention, Article II.2 of the Vienna Convention and the Revised Vienna Convention, Article 3.2 of the CSC Annex.

5 All nuclear liability conventions exclude from their scope of application certain categories of nuclear substances or material to ensure that the risk associated with their use may be dealt with under general tort law. Specifically, natural and depleted uranium are excluded from the definitions of “nuclear substances” or “nuclear material” provided in all nuclear liability conventions. Radioisotopes which have reached the final stage of fabrication so as to be usable for purposes specified in the conventions are also excluded from the relevant definitions of “radioactive products or waste” provided in conventions. Moreover, nuclear liability conventions allow for the exclusion of certain other types of nuclear substances or material, subject to specific conditions being met (e.g. exclusion of small quantities of nuclear substances for all conventions; exclusion of certain kinds of nuclear substances (for the Paris Convention only).

6 Small quantities of nuclear substances or material in use outside a nuclear installation can be excluded from the application of the nuclear liability conventions, to the extent they comply within certain defined limits [see Article 1(b) of the Paris Convention, Article I.2 of the Vienna Conventions and Article 1.2(b) of the CSC Annex]. For technical criteria applicable to the Paris Convention, see the Steering Committee Decision of 3 November 2016 [[NEA/SUM\(2016\)2/NEA/NE\(2016\)8/FINAL](#)]; for technical criteria applicable to the Vienna Conventions and the CSC, see the Board of Governors Resolution of 20 November 2014 [GOV/2014/63]. There is no distinction between transport and transit regarding this exclusion.

7 Radioisotopes which have reached the final stage of fabrication so as to be usable for any scientific, medical, agricultural, commercial or industrial purpose are excluded from the scope of application of the Vienna Conventions and the CSC [see Article of I.1(g) of the Vienna Convention and the Revised Vienna Convention, and Article 1.1(e) of the CSC Annex]. Except for certain slight differences in the relevant provisions (i.e. unlike the Vienna Conventions and the CSC, the Paris Convention specifies that radioisotopes shall be outside a nuclear installation and also provides that they can be usable for educational purposes), the Paris Convention also allows for this exclusion [see Article 1(a)(iv) of the Paris Convention]. There is no distinction between transport and transit regarding this exclusion.

To further clarify the scope of the exclusion, the Steering Committee adopted a Recommendation of 19 April 2018 [[NEA/SUM\(2018\)1/NEA/NE\(2018\)3/FINAL](#)], according to which “The radioisotopes reach the final stage of fabrication, under Article 1(a)(iv) of the Paris Convention, when they may be used for any industrial, commercial, agricultural, medical, scientific or educational purpose. The radioisotopes which have reached the final stage of fabrication are excluded from the scope of application of the Paris Convention and shall not be made subject to it at a later stage.”

8 See the Steering Committee Decision of 27 October 1977 [[NE/M\(77\)2/NE\(77\)20](#)]. This Decision intends to exclude substances consisting substantially of uranium, which, for all practical purposes, present no greater risk than natural uranium, from being considered nuclear substances for the purposes of the Paris Convention, subject to certain conditions and criteria described in the Decision being met. There is no distinction between transport and transit regarding this exclusion.