

Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel

CHAPTER 4

GENERAL PROVISIONS

Article 17

Use of a standard document

1 A standard document shall be used for all shipments within the scope of this Directive.

2 The Commission shall, in accordance with the procedure laid down in Article 21, establish the standard document which shall include as an Annex a list of the minimum requirements of a duly completed application.

The standard document and its Annexes shall be published in the *Official Journal of the European Union* and be made available in electronic form not later than 25 December 2008. If necessary, it shall be updated following the same procedure.

3 The application for authorisation shall be completed and any further documentation and information referred to in Articles 10, 13, 14 and 15 shall be supplied in a language that is acceptable to the competent authorities of the Member State to whom the application for authorisation is submitted in accordance with this Directive.

An authenticated translation shall be supplied by the holder at the request of the competent authorities of the country of destination or transit in a language acceptable to them.

4 Any additional requirements for authorising a shipment shall be attached to the standard document.

5 Without prejudice to any other accompanying documents required under other relevant legal provisions, the completed standard document certifying that the authorisation procedure has been duly complied with shall accompany each shipment falling under the scope of this Directive, including cases where the authorisation relates to more than one shipment in a single document.

6 These documents shall be available to the competent authorities of the country of origin and destination and any country of transit.

Article 18

Competent authorities

1 Member States shall forward to the Commission not later than 25 December 2008 the name(s) and the address(es) of the competent authority or authorities and all necessary information for rapidly communicating with such authorities.

2 Member States shall regularly forward to the Commission any changes to such data.

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Article 19

Transmission

1 The Commission shall, in accordance with the procedure laid down in Article 21, establish recommendations for a secure and effective system of transmission of the documents and information relating to the provisions of this Directive.

2 The Commission shall establish and maintain an electronic communication platform to publish;

- a the name(s) and address(es) of the competent authority or authorities of each Member State;
- b the languages acceptable to the competent authorities of each Member State; and
- c all general conditions and additional requirements, if any, necessary for the competent authorities of each Member State to authorise a shipment.

Article 20

Regular reports

1 By 25 December 2011 and every three years afterwards, Member States shall forward to the Commission reports on the implementation of this Directive.

2 On the basis of these reports, the Commission shall, in accordance with the procedure laid down in Article 21, establish a summary report for the European Parliament, the Council and the European Economic and Social Committee, paying particular attention to the implementation of Article 4.

Article 21

Advisory committee

1 In performing the tasks laid down in Articles 16(2), 17(2), 19(1) and Article 20(2) the Commission shall be assisted by a Committee of an advisory nature composed of representatives of the Member States and chaired by a representative of the Commission (hereinafter referred to as the Committee).

2 The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

3 The opinion shall be recorded in the minutes. Each Member State shall have the right to ask to have its position recorded in the minutes.

4 The Commission shall take account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 22

Transposition

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 25 December 2008. They shall forthwith inform the Commission thereof.

When they are adopted by the Member States, these measures shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 23

Repeal

1 Directive 92/3/Euratom shall be repealed with effect from 25 December 2008, without prejudice to the obligations of the Member States relating to the time limit for transposition into national law and application of that Directive.

2 References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in the Annex.

Article 24

Transitional provisions

1 Where the application for authorisation has been duly approved by or submitted to the competent authorities of the country of origin before 25 December 2008, Directive 92/3/Euratom shall apply to all shipment operations covered by the same authorisation.

2 When deciding on applications for authorisation submitted before 25 December 2008, for more than one shipment of radioactive waste or spent fuel to a third country of destination, the Member State of origin shall take account of all relevant circumstances, and in particular:

- a the planned time schedule for carrying out all shipments covered by the same application;
- b the justification for including all shipments in the same application;
- c the appropriateness of authorising a number of shipments lower than that covered by the application.

3 Until the standard document provided for in Article 17 of this Directive becomes available, the standard document established by Commission Decision 93/552/Euratom⁽¹⁾ shall be used *mutatis mutandis* for the purposes of this Directive.

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Article 25

Entry into force

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Article 26

This Directive is addressed to the Member States.

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- (1) Commission Decision 93/552/Euratom of 1 October 1993 establishing the standard document for the supervision and control of shipments of radioactive waste referred to in Council Directive 92/3/Euratom ([OJ L 268, 29.10.1993, p. 83](#)).