

Rules of Procedure of the Austrian Board for Radioactive Waste Management

of 10 March 2021

§ 1 Establishment

The Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology establishes the Austrian Board for Radioactive Waste Management based on a mandate granted by authorisation of the Federal Government. It is based on the Austrian National Waste Management Programme for radioactive waste and spent fuel in accordance with the Radiation Protection Act 2020 (Federal Law Gazette I No 50/2020).

§ 2 Responsibilities

(1) The Austrian Board for Radioactive Waste Management advises the Federal Government on matters related to implementation of the National Waste Management Programme. On the basis of the given mandate, the Austrian Board for Radioactive Waste Management elaborates decision-making criteria and recommendations for the management of radioactive waste and spent fuel.

(2) In the inaugural meeting, the Austrian Board for Radioactive Waste Management adopts a work plan to achieve the goals set out in the mandate and elects an interdisciplinary, collaborative and transparent working method in the exercise of its duties.

(3) The outcome of the deliberations must be summarised in a final report at the end of the mandate in accordance with § 13 para. 6. The Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology submits this report to the Federal Government.

§ 3 Composition

(1) Generally speaking, the Austrian Board for Radioactive Waste Management is composed of 20 members. It should include representatives of such fields of expertise as are needed to provide expert advice to the Federal Government with respect to the tasks imposed by the mandate. In addition, the Austrian Board for Radioactive Waste Management should include representatives of federal ministries, federal provinces, the Association of Municipalities and of civil society.

(2) To the extent possible, the Austrian Board for Radioactive Waste Management should be composed of equal numbers of women and men.

§ 4 Members

(1) The members of the Austrian Board for Radioactive Waste Management respect the expert opinion of other members and honour the rules of scientific and ethical discourse. They are appointed by the Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology.

(2) A substitute member may be nominated.

(3) The appointment is for the duration of the mandate.

(4) If a member resigns early, the Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology will appoint a new member, acting on a proposal by the Austrian Board for Radioactive Waste Management. If a member participating as part of official duties resigns, the administrative unit concerned shall be requested to nominate a new member.

(5) The members of the Austrian Board for Radioactive Waste Management are authorised to propose resolutions and to take the floor to speak about the individual items of the agenda.

(6) The members of the Austrian Board for Radioactive Waste Management are required to attend the Board's meetings. An inability to attend and attendance of the substitute member must be announced in due time before the meeting.

WORKING TRANSLATION

(7) Acting on a proposal by the Secretariat, the Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology can exclude members of the Austrian Board for Radioactive Waste Management for good cause prior to the end of the term of office. The member and the Austrian Board for Radioactive Waste Management should be informed about the grounds for such exclusion. A member may not be prematurely excluded on the grounds of a professional opinion. In particular, good cause is deemed to be the infringement of one or several provisions of the present Rules of Procedure.

(8) Before taking up their duties, the members of the Austrian Board for Radioactive Waste Management who are not participating as part of their official duties must be placed under the obligation to discharge their responsibilities conscientiously and objectively, to observe the confidentiality of meetings (§ 9 para. 3) as well as to maintain secrecy with regard to matters that are the subject of an authorisation or supervisory procedure under radiation protection law and that they become aware of as members of the Board.

(9) The commitment to secrecy and confidentiality must be made in writing.

§ 5 Voluntary nature of membership

(1) Membership in the Austrian Board for Radioactive Waste Management is voluntary.

(2) The members of the Austrian Board for Radioactive Waste Management, and in the case of their inability to attend, the substitute members, who do not attend the meetings as part of their official duties, are entitled to reimbursement of reasonable travel and accommodation expenses as well as to an expense allowance.

(3) The Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology shall establish the expense allowance, taking the significance and scope of the tasks to be accomplished by the Austrian Board for Radioactive Waste Management into due account.

(4) Paras. 1 to 3 also apply accordingly to participation in committees.

§ 6 Chair and Deputy Chair

(1) The Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology appoints the Chair of the Austrian Board for Radioactive Waste Management and his/her deputy for the duration of the mandate.

(2) The Chair opens and chairs the meetings and must seek to work towards a consensus among the members of the Austrian Board for Radioactive Waste Management with regard to the resolutions to be made.

(3) The Chair ensures orderly conduct of the meeting and keeps an eye on compliance with the Rules of Procedure in cooperation with the Secretariat. In case of disagreement on the interpretation of the Rules of Procedure, the Chair will decide the matter.

(4) The Chair is not a member of the Austrian Board for Radioactive Waste Management in accordance with § 3 and is not entitled to vote.

§ 7 Secretariat

(1) The Secretariat provides administrative and technical assistance to support the Chair, the Austrian Board for Radioactive Waste Management and the committees in the performance of their duties.

(2) Administrative assistance includes the handling of the correspondence necessary to fulfil the tasks of the Austrian Board for Radioactive Waste Management, the preparation and execution of meetings in cooperation with the Chair, ensuring compliance with the Rules of Procedure, monitoring compliance with the established work plan, taking minutes at meetings, reporting at meetings, providing information in cooperation with the Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology, the publication of meeting reports and the annual activity report as well as the payment of travel and accommodation expenses and of the expense allowance.

(3) By resolution of the Austrian Board for Radioactive Waste Management, the Secretariat may commission expert opinions and studies and invite providers of information in accordance with the principles of economy, efficiency and expediency.

WORKING TRANSLATION

(4) Technical assistance includes the preparation of meeting topics, the research, preparation and evaluation of technical publications as well as the writing of technical reports or the compilation of information and the observation of current developments concerning radioactive waste management in other countries. The Secretariat is also responsible for preparing the meeting minutes, the annual activity report and the final report in accordance with § 13. The Secretariat also manages the website of the Austrian Board for Radioactive Waste Management and is the point of contact for public concerns.

§ 8 Preparation of meetings

(1) Generally speaking, the Austrian Board for Radioactive Waste Management convenes three times a year. The Chair must convene the meetings in due time, with the assistance of the Secretariat, usually three months prior to the beginning of the meeting. At the request of at least half of the members, an extraordinary meeting of the Austrian Board for Radioactive Waste Management is to be convened within four weeks.

(2) The invitations, the agenda and any preparatory documents must be made available to the members of the Austrian Board for Radioactive Waste Management two weeks before the meeting at the latest.

(3) Proposals to be discussed in the Austrian Board for Radioactive Waste Management must be submitted to the Secretariat four weeks prior to the meeting at the latest. After the proposals have been submitted, the preliminary agenda must be transmitted to the members, including any additional documents.

(4) The Austrian Board for Radioactive Waste Management must vote by resolution on:

- a) issues to be addressed in order to fulfil the mandate,
- b) the appointment of Committees,
- c) the commissioning of studies and expert opinions,
- d) the invitation of providers of information,
- e) the implementation of technical excursions,
- f) the recommendation of replacement candidates for vacated member positions,
- g) the rescheduling of meetings,
- h) the meeting minutes,
- i) the annual activity report and
- j) the final report.

WORKING TRANSLATION

(5) The agenda must contain the following items:

- a) presentation and adoption of the agenda;
- b) confirmation that the meeting has been duly convened, confirmation of attendance and of a quorum;
- c) approval of the last meeting's minutes;
- d) resolutions;
- e) summary, outlook, summarised report of the meeting;
- f) miscellaneous and the next meeting date.

(6) Whenever possible, the meeting dates should be set one calendar year in advance.

§ 9 Conduct of the meetings

(1) The conduct of the meetings is the responsibility of the Chair.

(2) The determination of voting results is the responsibility of the Chair.

(3) Meetings of the Austrian Board for Radioactive Waste Management are not public. The meeting participants may not provide the public with information about statements made by individual members, about the results of votes and about the contents of the meeting minutes.

(4) The Chair may suspend a session of the Austrian Board for Radioactive Waste Management.

(5) At the end of each meeting, the Chair summarises the results of the meeting, proposes contents for the session report and provides an outlook for the next meeting.

§ 10 Participation in meetings, voting rights

(1) The meetings shall be attended by the members of the Austrian Board for Radioactive Waste Management – or, if they are prevented from attending, the substitute members – the Chair, the Deputy Chair, a person representing the Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology in her coordinating function, representatives of the Secretariat and invited providers of information.

WORKING TRANSLATION

(2) Only the members of the Austrian Board for Radioactive Waste Management according to § 3 – and, if they are unable to attend, the substitute members – are entitled to vote.

§ 11 Committees, providers of information and consultation materials

(1) In order to achieve the objectives of the mandate granted, the Austrian Board for Radioactive Waste Management may establish committees for individual issues, in accordance with the principles of economy, efficiency and expediency.

(2) Committees are composed of members of the Austrian Board for Radioactive Waste Management. The committee members must appoint one of their number as head of the committee. The head of the committee must report to the Austrian Board for Radioactive Waste Management about the deliberations held. The Austrian Board for Radioactive Waste Management is responsible for establishing the further details of committee design.

(3) The Austrian Board for Radioactive Waste Management and the committees can request documents from the Secretariat and consult with providers of information. The Chair must commit the providers of information to confidentiality regarding the contents of the meeting as well as to secrecy in accordance with § 9 para. 3.

(4) If the members of the Austrian Board for Radioactive Waste Management and other meeting participants are provided with documents, these documents must be kept confidential by the people involved.

§ 12 Adoption of resolutions, resolution requirements

(1) The Austrian Board for Radioactive Waste Management has a quorum when at least half of the members are present at the meeting. Resolutions of the Austrian Board for Radioactive Waste Management are taken by a majority of two thirds.

(2) Abstentions and dissenting votes must be recorded in the minutes.

(3) Resolutions are passed by open vote.

(4) A resolution may also be passed by circulation using postal or electronic means. To this end, the Secretariat must transmit all the documents needed for the decision to the members of the Austrian Board for Radioactive Waste Management.

§ 13 Preparation of the minutes, reporting and information of the public

(1) The Secretariat will take the minutes of the meeting. The minutes of the meeting are not public.

(2) The minutes of the meeting must state the reasons for resolutions and the views of the Members of the Austrian Board for Radioactive Waste Management who remained in the minority.

(3) Following coordination with the Chair, the Secretariat will transmit a draft of the meeting minutes to the members of the Austrian Board for Radioactive Waste Management for approval by four weeks after the meeting at the latest. Any opinions must be submitted to the Secretariat within a period of four weeks.

(4) The Secretariat prepares the summarised report of the meeting on the basis of the meeting minutes. It summarises the results of the respective meeting.

(5) The annual activity report summarises the results of the meetings in a calendar year.

(6) The final report contains the results, proposals and decision-making criteria for the federal government as well as proposals for implementation of the National Waste Management Programme.

(7) The Secretariat shall publish the reports pursuant to paras. 4 and 5.

(8) The Secretariat shall provide the public with an opportunity to comment on the publications. Comments received must be submitted to the Austrian Board for Radioactive Waste Management for discussion. There is no legal entitlement to consideration of an opinion in the further activities of the Austrian Board for Radioactive Waste Management.