

法規名稱：AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF REPUBLIC OF CHINA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING CIVIL USES OF ATOMIC ENERGY

簽訂日期：民國 53 年 06 月 08 日

生效日期：民國 54 年 08 月 06 日

The Government of the Republic of China and the Government of the United States of America,

Desiring to amend the Agreement for Cooperation between the Government of the Republic of China and the Government of the United States of America Concerning Civil Uses of Atomic Energy, signed at Washington on July 18, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreements signed at Washington on December 8, 1958, June 11, 1960, and May 31, 1962;

ARTICLE I

Article II of the Agreement for Cooperation is amended as follows:

- 1 Substitute the word "transfer" for the word "lease" wherever said word appears in paragraph A.
- 2 The following new sentence is added at the end of paragraph B:
"It is understood and agreed that although the Government of the Republic of China may distribute uranium enriched in the isotope U-235 to authorized users in the Republic of China, the Government of the Republic of China will retain title to any uranium enriched in the isotope U-235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235".
- 3 Paragraph C is hereby amended to read as follows:
"C. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or faci-



lities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing."

4 Delete the word "lease" as said word appears in paragraph D and substitute in lieu thereof the word "transfer".

5 The following new paragraphs E and F are added to Article II;
"E. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of China and after reprocessing as provided in paragraph C of this Article, shall be returned to the Government of the Republic of China, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of the Republic of China, any such special nuclear material which is in excess of the needs of the Republic of China for such material in its program for the peaceful uses of atomic energy.

" F. With respect to any special nuclear material not subject to the option referred to in paragraph E of this Article and produced in reactors fueled with materials obtained from the United States of America which is in excess of the needs of the Republic of China for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised."

ARTICLE II

Article VI, paragraph C, of the Agreement for Cooperation is amended by deleting the word "leased" and substituting in lieu thereof the word "transferred".

ARTICLE III

Article VII (A) of the Agreement for Cooperation, as amended, is further amended to read as follows:

"1 The Government of the Republic of China and the Government of the United States of America, recognizing the desirability of making use of the facilities and services of the International Atomic Energy Agency, agree that the Agency will be promptly requested to assume responsibility for applying safeguards to materials and facilities subject to safeguards under this Agreement for Cooperation. It is contemplated that the necessary arrangements will be effected without modification of this Agreement, through an agreement to be negotiated between the Parties and the Agency which may include provisions for suspension of the safeguard rights accorded the Commission by Article VI, paragraph C, of this Agreement during the time and to the extent that the Agency's safeguards apply to such materials and facilities.

"2 In the event the Parties do not reach a mutually satisfactory agreement on the terms of the trilateral arrangement envisaged in paragraph 1 of this Article, either Party may by notification terminate this Agreement. In the event of termination by either Party, the Government of the Republic of China shall, at the request of the Government of the United States of America, return to the Government of the United States of America all special nuclear material received pursuant to this Agreement and in its possession or in the possession of persons under its jurisdiction. The Government of the United States of America will compensate the Government of the Republic of China for such returned material at the current United States Commission's schedule of prices then in effect domestically."

ARTICLE IV

Article VIII of the Agreement for Cooperation, as amended, is amended by deleting the date "July 17,1964" and substituting in lieu thereof the date "July 17,1974".

ARTICLE V

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as amended.

IN WITNESS WHEREOF, the undersigned, duly authorized, have signed this Amendment.

DONE at Washington, in duplicate, this eighth day of June 1964.

For the Government of the Republic of China:

(Signed)

Tingfu F. Tsiang

For the Government of the United States of America:

(Signed)

Marshall Green

Glenn T. Seaborg