

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 55 年 08 月 25 日

生效日期：民國 55 年 09 月 28 日

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

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the Republic of China and the Government of the United States of America, 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, 1955, June 11, 1960, May 31, 1962, and June 8, 1964.

Agree as follows:

ARTICLE I

Article I, Paragraph A of the Agreement for Cooperation, as amended, is amended to read as follows:

“A. Subject to the limitations of Article V, the Parties hereto will exchange information in the following fields:

- 1 design, construction, operation, and use of research reactors, materials testing reactors, and reactor experiments;
- 2 the use of radioactive isotopes and source, special nuclear, or byproduct material in physical and biological research, medical therapy, agriculture, and industry; and
- 3 health and safety problems related to the foregoing.”

ARTICLE II

A. Article II, Paragraph A of the Agreement for Cooperation, as amended, is amended to read as follows:

“A. The Commission will transfer to the Government of the Republic of China uranium enriched in the isotope U-235, subject to the terms and conditions herein, as may be required as initial and replacement fuel in the operation of research reactors, materials testing reactors, and reactor experiments



which the Government of the Republic of China, in consultation with the Commission, decides to consultation with the Commission, decides to construct or operate or decides to authorize private individuals and private organizations under its jurisdiction to construct or operate.”

B. Article II, Paragraph B of the Agreement for Cooperation, as amended, is amended as follows:

- 1 The number, “six (6)”, is deleted wherever it appears and the number, “eight (8)”, is substituted in lieu thereof.
- 2 The last sentence thereof is deleted and the following is substituted in lieu thereof:

“The Commission may, however, upon request, make all or a portion of the foregoing special nuclear material available as uranium enriched to more than twenty percent (20%) by weight in the isotope U-235 when there is a technical or economic justification for such a transfer for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U-235 contained in such uranium.”

ARTICLE III

Article IV of the Agreement for Cooperation is amended to read as follows:

“With respect to the subjects of agreed exchange of information referred to in Article I, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other for the transfer of materials, including special nuclear material, and equipment and devices, and for the performance of services. Such arrangements shall be subject to :

- 1 the limitations applicable to transactions between the Parties under Article II;
- 2 Article V; and
- 3 applicable laws, regulations, policies, and license requirements of the Parties.”

ARTICLE IV

Paragraphs A, B, and C of Article VI of the Agreement for Cooperation, as amended, are amended to read as follows:

“A. Government of the Republic of China and the Government of the United States of America emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Republic of China or any person under its jurisdiction pursuant to this Agreement shall be used solely for civil purposes.

“B. Except to the extent that the safeguards provided for in this Agreement are supplanted, by agreement of the Parties as provided in Article VII (A), by safeguards of the international Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

- (1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any
 - (a) reactor, and
 - (b) other equipment and devices, the design of which the Commission determines to be relevant to the effective application of safeguards,

Which are, or have been, made available to the Government of the Republic of China or any person under its jurisdiction under this Agreement, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material or other material designated by the Commission;

- (2) With respect to any source or special nuclear material made available under this Agreement to the Government of the Republic of China or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in recovered from, or produced as a result of the use of any of the following materials, equipment or devices so made available:



- (a) source material, special nuclear material, moderator material, or other material designated by the Commission,
- (b) reactors,
- (c) any other equipment or device designated by the Commission as an item to be made available on the condition that the provisions of this subparagraph B (2) will apply,
 - (i) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials; and
 - (ii) to require that any such material in the custody of the Government of the Republic of China or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guaranties set forth in Article VII;
- (3) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B (2) of this Article which is not currently utilized for civil purposes in the Republic of China and which is not retained or purchased by the Government of the United States of America pursuant to Paragraphs E or F, respectively, of Article II, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;
- (4) To designate, after consultation with the Government of the Republic of China, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of the Republic of China, shall have access in the Republic of China to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B (2) of this Article, to determine whether there is compliance with this Agreement, and to make such independent measurements as may be deemed necessary;
- (5) In the event of non-compliance with the provisions of this Article or the guaranties set forth in Article VII and the failure of the Government of the Republic of China to carry



out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and to require the return of any materials, equipment, and devices referred to in subparagraph B (2) of this Article;

(6) To consult with the Government of the Republic of China in the matter of health and safety.

“C. The Government of the Republic of China undertakes to facilitate the application of the safeguards provided for in this Article.”

ARTICLE V

Article VII, Paragraph B of the Agreement for Cooperation is amended by adding the words, “or group of nations” , following the word, “nation” , wherever it appears.

ARTICLE VI

Article VII (A) 1 of the Agreement for Cooperation, as amended, is amended by deleting the reference, “paragraph C” , and the commas preceding and following such reference.

ARTICLE VII

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 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 twenty-fifth day of August, 1966.

For the Government of the Republic of China

(Signed)

Chow Shu-kai

For the Government of the United States of America

(Signed)

William P. Bundy

Glenn T. Seaborg



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