

ARTICLE 2

Scope of Application

1. This Agreement applies to the following nuclear material, material, equipment, and technology, unless the Parties otherwise agree in writing:

- (a) nuclear material, material, equipment, and technology transferred between the jurisdictions of the Parties, directly or through third countries;
- (b) material and nuclear material that is produced or processed on the basis, or by the use, of any equipment subject to this Agreement, other than plants for the conversion of uranium as listed in the Annex;
- (c) nuclear material that is produced or processed on the basis, or by the use, of any nuclear material or material subject to this Agreement;
- (d) equipment which the recipient Party, or the supplying Party after consultations with the recipient Party, has designated as being designed, constructed or operated on the basis of, or by the use, of the technology identified in subparagraph (a), or technical data derived from equipment identified in subparagraph (a); and
- (e) without restricting the generality of the foregoing, equipment that satisfies all three of the following criteria:
 - (i) equipment of the same type as the equipment referred to in subparagraph (a), whereby its design, construction or operating processes are based on essentially the same or similar physical or chemical processes as agreed in writing by the Parties prior to the transfer of the equipment referred to in subparagraph (a);
 - (ii) equipment that is so designated by the recipient Party or by the supplying Party after consultation with the recipient Party; and