

## ARTICLE V

*Exceptions*

1. There shall be excluded from the scope of this Agreement:
  - (a) the supply of information, equipment, facilities or materials, and access to equipment or facilities considered by a Contracting Party as primarily of military significance, and the employment for any military purpose of information, equipment, facilities or materials obtained pursuant to this Agreement or identified material;
  - (b) the supply of information and the transfer of proprietary or patent rights received from another government under terms preventing such supply or transfer;
  - (c) the supply of information developed or owned by, and the transfer of proprietary or patent rights owned by, persons under the jurisdiction of the supplying Contracting Party unless with the consent of and under terms to be specified by such persons;
  - (d) the supply of information regarded by a supplying Contracting Party as being of commercial value unless under terms specified by the said Contracting Party.

2. This Agreement shall be applied in accordance with the laws, regulations and licensing requirements of each Contracting Party.

3. Unless otherwise specified at the time of transmission nothing in this Agreement shall be interpreted as imposing any responsibility with regard to the accuracy of any information supplied pursuant to this Agreement, or with regard to the suitability for any particular use or to the accuracy of specifications of equipment, facilities, materials, source material, special nuclear material or fuel supplied pursuant to this Agreement.

## ARTICLE VI

*Definitions*

For the purpose of this Agreement, except as otherwise specified therein,

- (a) "Equipment" means any apparatus, device, or machine of particular utility in research, development, use, processing, or storage relating to atomic energy activities;
- (b) "Facilities" means all plants, buildings or structures containing or incorporating equipment as defined in Paragraph (a) of this Article, or otherwise particularly suited or used for atomic energy activities;
- (c) "Materials" means all radioactive substances, all other substances of special applicability to or importance in atomic energy activities (such as heavy water and zirconium), and such other substances as may be agreed between the Contracting Parties; but materials shall not include identified material as defined in Paragraph (g) of this Article;
- (d) "Source material" means uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope 235; thorium; any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; any other material containing one or more of the foregoing in such concentration as may be agreed between the Contracting Parties; and such other material as may be agreed between the Contracting Parties;