

- (a) it has been transferred beyond the jurisdiction of the recipient Party in accordance with the provisions of Article X; or
- (b) otherwise agreed between the Parties.

ARTICLE VI

Items subject to this Agreement shall not be used for, or diverted to, the manufacture of any nuclear weapon, other military uses or the manufacture of any other nuclear explosive device.

ARTICLE VII

Nuclear material subject to this Agreement shall be subject while with the territory or under the jurisdiction or control of the recipient Party to safeguards applied by the Agency under the Non-Proliferation Treaty safeguards agreements in force, or, if the Agency is not administering such safeguards, under an agreement or agreements to which that Party and the Agency are parties that will provide safeguards equivalent in scope and effect to those provided by a Non-Proliferation Treaty safeguards agreement.

ARTICLE VIII

Notwithstanding the provisions of Article VII, if items subject to this Agreement are present in the territory of a Party or under its jurisdiction or control and the Agency is not administering safeguards pursuant to a safeguards agreement or agreements with that Party referred to in Article VII, that Party shall forthwith enter into an agreement with the other Party for the establishment of a safeguards system that conforms with the principles and procedures of the Agency's safeguards system and that provides for the application of safeguards to items subject to this Agreement. Such safeguards will be for the purpose of verifying compliance with Article VI. The Parties shall consult and assist each other in the establishment and application of that safeguards system.

ARTICLE IX

1. Each Party shall take measures in accordance with its national laws and regulations to ensure adequate physical protection of nuclear material and, as necessary, of material, equipment and technology subject to this Agreement. In regard to nuclear materials each Party shall apply, as a minimum, measures of physical protection that satisfy the levels set out in Annex C to this Agreement.

2. The Parties shall consult at the request of either Party concerning matters relating to physical protection of items subject to this Agreement, including those concerning physical protection during international transportation.