

- (b) materially violates Articles 6 (Notification and Transfer), 7 (Transfer to Third Parties), 8 (Peaceful End-Use of Technology, Tritium, Tritium-related Equipment and Tritium-related Technology), 10 (Physical Protection) or 12 (Protection of Confidential Information) of this Protocol;
- (c) materially violates Articles III, IV, or VI of the Agreement, or
- (d) fails, within a reasonable time, to comply with a decision of an arbitral tribunal referred to in Article IX (referring to the settlement of disputes) of the Agreement or to bring itself into compliance with the Agreement and this Protocol following a finding of non-compliance by an arbitral tribunal.

2. A Party seeking to exercise its rights under paragraph 1 shall notify the other Party, in writing, of its decision and shall give the other Party an opportunity to request consultations in accordance with paragraph 3 or 4. The Party shall include the reasons for its decision in the notice and, if it seeks to terminate the Agreement or this Protocol, shall give at least six months' notice.

3. If a Party seeks to suspend or cease co-operation or suspend or terminate the Agreement or this Protocol based on paragraphs 1(a), 1(b) or 1(c) either Party may request consultations within thirty (30) days of the notice referred to in paragraph 2 to consider whether the violation was deliberate and to propose corrective measures. If the Parties determine that the violation was not deliberate and that corrective measures would be appropriate, the Party seeking to exercise its rights shall provide the other Party with an opportunity to take corrective measures that are satisfactory to both Parties within a mutually decided period of time.

4. If a Party seeks to suspend or cease co-operation or suspend or terminate the Agreement or this Protocol based on paragraph 1(d), either Party may request consultations within thirty (30) days of the notice referred to in paragraph 2 to establish a timeframe for compliance.

5. If the Party responsible for taking corrective measures or for complying with a decision of an arbitral tribunal or with the Agreement or this Protocol fails to do so within a mutually decided period of time referred to in paragraphs 3 or 4, the other Party may proceed with the exercise of its rights under paragraph 1.

6. Consultations under this Article suspend the timeframe required for the notice of termination referred to in paragraph 2.