

**PROTOCOL AMENDING THE AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF JAPAN FOR COOPERATION IN THE PEACEFUL USES OF ATOMIC ENERGY**

The Government of Canada and the Government of Japan,

Desiring to amend the Agreement between the Government of Canada and the Government of Japan for Cooperation in the Peaceful Uses of Atomic Energy, signed at Ottawa on July 2, 1959<sup>(1)</sup> (hereinafter referred to as "the Agreement"),

Have agreed as follows:

**ARTICLE I**

Article III of the Agreement shall be deleted and replaced by the following:

**"ARTICLE III**

1. Equipment, materials and sensitive information obtained pursuant to this Agreement, identified material, and heavy water produced by or with the use of equipment obtained pursuant to this Agreement shall not be transferred beyond the jurisdiction of either Contracting Party without the prior written consent of the other Contracting Party.
2. Identified material shall not be enriched beyond twenty percent or reprocessed within the jurisdiction of the recipient Contracting Party, and plutonium or uranium enriched beyond twenty percent which is identified material shall not be stored within the jurisdiction of the recipient Contracting Party, without the prior written consent of the supplying Contracting Party.
3. Source material, special nuclear material or fuel shall be supplied subject to the granting of an option to the supplying Contracting Party to purchase for use for peaceful non-explosive purposes only any quantity of special nuclear material derived from the use of identified material as may be in excess of the quantities needed for the use of the recipient Contracting Party, its governmental enterprises or persons under its jurisdiction.
4. In no event shall either Contracting Party use the provisions of the Agreement for the purpose of seeking commercial advantages or for the purpose of interfering with the commercial relations of the other Contracting Party.
5. The Contracting Parties shall apply appropriate measures of physical protection along the lines of the guidelines set out in Annex A to this Agreement to identified material which is within their respective jurisdictions.
6. Representatives of the Contracting Parties shall consult with each other on the matter of precautions with which identified material is to be secured."

<sup>(1)</sup> Treaty Series 1960 No. 15