



AUSTRALIAN HIGH COMMISSION,
OTTAWA,
CANADA.

April 10, 1995

Honourable André Ouellet
Secretary of State for External Affairs
Ottawa

Sir,

I have the honour to acknowledge receipt of your letter of April 10, 1995 which reads as follows:

"Your Excellency,

I have the honour to refer to the "Agreement between the Government of Canada and the Government of Australia concerning the Peaceful Uses of Nuclear Energy" signed at Ottawa on 9 March 1981 (hereinafter referred to as "the Agreement") and in particular to paragraph (1) of Article VIII of the Agreement and I note that consultations have taken place between the Parties on the application of this provision.

1. Paragraph 1 of Article VIII of the Agreement provides that "Items subject to the Agreement shall be transferred beyond the jurisdiction of the recipient Party only with the prior written consent of the supplier Party". In order to facilitate the implementation of this provision, I have the honour to propose that:

(A) in the case of natural uranium, depleted uranium, other source material, uranium enriched to less than 20 per cent in the isotope U-235 and heavy water, Canada hereby provides its consent to future transfers of such nuclear material and material by Australia beyond its jurisdiction to third parties provided that:

- (1) any such third party be acceptable to Canada and has been so designated in writing;
- (2) Australia, for each such transfer, inform the third party that the nuclear material or material transferred is subject to a nuclear cooperation agreement between Australia and Canada;