

ANNEX

The following tritium, tritium-related equipment, and tritium-related technology are subject to this Protocol:

- (a) Tritium, tritium-related equipment, and tritium-related technology transferred between the Parties, directly or through third parties;
- (b) Tritium that is produced or processed through any tritium-related equipment subject to this Protocol, including the extracted tritium;
- (c) Tritium-related equipment which the recipient Party, or the supplying Party after consultations with the recipient Party, has designated as being designed, constructed or operated on the basis of, or by the use of, the tritium-related technology subject to this Protocol, or tritium-related technology derived from tritium-related equipment subject to this Protocol; and
- (d) Without restricting the generality of the foregoing, tritium-related equipment that satisfies all three of the following criteria:
 - (i) the design, construction or operating processes of tritium-related equipment referred to in subparagraph (a) that is based on essentially the same or similar physical or chemical processes as agreed in writing by the Parties prior to the transfer of the equipment referred to in subparagraph (a),
 - (ii) that is so designated by the recipient Party, or the supplying Party after consultation with the recipient Party, and
 - (iii) the first operation of which commences at a location within the jurisdiction of the recipient Party within 20 years of the date of the first operation of the equipment referred to in sub-subparagraph (i).