

“tritium-related equipment” means equipment, plants or facilities for the production, recovery, extraction, concentration, handling or storage of tritium; and

“tritium-related technology” means technical data that the supplying Party has designated, prior to transfer and after consultation with the recipient Party, as being important for the design, production, operation or maintenance of tritium-related equipment, or for the processing of tritium and (i) includes, but is not limited to, technical drawings, photographic negatives and prints, recordings, design data and technical and operating manuals; but (ii) excludes data available to the public.

2. The Parties agree that any reference to “information” in the Agreement shall mean “technology” as defined in paragraph 1, and transfers of technology may involve technical assistance.

ARTICLE 3

Scope

1. The objective of this Protocol is to update the terminology used in the Agreement in connection with technology, to strengthen co-operation in this area, and to provide a framework for co-operation between the Parties in the peaceful uses of tritium, tritium-related equipment and tritium-related technology for use in relation to the safe operation of pressurized heavy water reactors or tritium removal facilities, on the basis of mutual benefit and reciprocity and without prejudice to the respective competences of each Party.
2. The tritium, tritium-related equipment and tritium-related technology identified in the Annex shall be subject to this Protocol unless otherwise determined by the Parties.
3. The Parties recognize the competence of the Canada-EURATOM NCA in the peaceful use of nuclear energy, nuclear research and development and the supply of tritium and tritium-related equipment by Canada for use in the EURATOM programme of research and training in the field of controlled thermonuclear fusion as adopted by Decision of the Council of the European Union, pursuant to Article 7 of the EURATOM Treaty, as well as any other programme or activities in that field adopted by the Council.