



AUSTRALIAN HIGH COMMISSION,
OTTAWA,
CANADA.

April 10, 1995

Honourable André Ouellet
Secretary of State for External Affairs
Ottawa

Sir,

I have the honour to refer to the "Agreement between the Government of Australia and the Government of Canada concerning the Peaceful Uses of Nuclear Energy" done 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 to consultations which have taken place between our two Governments on the application of that Article. In accordance with the understandings that were reached during the course of these consultations I have the further honour to propose that:

1. Subject to paragraph 3 below, nuclear material subject to the Agreement may be transferred beyond the jurisdiction of Canada for conversion, enrichment to less than 20 per cent in the isotope U-235, fuel fabrication, use, storage or final disposal to third countries which have an agreement in force with Australia concerning nuclear transfers in relation to which agreement the Government of Australia has not advised the Government of Canada that it has found it necessary to suspend, cancel or refrain from making nuclear transfers.
2. The Government of Australia shall provide the Government of Canada with, and keep updated, the list of countries to which transfers may be made.
3. Notwithstanding the foregoing provisions, transfers beyond the jurisdiction of Canada of the following nuclear material which is subject to the Agreement, namely U-233, uranium enriched to 20 per cent or more in the isotope U-235, plutonium and irradiated nuclear material, shall continue to require the prior written consent of the Government of Australia.