

ANNEX A

The words "equipment", "facilities", "material", "nuclear material" and "information" in this Annex shall have the meaning assigned to those terms in paragraphs (b), (c), (d), (e) and (h), respectively of Article VIII of the present Agreement. The items defined in paragraphs (b) and (d) of Article VIII of the present Agreement as constituting "equipment" and "material", respectively are, as stated in those paragraphs, deemed to be especially designed or prepared for the processing, use or production of nuclear material or material.

(i) Nuclear material as well as equipment, material and facilities transferred between the Parties,

(ii) Facilities and equipment which are located within the jurisdiction of a Party and which are designed, constructed or operated with information supplied or obtained from the other Party, or derived from facilities or equipment supplied or obtained from the other Party. Without in any way restricting the generality of the foregoing, a facility, the first operation of which commences on a location within the jurisdiction of a Party within 20 years of the date of first operation of a facility:

(a) referred to in (i) above, or

(b) incorporating equipment referred to in (i) above, or

(c) constructed with the use of information transferred from the other Party,

and whose design, construction and operating processes are of the same or similar type as such a facility, shall be conclusively presumed to be such a facility. Before the transfer of any facility, equipment or information the supplying Party shall specify in writing, and the receiving Party shall agree in writing on the physical or chemical processes which characterize or are relevant to the facility, equipment or information being transferred,

(iii) Material and nuclear material used, produced, processed, reprocessed, enriched, fabricated, converted or otherwise altered in form or content from, by, in or with any equipment or facility which is referred to above,

(iv) Nuclear material that is used, produced, developed, processed, reprocessed, enriched, fabricated, converted or otherwise altered in form or content from, by, in or with the use of any nuclear material or material which is referred to above, and

(v) All subsequent generations of nuclear material which is referred to above.