

PART XII
FINANCIAL PROVISIONS

Section 28. Expenses shall be borne as follows:

- (a) Subject to paragraph (b) of this Section, each Party shall bear any expenses incurred in the implementation of its responsibilities under this Agreement;
- (b) All special expenses incurred by the Government of Canada or by the Government of Spain or by persons under their respective jurisdiction, at the written request of the Agency, its inspectors or other officials, shall be reimbursed by the Agency if the Government concerned notifies the Agency before the expense is incurred that reimbursement will be required.

Nothing in this Section shall prejudice the allocation of expenses which are reasonably attributable to a failure by a Party to comply with this Agreement.

Section 29. The Government of the State concerned shall ensure that any protection against third-party liability, including any insurance or other financial security, in respect of a nuclear incident occurring in a nuclear facility in that State shall apply to the Agency and its inspectors when carrying out their functions under this Agreement as that protection applies to its nationals.

PART XIII
THE AGENCY'S OBLIGATIONS IN THE EVENT OF NON-COMPLIANCE

Section 30.

- (a) If the Board determines, in accordance with Article XII. C of the Statute, that there has been any non-compliance with this Agreement, the Board shall call upon the Government concerned to remedy such non-compliance forthwith, and the Board shall make such reports as it deems appropriate. In the event of failure by the Government concerned to take fully corrective action within a reasonable time, the Board may take any other measures provided for in Article XII. C of the Statute.
- (b) The Agency shall immediately notify both Governments of any determination of the Board pursuant to this Section.

PART XIV
SETTLEMENT OF DISPUTES

Section 31.

- (a) Any dispute arising out of the interpretation or application of this Agreement which is not settled by negotiation or as may otherwise be agreed by the Parties concerned shall, on the request of any of the Parties concerned, be submitted to an arbitral tribunal composed as follows:
 - (i) If the dispute involves only two of the Parties to this Agreement, all three Parties agreeing that the third is not concerned, the two Parties involved shall each designate one arbitrator, and the two arbitrators so designated shall elect a third, who shall be the Chairman. If within thirty days of the request for arbitration either Party has not designated an arbitrator, either Party to the dispute may request the President of the International Court of Justice to appoint an arbitrator. The same procedure shall apply if within thirty days of the designation or appointment of the second arbitrator, the third arbitrator has not been elected; or