

ARTICLE III

1. Equipment, material, nuclear material and facilities referred to in Annex A to the present Agreement shall be transferred beyond the jurisdiction of a Party only with the prior written concurrence of the appropriate governmental authority of the other Party. Information shall be transferred beyond the jurisdiction of the receiving Party only with the prior written concurrence of the appropriate governmental authority of the supplying Party. Nuclear material referred to in Annex A to the present Agreement shall be enriched beyond 20% in the isotope U-235, or reprocessed only as agreed in writing between the Parties.

2. If a Party considers that it is unable to agree with respect to a matter referred to in paragraph 1 of this Article, that Party shall provide the other Party with an immediate opportunity for full consultations regarding that issue.

ARTICLE IV

1. Nuclear material referred to in Annex A to the present Agreement shall not be used for or diverted to nuclear weapons or other nuclear explosive devices.

2. If for any reason or at any time the International Atomic Energy Agency is not administering safeguards in a Party in accordance with the Agreement between that Party and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, that Party undertakes to accept safeguards as set forth in an agreement to be concluded with the International Atomic Energy Agency in accordance with the Statute of the Agency and the Agency's Safeguards System then in force, for the purpose of verifying that nuclear material within the jurisdiction of that Party is neither used for nor diverted to nuclear weapons or other nuclear explosive devices.

3. For the fulfilment of the obligations under paragraph 2 of this Article the following procedure shall apply:

(A) The Party referred to in paragraph 2 of this Article shall enter into an agreement, satisfactory to the other Party, with the International Atomic Energy Agency for the application of the Agency's Safeguards System with respect

- (a) to all nuclear material within the jurisdiction of such a Party, or
- (b) to all items included in a list to be jointly prepared by the Parties;

or

(B) The Parties shall jointly request the Agency to enter into an agreement for the application of the Agency's Safeguards System with respect to the items included in a list to be jointly prepared by the Parties.

4. However, during any period when: