

June 27, 1966

**AMENDMENT TO THE AGREEMENT FOR COOPERATION BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
CONCERNING CIVIL USES OF ATOMIC ENERGY**

Agreement signed at Washington 27 June 1966;

Amending the Agreement signed at Washington 27 July 1955;

Instrument of ratification signed by the President of the Philippines 10 October 1966;

Entered into force 21 October 1966.

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OF THE REPUBLIC OF THE PHILIPPINES CONCERNING CIVIL USES OF
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The Government of the United States of America and the Government of the Republic of the Philippines,

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Civil Uses of Atomic Energy, signed at Washington on July 27, 1955^[1] (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on June 11, 1960,^[2] and the Agreement signed at Washington on August 7, 1963,

Agree as follows:

ARTICLE I

A. Article II, Paragraph B, of the Agreement for Cooperation, as amended, is amended by adding at the end thereof the following new sentence:

"The United States Commission, however, may, upon request, make available all or a portion of the enriched uranium supplied hereunder as material containing more than twenty per cent (20%) by weight of the isotope U-235 when there is a technical or economic justification for such a transfer."

B. Article II, Paragraph C, of the Agreement for Cooperation, as amended, is amended to read as follows:

"C. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated

fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing."

C. Article II, as amended, is further amended by adding the following new paragraphs E and F:

"E. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of the Philippines and, after reprocessing as provided in paragraph C of this Article, shall be returned to the Government of the Republic of the Philippines, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit, based on the prices in the United States of America referred to in paragraph F of this Article, to the Government of the Republic of the Philippines, any such special nuclear material which is in excess of the needs of the Republic of the Philippines for such material in its program for the peaceful uses of atomic energy.

"F. With respect to any special nuclear material not subject to the option referred to in paragraph E of this Article and produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Republic of the Philippines for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America; and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised."

ARTICLE II

Article IV of the Agreement for Cooperation is amended to read as follows:

"With respect to the subjects of agreed exchange of information referred to in Article I, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other for the transfer of materials, including special nuclear material, and equipment and devices, and for the performance of services. Such arrangements shall be subject to:

- (1) the limitations applicable to transactions between the Parties under Article II,
- (2) Article V, and
- (3) applicable laws, regulations, policies, and license requirements of the Parties."

ARTICLE III