

No. 4752

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
EUROPEAN ATOMIC ENERGY COMMUNITY
(EURATOM)**

Agreement for co-operation in the peaceful uses of atomic energy (with exchange of notes). Signed at London, on 4 February 1959

Official texts of the Agreement: English, French, German, Italian and Dutch.

Official text of the notes: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 15 June 1959.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
COMMUNAUTÉ EUROPÉENNE DE L'ÉNERGIE
ATOMIQUE (EURATOM)**

Accord de coopération concernant les utilisations pacifiques de l'énergie atomique (avec échange de notes). Signé à Londres, le 4 février 1959

Textes officiels de l'Accord: anglais, français, allemand, italien et néerlandais.

Texte officiel des notes: anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 15 juin 1959.

No. 4752. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM) FOR CO-OPERATION IN THE PEACEFUL USES OF ATOMIC ENERGY. SIGNED AT LONDON, ON 4 FEBRUARY 1959

The Government of the United Kingdom of Great Britain and Northern Ireland, on their own behalf and on behalf of the United Kingdom Atomic Energy Authority (hereinafter referred to as "the Authority") and the European Atomic Energy Community (EURATOM) acting through its Commission (hereinafter referred to as "the Commission") ;

Considering that the Community has been established by the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, and the Kingdom of the Netherlands, in the Treaty signed at Rome on March 25, 1957,² with the aim of contributing to the raising of the standard of living in the Member States and to the development of exchanges with other countries by the creation of conditions necessary for the speedy establishment and growth of nuclear industries ;

Considering that the Community and the Government of the United Kingdom have expressed their mutual desire for close co-operation in the peaceful uses of atomic energy ;

Considering that the Government of the United Kingdom, to this end, on July 9, 1958, appointed a representative to the Commission ;

Desiring to develop further the relations between them ;

Desiring to collaborate with each other for the promotion and development of the peaceful uses of atomic energy within the Community and in the United Kingdom ;

Considering that an arrangement providing for co-operation in the peaceful uses of atomic energy and in particular in connection with the exchange of information, the construction of reactors of types developed in the United Kingdom and within the Community, and the production, supply and processing of fuel would initiate a fruitful exchange of experience, provide opportunities for mutually beneficial action, and reinforce European solidarity ;

¹ Came into force on 4 February 1959, the date of signature, in accordance with article XIX.

² United Nations, *Treaty Series*, Vol. 298, p. 167.

Have agreed as follows :

Article I

1. Subject to the rights of third parties, to the obligations entered into by either Contracting Party under any international agreement, and to the applicable laws, regulations and other licence requirements in force within the Community and in the United Kingdom, the Commission and the Authority will make available to each other and to persons in the United Kingdom or within the Community unclassified research information which is or may in future be at their disposal concerning the peaceful uses of atomic energy and which is relevant to the present or any projected atomic energy developments in the United Kingdom or within the Community.

2. The recipient of research information under this Article shall have the right (save as may be specified in particular contracts made thereunder) :

- (a) to use it freely for his own purposes, save that if the information relates to an invention patented by the Authority or the Community in the country or countries in which the invention is to be used, its use, including communication to any third party, shall be subject to such terms as may be agreed ;
- (b) to communicate it to a third party, unless the Contracting Party transmitting the information shall have stipulated to the contrary at the time of transmission. In the event of communication to a third party, the Contracting Party or person so communicating the information shall be at liberty, subject to any rights of the patentee, to make whatever arrangements he wishes with that third party in respect of the use of the information and of the ownership of any results, including patentable inventions, which may be obtained from the use of the information.

Article II

The Contracting Parties shall facilitate exchanges of unclassified information between persons in the United Kingdom on the one hand and persons within the Community on the other hand with a view to forwarding the peaceful uses of atomic energy.

Article III

The transmission of information within the scope of the present Agreement which is regarded by the holder of the information as being of commercial value shall be made only at such time and on such commercial terms and conditions as may be agreed in each case.

Article IV

1. The Authority and the Commission shall encourage and facilitate the granting of sub-licences to persons within the Community or in the United Kingdom by persons holding licences pertaining to patents owned by the Authority, or the Community, on such terms as are agreed by the owner.

2. The Authority and the Commission shall make available to each other or to persons within the Community or in the United Kingdom respectively, on commercial terms, licences under all patents owned by the Authority or the Community relating to the manufacture of fuel or in other cases as may be agreed.

Article V

The Authority and the Commission may arrange for the provision of technical advice from the Authority to the Commission or from the Commission to the Authority, by the secondment of experts or in such other ways as may be agreed.

Article VI

Each Contracting Party shall provide, wherever possible, in its own schools or facilities, or shall assist in obtaining elsewhere in the United Kingdom or within the Community, training in subjects relevant to the peaceful uses of atomic energy for students and trainees recommended by the other.

Article VII

The Authority and the Commission shall assist persons within the Community or in the United Kingdom in obtaining research and power reactors and in obtaining assistance in the design, construction and operation of such reactors.

Article VIII

The Authority and the Commission shall provide each other and persons within the Community or in the United Kingdom respectively, on commercial terms, with assistance in the design, construction and operation of facilities for the manufacture of fuel and for the processing of used fuel within the Community or in the United Kingdom, or facilitate the procurement of such assistance.

Article IX

The Contracting Parties shall, to such extent as is practicable, assist each other in the procurement, by either Contracting Party or by persons in the United King-

dom or within the Community, of material, equipment and other requisites for atomic energy research, development and production in the United Kingdom or within the Community.

Article X

1. The Authority shall on request supply on commercial terms and conditions to the Supply Agency of the Community or to persons within the Community duly authorised by the Commission :

- (a) fuel of such quality and quantity as may be necessary for the efficient and continuous operation of research and power reactors obtained from the United Kingdom ;
- (b) to such an extent as may be agreed in particular contracts, fuel for the operation of other research and power reactors.

2. The Authority shall, on the request of the Supply Agency of the Community, assist the Agency or persons duly authorised by the Commission to obtain fuel as provided in sub-paragraphs (a) and (b) of paragraph 1 of this Article from the United Kingdom on commercial terms and conditions.

Article XI

1. The Authority are prepared to process on commercial terms and conditions used fuel from research and power reactors operating within the Community, or to assist persons within the Community in arranging for such processing in the United Kingdom, to such an extent as may be agreed.

2. Except as may be otherwise agreed, the form and content of any irradiated fuel elements shall not be altered after their removal from reactors and prior to delivery to the Authority or to other facilities, in the United Kingdom.

3. Special nuclear material and other material recovered from material sent to the United Kingdom for processing shall be returned to the Community unless otherwise agreed.

4. For a period of ten years from the entry into force of the present Agreement, the Authority are prepared to purchase on commercial terms and conditions, for use for peaceful purposes only, any special nuclear material produced in reactors using fuel supplied from the United Kingdom pursuant to the present Agreement which is in excess of the need of the Community for such material for the peaceful uses of atomic energy.

Article XII

In relation to any contract concluded by the Authority under Article X or Article XI the commercial terms and conditions shall be not less favourable than the