

No. 7874

**UNITED STATES OF AMERICA
and
PORTUGAL**

Exchange of notes (with annex) constituting an agreement relating to the use of Portuguese ports and territorial waters by the N.S. *Savannah*. Lisbon, 12 November 1964

Official texts: English and Portuguese.

Registered by the United States of America on 10 August 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
PORTUGAL**

Échange de notes (avec annexe) constituant un accord concernant l'utilisation des eaux territoriales et des ports portugais par le N.S. *Savannah*. Lisbonne, 12 novembre 1964

Textes officiels anglais et portugais.

Enregistré par les États-Unis d'Amérique le 10 août 1965.

No. 7874. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PORTUGAL RELATING TO THE USE OF PORTUGUESE PORTS AND TERRITORIAL WATERS BY THE N.S. *SAVANNAH*. LISBON, 12 NOVEMBER 1964

I

The American Ambassador to the Portuguese Minister of Foreign Affairs

No. 90

Lisbon, November 12, 1964

Excellency :

I have the honor to attach as an Annex to this Note the text, in both English and Portuguese, of an Accord, with its Appendix, which has resulted from communications and discussions between representatives of our two Governments regarding the use of Portuguese ports and territorial waters by the N.S. *Savannah*.

I have the honor to propose that if the provisions of the attached documents are acceptable to your Government, this Note and its attachments and Your Excellency's reply concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

George W. ANDERSON

Enclosure :

Text of Agreement in English and Portuguese.

His Excellency Dr. Alberto Franco Nogueira
Minister of Foreign Affairs
Lisbon

AGREEMENT BETWEEN THE GOVERNMENT OF PORTUGAL AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON THE USE OF PORTS BY THE N.S. *SAVANNAH*

The Government of Portugal and the United States of America, having a mutual interest in the peaceful uses of atomic energy, including its application to the merchant marine, have agreed as follows :

¹ Came into force on 12 November 1964 by the exchange of the said notes.

Article I

ENTRY OF THE N.S. "SAVANNAH" INTO PORTS OF PORTUGAL

Entry of the *Savannah* (hereafter designated as the "Ship") into Portuguese ports and the use thereof shall be subject to the prior approval of the Government of Portugal, and shall be subject to the provisions of Appendix A (Statement of Principles Governing the Entry of the N.S. *Savannah* into Ports of Portugal) which is an integral part hereof.

Article II

SAFETY ASSESSMENT

(a) To enable the Government of Portugal to consider the grant of approval for entry and use of Portuguese ports by the Ship, the Government of the United States shall provide a Safety Assessment prepared in accordance with Regulation 7 of Chapter VIII of the Safety of Life at Sea Convention of 1960¹ and in accordance with Recommendation 9 of Annex C of that Convention.²

(b) As soon as practicable after receipt of the Safety Assessment, the Government of Portugal shall notify the Government of the United States that the ship can be operated in the ports and territorial waters of Portugal in accordance with this agreement and the Safety Assessment.

Article III

PORT ARRANGEMENTS

(a) Designated authorities of the Government of Portugal shall make arrangements with appropriate local governmental authorities for entrance of the Ship into Portuguese ports and the use thereof.

(b) Local governmental authorities shall be responsible for fire and police protection, crowd control and the general preparation of the harbor with respect to acceptance of the Ship.

(c) Control of public access to the Ship shall be the responsibility of the Master of the Ship. Special arrangements relating to such control shall be developed by the Master with the concurrence of designated authorities of the Government of Portugal.

(d) The Master shall comply with local regulations so long as in the opinion of the Master these regulations do not adversely affect the operating safety of the nuclear plant.

Article IV

INSPECTION

While the Ship is within Portuguese territorial waters, the designated authorities shall have reasonable inspection access to the Ship and its operating records and program data for purposes of determining whether the Ship has been operating in accordance with the operating manual of the Ship.

¹ United Nations, *Treaty Series*, Vol. 536, No. 7794.

² Should read "Annex C to the Final Act of the International Conference on Safety of Life at Sea. 1960."