

No. 9035

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**INTERNATIONAL ATOMIC ENERGY AGENCY,  
UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND and JAPAN**

**Agreement for the application of Agency safeguards in respect of the Bilateral Agreement between those Governments for co-operation in the peaceful uses of atomic energy (with annex). Signed at Vienna, on 26 September 1967**

*Official text : English.*

*Registered by the International Atomic Energy Agency on 18 March 1968.*

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**AGENCE INTERNATIONALE DE L'ÉNERGIE ATOMIQUE,  
ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD et JAPON**

**Accord relatif à l'application des garanties de l'Agence prévues dans l'Accord bilatéral de coopération conclu entre ces deux Gouvernements pour l'utilisation de l'énergie atomique à des fins pacifiques (avec annexe). Signé à Vienne, le 26 septembre 1967**

*Texte officiel anglais.*

*Enregistré par l'Agence internationale de l'énergie atomique le 18 mars 1968.*

No. 9035. AGREEMENT<sup>1</sup> BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE APPLICATION OF AGENCY SAFEGUARDS IN RESPECT OF THE BILATERAL AGREEMENT BETWEEN THOSE GOVERNMENTS FOR CO-OPERATION IN THE PEACEFUL USES OF ATOMIC ENERGY. SIGNED AT VIENNA, ON 26 SEPTEMBER 1967

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WHEREAS the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter called the "United Kingdom") and the Government of Japan (hereinafter called "Japan") concluded an Agreement for Co-operation in the Peaceful Uses of Atomic Energy on 16 June 1958<sup>2</sup> (hereinafter called the "Agreement for Co-operation"), which requires that materials and equipment made available by the United Kingdom to Japan be used solely for peaceful purposes and establishes a system of safeguards to that end;

WHEREAS Japan and the United Kingdom recognize the desirability of the International Atomic Energy Agency (hereinafter called the "Agency") safeguarding all peaceful nuclear energy activities and in particular all power reactors, and consequently have expressed in the Agreement for Co-operation their intention of arranging for the Agency to administer as soon as practicable the safeguards established by that Agreement;

WHEREAS the Agency is prepared to assume, in accordance with the Agency's safeguards system set forth in Agency documents INFCIRC/66, including GC(X)/INF/86 (hereinafter referred to as the "Safeguards Document") and GC(V)/INF/39, Annex (hereinafter referred to as the "Inspectors Document"), the responsibility for administering safeguards provided for in bilateral agreements between Member States;

WHEREAS the United Kingdom and Japan have requested the Agency to enter into an agreement for the administration of safeguards by the Agency in respect of facilities, equipment and materials which are subject to the Agreement for Co-operation, in accordance with Article III.A.5 of the Statute;<sup>3</sup> and

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<sup>1</sup> Came into force on 26 September 1967 by signature, in accordance with article VII, section 27.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 325, p. 185, and Vol. 588, p. 322.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 276, p. 3, and Vol. 471, p. 334.

WHEREAS the Board has acceded to that request on 17 June 1965;  
The Agency, Japan and the United Kingdom agree as follows :

*Article I*

USE FOR PEACEFUL PURPOSES

*Section 1.* Japan undertakes in accordance with the Agreement for Co-operation that it will not use in such a way as to further any military purpose any facilities or materials which are subject to the Agreement for Co-operation and listed in part 1 of the inventory provided for in the Annex to this Agreement (hereinafter referred to as the "Inventory") and any equipment subject to the Agreement for Co-operation and contained or to be contained in a facility so listed or to be listed.

*Section 2.* The United Kingdom hereby undertakes that it will not use in such a way as to further any military purpose any special fissionable material listed in part 2 of the Inventory.

*Section 3.* The Agency hereby undertakes to apply safeguards during the term of and in accordance with the provisions of this Agreement to materials, and in connection therewith to facilities, while they are listed in the Inventory, in order to ascertain whether the undertakings of each Government are being fulfilled, provided that safeguards shall not be applied to nuclear material exempted from safeguards in accordance with the provisions of Part II, B, of the Safeguards Document, or to nuclear material while safeguards are suspended with respect to it pursuant to Section 12.

*Section 4.* The United Kingdom and Japan undertake to facilitate the application of such safeguards and to co-operate with the Agency and each other to that end.

*Section 5.* The respective rights and obligations of the United Kingdom and Japan arising from Articles III (2), V, VI (b), VI (c), VII (b), VII (c) and XI (2) of the Agreement for Co-operation shall be suspended in respect of :

- (a) Any facility and material while it is listed in the Inventory;
- (b) Any material with respect to which safeguards have been terminated pursuant to Section 13 this Agreement.

If the Board determines, pursuant to Section 19, that the Agency is unable to apply safeguards to any such facility or material, it shall be removed from the Inventory until the Board determines that the Agency is able to apply safeguards to it. In such case the Agency may, at the request of the other Government, provide it with information available to the Agency about such facility or

material in order to enable that Government to exercise effectively any rights it may have with regard thereto.

*Section 6.* The two Governments shall promptly notify the Agency of any amendment to the Agreement for Co-operation and of any notice of termination given with regard to that Agreement.

## *Article II*

### APPLICATION OF SAFEGUARDS BY THE AGENCY

*Section 7.* The United Kingdom and Japan shall jointly notify the Agency of any facilities and nuclear material transferred from the United Kingdom to Japan under the Agreement for Co-operation and of any facilities containing equipment so transferred. Such notification is to be submitted :

- (a) Within thirty days of the entry into force of this Agreement, if the transfer took place previously, after taking full account of :
  - (i) Any burn-up or loss of transferred material;
  - (ii) Any nuclear material produced, processed or used in a transferred principal nuclear facility or produced in or by the use of any transferred nuclear material;if such transferred, produced, processed or used material is still within the jurisdiction of Japan;
- (b) Otherwise normally within two weeks of the transfer to the jurisdiction of Japan of the material or facility, except that transfers of source material in quantities not exceeding one metric ton may be notified at quarterly intervals.

Such notifications shall include the type, form and quantity of the materials or the type and capacity (where appropriate) of the facilities, the date of dispatch and the date of receipt, the name and address of the consignee and any other relevant information.

*Section 8.* The Agency shall list such facilities and materials in the Inventory, unless within thirty days of receipt of such notification it informs the other Parties that it is unable to apply safeguards thereto, either because it has not established the necessary procedures or for unforeseeable reasons that may emerge.

*Section 9.* Japan shall notify the Agency, by means of routine safeguards reports, of any special fissionable material produced, during the period covered by each report, in or by the use of any facilities or materials listed in sub-parts 1 (a)-(d) of the Inventory. Upon receipt by the Agency of the notification, such special fissionable material shall be listed in sub-part 1 (c) of the Inventory, but shall be deemed to be subject to the safeguards provided for by this Agreement from the time it is produced. The Agency may verify the calculations of

the amounts of such material and may, where necessary and with the agreement of Japan, adjust the amounts thereof listed in the Inventory.

*Section 10.* The United Kingdom and Japan shall jointly notify the Agency of the return or transfer to the United Kingdom of any facility or material listed in sub-parts 1 (a)-(d) of the Inventory and upon receipt by the Agency of the notification such facility or material shall be removed from the Inventory, except that special fissionable material listed in sub-part 1 (c) of the Inventory shall be transferred to sub-part 2 (a). In order to enable the Agency to carry out its responsibilities under paragraph 54 of the Safeguards Document, such notifications shall be sent to the Agency normally not less than two weeks before the return or transfer of the facility or material is due to take place. Such notifications shall include the information specified in Section 7, as appropriate.

*Section 11.* The Government concerned shall notify the Agency before transferring any facility or material listed in sub-parts 1 (a)-(d) or in sub-part 2 (a) of the Inventory to a principal nuclear facility within its jurisdiction in connection with which the Agency is not applying safeguards and shall submit the design information provided for in paragraph 32 of the Safeguards Document before such transfer takes place to enable the Agency to determine whether it can apply safeguards in connection with the receiving facility. The Government shall also submit to the Agency proposals for the systems of records and reports with respect to the receiving facility in sufficient time to allow the Agency to review them before the records need be kept or the reports need be submitted.

*Section 12.* Safeguards with respect to nuclear material listed in the Inventory may be suspended in accordance with the provisions of paragraph 24 or 25 of the Safeguards Document, and material with respect to which safeguards are suspended shall be listed in sub-part 1 (e) or 2 (b) of the Inventory, as the case may be.

*Section 13.* Safeguards shall be terminated with respect to nuclear material listed in the Inventory :

- (a) Which is the subject of a determination by the Agency in accordance with paragraph 26 (b) or (c) of the Safeguards Document; or
- (b) For which substitute material has been placed under safeguards in accordance with paragraph 26 (d) of the Safeguards Document, under an agreement between the Agency and the Government concerned.

Nuclear material with respect to which safeguards are thus terminated shall be removed from the Inventory.