

No. 9904

UNITED STATES OF AMERICA
and
REPUBLIC OF CHINA

**Exchange of notes constituting an agreement relating to
liability during private operation of N.S. Savannah. Tai-
pei, 24 March and 8 June 1967**

Authentic texts: English and Chinese.

Registered by the United States of America on 1 October 1969.

ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DE CHINE

**Échange de notes constituant un accord définissant les clauses
de responsabilité à l'occasion de l'exploitation du N.S.
Savannah par une entreprise privée. Taïpeh, 24 mars et
8 juin 1967**

Textes authentiques: anglais et chinois.

Enregistré par les États-Unis d'Amérique le 1^{er} octobre 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND THE
REPUBLIC OF CHINA RELATING TO LIABILITY DURING
PRIVATE OPERATION OF N.S. *SAVANNAH*

I

EMBASSY OF THE UNITED STATES OF AMERICA

No. 34

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of China and, with respect to the proposed visit of the N.S. *Savannah*, has the honor to communicate the following:

Within the limitations of liability for a single incident set by United States Public Law 85-256 (Annex A), as amended by 35-602 * (Annex B), 89-210 (Annex C) and 89-645 (Annex D), in any legal action or proceeding brought in personam against the operator of the N.S. *Savannah* in a Republic of China court, the United States Government shall provide compensation by way of indemnity for any legal liability which a Republic of China court may find for any damage deriving from a nuclear incident in connection with, arising out of or resulting from the operation, repair, maintenance or use of the N.S. *Savannah*, in which the N.S. *Savannah* may be involved within Republic of China territorial waters, or outside of them on a voyage to or from Republic of China ports if damage is caused in the Republic of China or on ships of Republic of China registry. The aggregate liability of the United States Government arising out of a single nuclear incident involving the N.S. *Savannah*, regardless of where damage may be suffered, shall not exceed \$500 million. Within the limitations provided by the US Public Laws cited above, the operator of the ship in a proceedings in personam shall be subject to the jurisdiction of the Republic of China court and shall not invoke the provisions of Republic of China law or any other law relating to the limitation of shipowner's liability, except national law or international treaty to which both countries are parties providing for limitation of liability of the operator of a nuclear ship, if such national law or international treaty is held applicable by Republic of China courts.

¹ Came into force on 8 June 1967 by the exchange of the said notes.

* Should read 85-602.