

No. 4123

**UNITED STATES OF AMERICA
and
AUSTRALIA**

**Agreement for co-operation concerning the civil uses of
atomic energy. Signed at Washington, on 22 June 1956**

Official text: English.

Registered by the United States of America on 20 December 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
AUSTRALIE**

**Accord de coopération concernant l'utilisation de l'énergie
atomique à des fins civiles. Signé à Washington, le
22 juin 1956**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 20 décembre 1957.

No. 4123. AGREEMENT¹ FOR CO-OPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA CONCERNING THE CIVIL USES OF ATOMIC ENERGY. SIGNED AT WASHINGTON, ON 22 JUNE 1956

Whereas the Government of the United States of America, through the United States Atomic Energy Commission, and the Government of the Commonwealth of Australia, through the Australian Atomic Energy Commission, are cooperating in the production of uranium ores; and

Whereas the Government of the United States of America and the Government of the Commonwealth of Australia, mindful of the fact that atomic energy is capable of application for peaceful purposes which hold great promise for all mankind, desire to cooperate with each other in developing and furthering the beneficial uses of atomic energy; and

Whereas the Government of the Commonwealth of Australia is now engaged in the development of facilities for the application of atomic energy for civil purposes;

The Parties therefore agree as follows :

Article I

This Agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Agreement and shall remain in force for a period of ten years.

Article II

A. Subject to the provisions of this Agreement, the availability of personnel and material, and the applicable laws, regulations and license requirements in force from time to time in their respective countries, the Parties shall cooperate with each other in the achievement of the use of atomic energy for peaceful purposes.

B. The disposition and utilization of atomic weapons and the exchange of Restricted Data relating to the design or fabrication of atomic weapons shall be outside the scope of this Agreement.

¹ Came into force on 28 May 1957, the date on which each Government received from the other Government written notification that it had complied with all statutory and constitutional requirements for the entry into force of such Agreement, in accordance with article I.

C. The exchange of Restricted Data under this Agreement shall be subject to the following limitations :

1. Restricted Data which are primarily of military significance shall not be exchanged.
2. Restricted Data concerning the production of special nuclear materials except that concerning the incidental production of special nuclear materials in a power reactor shall not be exchanged.
3. The exchange of Restricted Data shall extend only to that which is relevant to current or projected programs.
4. The development of submarine, ship, aircraft, and certain package power reactors is presently concerned primarily with their military uses. Accordingly, Restricted Data pertaining primarily to such reactors will not be exchanged until such time as these types of reactors warrant peacetime application and the exchange of information on these types of reactors may be agreed. Information on the adaptation of these types of reactors to military use will not be exchanged. Likewise, Restricted Data pertaining primarily to any future reactor-types the development of which is concerned primarily with their military use will not be exchanged until such time as these types of reactors warrant civil application and exchange of information on these types of reactors may be agreed; and Restricted Data on the adaptation of these types of reactors to military use will not be exchanged.

D. This Agreement shall not require the exchange of any information which the Parties are not permitted to communicate because the information is privately developed and privately owned or has been received from another government.

E. It is agreed that the Parties will not transfer or export, or permit the transfer or export, under this Agreement, of any material, equipment or device which is primarily of military significance.

Article III

A. Subject to the provisions of Article II, classified information in the specific fields set out below and unclassified information shall be exchanged between the United States Commission and the Australian Commission with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses and problems of health and safety connected therewith. The exchange of information provided for in this Article shall be accomplished through the various means available, including reports, conferences and visits to facilities.

B. The Parties agree to exchange the following classified information including Restricted Data :

1. *Reactors*

(a) General information on design and characteristics of research reactors, and of experimental, demonstration power or power reactors as is required to permit evaluation and comparison of their potential use in a power production program.

(b) Technological information as may be agreed, on specific research reactors, and on experimental, demonstration power or power reactors as is required for the design, development, construction and operation of such reactors, and when in the case of the Commonwealth of Australia such information is required in connection with reactors currently in operation in the Commonwealth of Australia or when such reactors are being seriously considered for construction by the Commonwealth of Australia as a source of power or as an intermediate step in a power production program.

(c) Classified information within subparagraphs (a) and (b) hereof shall be exchanged within the following fields :

- (1) *Specifications for Reactor Materials.* Final form specifications including composition, shape, size and special handling techniques of reactor materials including uranium, heavy water, reactor grade graphite, and zirconium.
- (2) *Properties of Reactor Materials.* Physical, chemical, metallurgical, nuclear and mechanical properties of reactor materials including fuel, moderator and coolant and the effects of the reactor's operating conditions on the properties of these materials.
- (3) *Reactor Components.* The design and performance specifications of reactor components, but not including the methods of production and fabrication.
- (4) *Reactor Physics Technology.* This area includes theory of and pertinent data relating to neutron bombardment reactions, neutron cross sections, criticality calculations, reactor kinetics and shielding.
- (5) *Reactor Engineering Technology.* This area includes considerations pertinent to the overall design and optimization of the reactor and theory of and data relating to such problems as reactor stress and heat transfer analysis.
- (6) *Environmental Safety Considerations.* This area includes considerations relating to normal reactor radiations and possible accidental hazards and the effect of these on equipment and personnel and appropriate methods of waste disposal and decontamination.

2. *Source Materials*

Geology, exploration techniques, chemistry and technology of extracting uranium and thorium from their ores and concentrates, the chemistry, production technology, and techniques of purification and fabrication of uranium and thorium compounds and metals, including design, construction and operation of plants.

Article IV

A. Research Materials

In connection with any subject of agreed exchange of information as provided in Article III and subject to the provisions of Article II, materials of interest, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will, under this Article, be exchanged in research quantities for research purposes and under such terms and conditions as may be agreed when such materials are not available commercially.

B. Research Facilities

Subject to the provisions of Article II, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the Parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available. It is understood that neither Party will be able to permit access by personnel of the other Party to facilities which are primarily of military significance.

Article V

With respect to the subjects of agreed exchange of information as provided in Article III and subject to the provisions of Article II, equipment and devices may be transferred from one Party to the other under such terms and conditions as may be agreed. It is recognized that such transfer will be subject to limitations which may arise from shortages of supplies or other circumstances existing at the time.

Article VI

A. It is contemplated that, as provided in this Article, private individuals and private organizations in either the United States or Australia may deal directly with private individuals and private organizations in the other country. Accordingly, in the fields referred to in paragraph B of this Article, persons under the jurisdiction of either the Government of the United States or the Govern-