

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CHINA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING CIVIL USES OF ATOMIC ENERGY

Signed on March 15, 1974;

Entered into force on June 14, 1974.

The Government of the United States of America
and the Government of the Republic of China.

Desiring to amend the Agreement for Cooperation
Between the Government of the United States of America
and the Government of the Republic of China Concerning
Civil Uses of Atomic Energy, signed at Washington on
April 4, 1972, (hereinafter referred to as the "Agree-
ment for Cooperation"),

Agree as follows:

ARTICLE I

Article VII of the Agreement for Cooperation is
amended to read as follows:

"A. Subject to the availability of capacity in
Commission facilities for uranium enrichment and within
the quantity authorized in Article IX for transfer, con-
tracts with the Government of the Republic of China,
or with authorized persons under its jurisdiction, may
be entered into by the Commission as herein set forth
for the production or enrichment of uranium enriched in
the isotope U-235 for use as fuel in power applications
undertaken within the Republic of China. It is under-
stood by the Parties that, at such times as the Govern-
ment of the Republic of China, or such authorized per-
sons, have requirements for such services and are pre-
pared to execute firm contracts which set forth the a-
greed delivery schedules and other terms and conditions
of supply,, the Government of the Republic of China or
such authorized persons will have access on an equitable
basis with other purchasers of such services to uranium

中華民國政府 與 美利堅合衆國政府 民用原子能合作協定 之修正

六十三年三月十五日簽字；

六十三年六月十四日生效。

中華民國政府與美利堅合衆國
政府，

願就公曆一九七二年四月四日
在華盛頓簽訂之「中華民國政府與
美利堅合衆國政府民用原子能合作
協定」（以下簡稱合作協定）加以
修正。

爰議訂條款如左：

第 一 條

合作協定第七條修正如下：

甲、依據委員會爲鈾之濃化設
備之可利用量，及在第九條授權移
轉數量之限額內，委員會得與中華
民國政府或其管轄下經予授權之人
，簽訂契約，依照本項規定從事濃
化於鈾一二三五同位素鈾之生產或
濃化工作，以供中華民國境內之動
力應用所需燃料之用。締約雙方瞭
解，當中華民國政府或經予授權之
人需要此類服務，並準備執行開列
議定之交貨日程及其他供應條件與
規定之固定契約時，中華民國政府
或經予授權之人將與其他購買此等
服務者處於公平之基礎上，取得委
員會設施中當時所有可資供應而尚

enrichment capacity then available in Commission facilities and not already allocated.

"B. Additionally, upon request by the Government of the Republic of China or authorized persons under its jurisdiction, the Commission may, at its option and under terms and conditions as may be agreed, sell uranium enriched in the isotope U-235 in such amounts as are within the quantity authorized in Article IX for transfer for use as fuel in power applications undertaken within the Republic of China.

"C. Under such terms and conditions as may be agreed, the Commission may transfer (including, inter alia, supply through enrichment services contracts) to the Government of the Republic of China, or authorized persons under its jurisdiction, uranium enriched in the isotope U-235 for use as fuel in reactor experiments and reactors other than those covered under paragraphs A and B of this Article, including reactors for research, materials testing, experimental, scientific and industrial uses.

"D. Special nuclear material other than uranium enriched in the isotope U-235 may be transferred to the Government of the Republic of China, or to authorized persons under its jurisdiction, for use as fuel in reactors and reactor experiments, provided that the Commission may transfer quantities of such material only to the extent that they fall within an authorized ceiling therefore set forth in Article IX for transfer and that the terms and conditions of each such transfer shall be agreed upon in advance."

ARTICLE II

Article VIII of the Agreement for Cooperation is amended to read as follows:

"A. The enriched uranium supplied under this Agreement may contain up to twenty percent (20%) in the isotope U-235. A portion of the uranium enriched in the isotope U-235 so supplied may be made available as material containing more than twenty percent (20%) in the isotope U-235 when the Commission finds a technical or economic justification for such a transfer.

未被分配之濃化鈾。

乙、此外，若中華民國政府或其管轄下經予授權之人提出要求，委員會得自行決定，按議定之條件與規定，並在第九條規定移轉數量之限額內，出售濃化於鈾一二三五同位素之鈾，以供中華民國境內作為動力應用所需之燃料。

丙、依據議定之條件與規定，委員會得將濃化於鈾一二三五同位素之鈾移交（包括經由濃化服務契約方式之供應等）中華民國政府或其管轄下經予授權之人，以供反應器實驗，及不在本條甲項及乙項規範下之反應器，包括研究用、材料試驗用、實驗用、科學及工業用反應器所需燃料之用。

丁、非屬濃化於鈾一二三五同位素之鈾之特種核子原料，得移交於中華民國政府或其管轄下經予授權之人，以供反應器及反應器實驗所需燃料之用；惟委員會僅得按第九條規定移轉數量之限額內移交此種原料，而有關此類移轉之條件與規定應於每項移轉之事前獲致協議。

第二條

合作協定之第八條修正如下：

甲、依據本協定所供應之濃化鈾一二三五同位素中之含量得達百分之二十。惟如委員會認為在技術上或經濟上有其理由，則依此所供應濃化於鈾一二三五同位素之鈾，其一部分鈾一二三五同位素中之含量得高於百分之二十，用以作為原料移交。

"B. Subject to the provisions of Article IX, the quantity of uranium enriched in the isotope U-235 transferred under Article VI, paragraph B or Article VII and under the jurisdiction of the Government of the Republic of China for the fueling of reactors or reactor experiments shall not at any time be in excess of the quantity thereof necessary for the loading of such reactors or reactor experiments, plus such additional quantity as, in the opinion of the Parties, is necessary for the efficient and continuous operation of such reactors or reactor experiments.

"C. When any special nuclear material received from the United States of America pursuant to this Agreement or the superseded Agreement requires reprocessing, or any irradiated fuel elements containing fuel material received from the United State of America pursuant to this Agreement or the superseded Agreement are to be removed from a reactor and are to be altered in form or content, such reprocessing or alteration shall be performed in facilities acceptable to both parties upon a joint determination that the provisions of Article XI may be effectively applied.

"D. Special nuclear material produced as a result of irradiation processes in any part of the fuel that may be leased by the Commission under this Agreement or the superseded Agreement shall be for the lessee and, after reprocessing as provided in paragraph C of this Article, title to such produced material shall be in the lessee unless the Commission and the lessee otherwise agree.

"E. No special nuclear material produced through the use of material transferred to the Government of the Republic of China or to authorized persons under its jurisdiction, pursuant to this Agreement, or the superseded Agreement, will be transferred to the jurisdiction of any other nation or group of nations, except as the Commission may agree to such a transfer.

"F. Some atomic energy materials which the Commission may be requested to provide in accordance with this Agreement, or which have been provided by the Commission under the superseded Agreement, are harmful to persons and property unless handled and used carefully. After delivery of such materials, the Govern-

乙、依據第九條之規定，凡按第六條乙項或第七條所移交並在中華民國政府管轄下，供作反應器或反應器實驗所需燃料用之濃化於鈾一二三五同位素之鈾之數量，無論何時均不得超過裝填此類反應器或反應器實驗所必須之數量，及締約雙方認為保持此類反應器或反應器實驗有效及連續運轉所必須之數量之總和。

丙、當依據本協定或被替代之協定取自美利堅合衆國之任何特種核子原料需要再煉，或根據本協定或被替代之協定取自美利堅合衆國之任何含有燃料物質之經放射線照射過之燃料元件，需自反應器中移出，且須改變其形狀或含量時，此種再煉或改變，必須在經由締約雙方共同鑑定能有效適用第十一條規定，且為雙方均能同意之設備中實施。

丁、凡經委員會依本協定或被替代之協定所出租燃料之任何部分，因經放射線照射過程所產生之特種核子材料，應為承租人所有；除非委員會與承租人另有協議，則依本條丙項之規定經再煉所產生之核子材料，其所有權應屬於承租人。

戊、凡使用依本協定或被替代之協定移交中華民國政府或其管轄下經予授權之人之材料所產生之特種核子材料，不得移交與任何一國或數國管轄，但經委員會同意移交者，不在此限。

己、委員會受請求依本協定所提供或依被替代之協定所曾提供之若干原子能材料，除非謹慎處理及

ment of the Republic of China shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear material or fuel elements which the Commission may, pursuant to this Agreement, lease to the Government of the Republic of China or to any person under its jurisdiction, or may have leased pursuant to the superseded Agreement to the Government of the Republic of China or to any person under its jurisdiction, the Government of the Republic of China shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease and the possession and use of such special nuclear material or fuel elements after delivery by the Commission to the Government of the Republic of China or to any person under its jurisdiction."

ARTICLE II

Article IX of the Agreement for Cooperation is amended to read as follows:

"The separative work required to produce the uranium enriched in the isotope U-235 transferred under this Agreement, or the superseded Agreement, from the United States of America to the Republic of China for power applications shall not exceed that necessary to support the fuel cycles of reactors having a total installed capacity of seven thousand five hundred (7500) megawatts (electric)."

ARTICLE IV

Article XV of the Agreement for Cooperation is amended by deleting "thirty (30)" and substituting in lieu thereof "forty-two".

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as amended.

IN WITNESS WHEREOF, the undersigned, duly autho-

使用，係有害於人體及財產。在此等材料交付之後，就美國政府而言，中華民國政府應對該等材料之安全處理及使用負全部責任。關於委員會依本協定得租借與或依被替代之協定所曾租借與中華民國政府或受其管轄之任何人之任何特種核子材料或燃料元件，中華民國政府在委員會將其交付與中華民國政府或受其管轄之任何人之後，應保障及維護美利堅合眾國政府，不因生產或製造、擁有、租借與持有及使用該項特種核子材料或燃料元件而負起任何責任（包括對第三者之責任）。

第三條

合作協定第九條修正如下：

為生產依據本協定或被替代之協定自美利堅合眾國移轉至中華民國之濃化於鈾一二三五同位素之鈾以供應動力應用之「分離工作」，不得超過必須支持總裝置容量為七千五百萬瓦特（電能）反應器之燃料循環。

第四條

合作協定第十五條之「三十」予以刪除，而以「四十二」代之。

本修正協定自兩國政府各接獲對方政府書面通知業已完成所有為此項修正協定生效所需之法律及憲法手續之日起發生效力，並應在業經修正之合作協定有效期間內繼續有效。

為此，下列經合法授權之兩國代表爰於本修正協定上簽字，以昭

rized, have signed this Amendment,

DONE in Washington, in duplicate, this 15th day
of March, 1974.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERI-
CA:

(Signed)

Robert Ingersoll

FOR THE GOVERNMENT OF THE REPUBLIC OF CHINA:

(Signed)

James C. H. Shen

信守。

本協定共繕兩份，於公曆一九
七四年三月十五日訂於華盛頓。

美利堅合衆國政府代表

殷格索(簽字)

中華民國政府代表

沈劍虹(簽字)

EXCHANGE OF NOTES BETWEEN
THE GOVERNMENT OF THE
REPUBLIC OF CHINA AND THE
GOVERNMENT OF THE UNITED
STATES OF AMERICA,
CONCERNING AMENDMENT TO
COTTON TEXTILE AND WOOL
AND MAN-MADE FIBER TEXTILE
AGREEMENTS OF
DECEMBER 30, 1971

中華民國政府
與
美利堅合衆國政府
修訂一九七一年十二月
三十日棉羊毛與
人纖紡織品協定換文

Signed and exchanged on May 21, 1975;

Entered into force on January 1, 1975.

六十四年五月二十一日簽訂；

六十四年一月一日生效。

I. Note from Mr. Julius Katz for the Secretary of Sta-
te, to H. E. James C. H. Shen, Chinese Ambassador.

甲、美國代理國務卿凱滋致我國駐
美大使沈劍虹照會(中譯文)

May 21, 1975

Excellency:

敬啟者：

I refer to the Arrangement Regarding International
Trade in Textiles done at Geneva on December 20, 1973,

根據一九七三年十二月二十日
，日內瓦國際紡織品貿易協定及最