

No. 4854

---

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

**Exchange of notes constituting an agreement concerning  
the making available of special fissionable materials  
to the Agency. Vienna, 11 May 1959**

*Official text: English.*

*Registered by the International Atomic Energy Agency on 24 August 1959.*

---

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

**Échange de notes constituant un accord relatif à la fourni-  
ture de produits fissiles spéciaux à l'Agence. Vienne,  
11 mai 1959**

*Texte officiel anglais.*

*Enregistré par l'Agence internationale de l'énergie atomique le 24 août 1959.*

No. 4854. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONCERNING THE MAKING AVAILABLE OF SPECIAL FISSIONABLE MATERIALS TO THE AGENCY. VIENNA, 11 MAY 1959

---

I

BRITISH EMBASSY  
VIENNA

12429/59

May 11, 1959

Sir,

I have the honour to refer to the offer by the Government of the United Kingdom of Great Britain and Northern Ireland to make available to the International Atomic Energy Agency an amount equivalent to 20 kilogrammes of contained uranium in the 235 isotope and to confirm that this offer remains open until the end of any calendar year after 1960 in which notice of the withdrawal of the offer has been given.

In this connexion I have been instructed to make the following proposals :

(1) The Government of the United Kingdom shall make available the above-mentioned material in accordance with the provisions of Article IX of the Statute of the Agency.<sup>2</sup> The material shall be retained in the United Kingdom until required by the Agency. The material, or part of the material, shall be delivered on the Agency's request to the Agency itself, or to a Member or group of Members designated by the Agency, in such form and on such terms as to periods of delivery, price and specification as shall be agreed in specific contracts between the Government of the United Kingdom or the United Kingdom Atomic Energy Authority on the one hand and the Agency or the Government of a Member or Governments of a group of Members designated by the Agency on the other.

(2) The material may be supplied in any concentration up to 20 per cent in the isotope uranium-235 provided, however, that the Parties may agree to a higher enrichment with respect to uranium to be used in research reactors, material testing reactors or for research purposes.

---

<sup>1</sup> Came into force on 11 May 1959 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 276, p. 3; vol. 293, p. 359; vol. 312, p. 427, and vol. 316, p. 387.

(3) The material shall be supplied at a price and on conditions which are not less favourable than the most favourable price and conditions which the United Kingdom Atomic Energy Authority are offering or are prepared to offer, at the date of the contract in question, to any other customer outside the United Kingdom for the supply of similar material.

(4) The material shall be made available and supplied subject to the relevant provisions of the Statute of the Agency and the Agency shall, as from the date of delivery of any of the material, accept responsibility for ensuring fulfilment of those provisions, including the application to the extent relevant of the safeguards for which provision is made in Article XII of the Statute, with respect to any material so delivered.

(5) The Government of the United Kingdom and the United Kingdom Atomic Energy Authority shall bear no responsibility for damage or injury from any cause arising after delivery of the material to the Agency or to a Member or group of Members designated by it. Mutually satisfactory arrangements for the protection of the Government of the United Kingdom and the United Kingdom Atomic Energy Authority against third party liability shall be made before delivery of any part of the material takes place.

If the foregoing proposals are acceptable to the Agency, I have the honour to suggest that the present Note and your reply in that sense should be regarded as constituting an Agreement between the Agency and the Government of the United Kingdom in this matter.

I have the honour to be, Sir,  
Your obedient Servant,

(Signed) J. C. WARDROP  
Alternate Governor  
from the United Kingdom of Great Britain  
and Northern Ireland

Mr. Sterling Cole  
Director General  
International Atomic Energy Agency  
Vienna

## II

May 11, 1959

Sir,

I have the honour to acknowledge the receipt of your Note of today's date which reads as follows :

[See note I]

In reply, I have the honour to inform you that the foregoing proposals are acceptable to the International Atomic Energy Agency, who will regard your Note together with this reply as constituting an Agreement in this matter between the International Atomic Energy Agency and the Government of the United Kingdom of Great Britain and Northern Ireland.

Accept, Sir, the assurances of my highest consideration.

(Signed) Sterling COLB  
Director General

Mr. J. C. Wardrop  
Alternate Governor from the United Kingdom  
of Great Britain and Northern Ireland  
on the Board of Governors  
of the International Atomic Energy Agency  
British Embassy  
Vienna III