



Treaty Series No. 53 (1993)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Kingdom of Norway

concerning the Export to the
Organisation for Economic Co-operation and
Development Halden Reactor Project, Oslo,
of three Mixed Oxide Fuel Pins

Oslo, 13 April and 20 April 1993

[The Agreement entered into force on 20 April 1993]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
September 1993*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE KINGDOM OF NORWAY
CONCERNING THE EXPORT TO THE ORGANISATION FOR
ECONOMIC CO-OPERATION AND DEVELOPMENT HALDEN REACTOR
PROJECT, OSLO, OF THREE MIXED OXIDE FUEL PINS**

No. 1

The British Chargé d'Affaires at Oslo to the Minister of Foreign Affairs of Norway

British Embassy

Oslo

13 April 1993

Note No. 34

Your Excellency,

I have the honour to refer to the proposed export by British Nuclear Fuels PLC (BNF PLC) to the Organisation for Economic Co-operation and Development Halden Reactor Project Oslo of 3 mixed oxide fuel pins containing 383.1g MOX comprising 307.4g depleted uranium and 30.5g plutonium.

In this connection I have the further honour to refer to International Atomic Energy Agency (IAEA) document INFCIRC/254 and to state that the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "The United Kingdom Government") base their nuclear export policies on this document.

So that the United Kingdom Government implement to the guidelines set out in the appendix to that document (hereinafter referred to as "the guidelines") I have the honour to propose that the Government of the Kingdom of Norway (hereinafter referred to as "The Government of Norway") shall, in respect of the material described above, comply with the following conditions:

- (a) In accordance with paragraphs 1 and 2 of the guidelines the material and any material derived from it shall be used only for peaceful purposes and shall not be used in any way which would result in any nuclear explosive device.
- (b) In accordance with paragraph 3 of the guidelines the material shall be placed under effective physical protection in accordance with the protection characteristics set out in Annex B to the guidelines, the implementation of those measures of physical protection being the responsibility of the Government of Norway.
- (c) In accordance with paragraph 4 of the guidelines, IAEA safeguards shall apply to the material and any material derived from it.
- (d) In accordance with paragraph 10 of the guidelines the Government of Norway shall not retransfer the material or transfer any materials which may be derived from it and which are identified in the trigger list Annex A to the Guidelines to any third party unless the recipient of the retransfer or transfer shall first have provided the Government of Norway with the same assurances as those required by the United Kingdom Government for the transfer of this material and the Government of Norway is satisfied as to the bona fides of such third party.

The principle of the implementation of safeguards for the material which it is proposed to export from the United Kingdom to Norway having been accepted, and in order that this implementation may be effective, the United Kingdom Government shall confirm officially to the Government of Norway the execution of the transfer providing the relevant information as to quantity and form of the material, date of despatch and consignee.

If the foregoing proposals are acceptable to the Government of Norway I have the honour to propose that this Note and your reply in that sense shall constitute an Agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

ALYSON J K BAILES

No. 2

The Acting Minister of Foreign Affairs of Norway to the British Chargé d'Affaires at Oslo

Royal Ministry of Foreign Affairs

Oslo

20 April 1993

Dear Miss Bailes,

I have the honour to refer to your Note No. 34 dated 13 April 1993 which reads as follows:

[As in No. 1]

I have the honour to confirm that the foregoing proposals are acceptable to the Government of the Kingdom of Norway and that the Embassy's Note and this reply shall constitute an Agreement between our two Governments in this matter which shall enter into force on today's date.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.

BJØRN TORE GODAL

