

No. 3301

**UNITED STATES OF AMERICA
and
CANADA**

**Agreement for co-operation concerning civil uses of
atomic energy. Signed at Washington, on 15 June
1955**

Official text: English.

Registered by the United States of America on 25 April 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

**Accord de coopération concernant les emplois civils de
l'énergie atomique. Signé à Washington, le 15 juin
1955**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 25 avril 1956.

No. 3301. AGREEMENT¹ FOR CO-OPERATION BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF CANADA CON-
CERNING CIVIL USES OF ATOMIC ENERGY. SIGNED
AT WASHINGTON, ON 15 JUNE 1955

The Government of the United States of America, represented by the United States Atomic Energy Commission (hereinafter referred to as the "Commission"), and the Government of Canada, through its wholly-owned Corporations, Eldorado Mining and Refining Limited and Atomic Energy of Canada Limited, have for several years been engaged in atomic energy programs within their respective countries and from the inception of these programs have collaborated closely in certain areas. The principal objective of Canada's atomic energy program is the civil use of atomic energy and, in particular, the use of atomic energy as a source of electric energy. The objective of the atomic energy program in the United States is twofold: (1) the use of atomic energy for peaceful purposes, and (2) the use of atomic energy for defense purposes. There exists a unique tradition of cooperation between Canada and the United States. Based on similar national interests, this cooperation produces special industrial and economic inter-relationships. Consequently, progress in each country toward the full benefits of the peaceful uses of atomic energy will be accelerated through an arrangement which is consistent with the cooperation existing in other areas. Accordingly, the Government of the United States of America and the Government of Canada, the parties to this Agreement, agree, as provided herein, to assist each other in the achievement of the objectives of their respective atomic energy programs to the extent such assistance is relevant to current or projected programs and subject to applicable laws of the respective governments and the availability of material and personnel. While for the present and for the foreseeable future priority of materials and personnel must be given to defense needs, an increasing number of opportunities exist for the development of the peaceful applications of atomic energy. It is expressly understood that the design, fabrication, disposition, or utilization of atomic weapons are outside the scope of this Agreement.

¹ In accordance with article I, the Agreement came into force on 21 July 1955, the date of receipt by the Government of Canada of a notification from the Government of the United States of America that the period of thirty days required by the United States Atomic Act of 1954 had elapsed.

Article I

PERIOD OF AGREEMENT

This Agreement shall enter into force on the date of receipt by the Government of Canada of a notification from the Government of the United States of America that the period of thirty days required by Section 123c of the United States Atomic Energy Act of 1954 has elapsed, and it shall remain in force through July 31, 1965.

Article II

EXCHANGE OF INFORMATION

Classified and unclassified information will be exchanged between the Commission and the appropriate agencies of the Government of Canada with respect to the application of atomic energy to peaceful uses, including research and development relating thereto, and including problems of health and safety. There are set forth in this Article the specific fields in which classified information will be exchanged. The exchange of information provided for in this Article will be accomplished through the various means available, including reports, conferences, and visits to facilities.

A. Limitations

Of the information which is classified, only that relevant to current or projected programs will be exchanged. The parties to the Agreement will not exchange Restricted Data under this Agreement which, in the opinion of either country, is primarily of military significance, or exchange Restricted Data relating to the design or fabrication of atomic weapons. Within the subject matter of this Agreement, the parties may come into possession of privately developed and privately owned information and information received from other governments which the parties are not permitted to exchange.

It is mutually understood and agreed that, except as limitations are stated to apply specifically to one party or the other, any limitations to cooperation imposed pursuant to this Agreement shall be reciprocal.

B. Reactors

(1) Information on the development, design, construction, operation and use of research, production, experimental power, demonstration power, and power reactors, except as provided in Paragraph A and (2) and (3) of this paragraph.

(2) The development of submarine, ship, aircraft, and certain package power reactors is presently concerned primarily with their military uses. Accordingly, it is agreed that the parties to this Agreement will not communicate to each other under this Agreement Restricted Data pertaining primarily to such reactors, until such time as these types of reactors warrant civil application, and as the exchange of information on these types of reactors may be mutually agreed. Restricted Data pertaining to the adaptation of these types of reactors to military use, however, will not be exchanged under this Agreement. Likewise, the parties to the Agreement will not exchange under this Agreement Restricted Data pertaining primarily to any future reactor-types the development of which may be concerned primarily with their military use, until such time as these types of reactors warrant civil application and as exchange of information on these types of reactors may be mutually agreed; and Restricted Data pertaining to the adaptation of these types of reactors to military use will not be exchanged under this Agreement. Nevertheless, information pertaining to military nuclear power plants in furtherance of the joint Canada-United States defense effort in the development of an early-warning radar network may be exchanged.

(3) It is agreed that neither of the parties to this Agreement will exchange Restricted Data on any specific production, experimental power, demonstration power, and power reactor, unless that type of reactor is being operated currently by the other party, or is being considered seriously for construction by the other party as a source of power or as an intermediate step in a power production program. There will, however, be exchanged such general information on design and characteristics of various types of reactors as is required to permit evaluation and comparison of their potential use in a power production program.

C. *Source Materials*

Geology, exploration technique, 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, except as provided in Paragraph A.

D. *Materials*

(1) Physical, chemical and nuclear properties of all elements, compounds, alloys, mixtures, special nuclear materials, by-product material, other radioiso-

topes, and stable isotopes and their behavior under various conditions, except as provided in Paragraph A.

(2) Technology of production and utilization, from laboratory experimentation and theory of production up to pilot plant operations (but not including design and operation of pilot plants and full scale plants, except as may be agreed), of all elements, compounds, alloys, mixtures, special nuclear material, by-product material, other radioisotopes, and stable isotopes, relevant to and subject to the limitations of Paragraphs B, E, and F of this Article, except as provided in Paragraph A and (a), (b), (c) and (d) of this subparagraph.

(a) The Commission will not communicate Restricted Data pertaining to design, construction and operation of production plants for the separation of U-235 from other uranium isotopes. The Commission, however, will supply the Government of Canada with uranium enriched in U-235 as provided in Article III A and Article VI.

(b) The Commission will not communicate Restricted Data on the design, construction and operation of specific production plants for the separation of deuterium from the other isotopes of hydrogen until such time as the Government of Canada shall determine that the construction of such plants is required. The Commission will, however, supply the Government of Canada with heavy water as provided in Article III A and Article VI.

(c) No Restricted Data will be exchanged pertaining to the design, construction and operation of production plants for the separation of isotopes of any other element, except as may be agreed.

(d) No Restricted Data will be exchanged pertaining to the underlying principles, theory, design, construction and operation of facilities, other than reactors, capable of producing significant quantities of isotopes by means of nuclear reactions, except as may be agreed.

E. Health and Safety

The entire field of health and safety as related to this Article. In addition, those problems of health and safety which affect the individual, his environment, and the civilian population as a whole and which arise from nuclear explosion (excluding such tests data as would permit the determination of the yield of any specific weapon or nuclear device and excluding any information relating to the design or fabrication of any weapon or nuclear device), and except as provided in Paragraph A.