

Translation

London, February 22, 2019

Excellency,

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

"I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan for Co-operation in the Peaceful Uses of Nuclear Energy, done on February 25, 1998 (hereinafter referred to as "the Agreement"), and to recognise the need to amend the Agreement in due course to reflect the withdrawal of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom") from the European Atomic Energy Community (hereinafter referred to as "EURATOM").

I have further the honour to notify the Government of Japan that the United Kingdom and the International Atomic Energy Agency signed the Agreement between the United Kingdom of Great Britain and Northern Ireland and the International Atomic Energy Agency for the Application of Safeguards in the United Kingdom of Great Britain and Northern Ireland in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons on June 7, 2018, as supplemented by the Protocol Additional to the said Agreement, done on the same date (hereinafter referred to as "the Bilateral Safeguards Agreement") which will replace the Agreement between the United Kingdom of Great Britain and Northern Ireland, the European Atomic Energy Community and the International Atomic Energy Agency for the Application of Safeguards in the United Kingdom of Great Britain and Northern Ireland in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done on September 6, 1976, as supplemented by the Protocol Additional to the said Agreement, done on September 22, 1998.

His Excellency
Mr. Alex Chisholm
Permanent Secretary
for the Department for Business,
Energy and Industrial Strategy
of the United Kingdom of Great Britain
and Northern Ireland

I have further the honour to notify the Government of Japan that the Government of the United Kingdom has developed national legislation (hereinafter referred to as "the UK Domestic Safeguards Regime"), such as the Nuclear Safeguards Act 2018, to apply safeguards which will replace the safeguards that have been applied in the United Kingdom pursuant to the Treaty establishing the European Atomic Energy Community, done on March 25, 1957.

In view of the above-mentioned developments, I have the honour to propose on behalf of the Government of the United Kingdom the following arrangement pursuant to paragraph 2 of Article 4 of the Agreement:

"Nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product" as referred to in paragraph 1 of Article 4 of the Agreement, while within the United Kingdom, shall be subject to the Bilateral Safeguards Agreement and the UK Domestic Safeguards Regime. Implementation of the Bilateral Safeguards Agreement shall be considered as fulfilling the requirement of paragraph (b) of Article 2 of the Agreement.

If the foregoing proposal is acceptable to the Government of Japan, I have the honour to propose that the present Note and Your Excellency's reply to that effect shall be regarded as constituting an agreement between the two Governments, which shall enter into force when the Bilateral Safeguards Agreement enters into force and shall remain in force until the entry into force of a protocol to amend the Agreement to reflect the withdrawal of the United Kingdom from EURATOM."

I have the honour to confirm on behalf of the Government of Japan that the foregoing proposal is acceptable and to agree that Your Excellency's Note and this Note shall be regarded as constituting an agreement between the two Governments, which shall enter into force when the Bilateral Safeguards Agreement enters into force and shall remain in force until the entry into force of a protocol to amend the Agreement to reflect the withdrawal of the United Kingdom from EURATOM.

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

Koji Tsuruoka
Ambassador Extraordinary and
Plenipotentiary of Japan to
the United Kingdom of Great Britain
and Northern Ireland