



International Atomic Energy Agency

## INFORMATION CIRCULAR

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THE TEXT OF THE SAFEGUARDS TRANSFER AGREEMENT RELATING TO  
THE BILATERAL AGREEMENT BETWEEN SOUTH AFRICA AND THE  
UNITED STATES OF AMERICA

Agreement to Amend the Safeguards Transfer Agreement

1. The text[1] of the Agreement of 20 June 1974 to Amend the Safeguards Transfer Agreement of 26 July 1967 between the Agency, South Africa and the United States of America[2] is reproduced in this document for the information of all Members.
2. The Agreement entered into force, pursuant to Section 2, on 28 June 1974.

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[1] The footnotes to the text have been added in the present information circular.

[2] Reproduced in document INFCIRC/98.

AGREEMENT TO AMEND THE AGREEMENT OF 26 JULY 1967 BETWEEN  
THE INTERNATIONAL ATOMIC ENERGY AGENCY,  
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA  
FOR THE APPLICATION OF SAFEGUARDS

WHEREAS the Government of the Republic of South Africa and the Government of the United States of America have been co-operating on the civil uses of atomic energy under their Agreement for Co-operation of 8 July 1957, [3] as amended on 12 June 1962[4] and 17 July 1967[5], which requires that equipment, devices and materials made available to South Africa by the United States be used solely for peaceful purposes and establishes a system of safeguards to that end; and

WHEREAS the Agreement for Co-operation signed on 8 July 1957, as amended, has been further amended by an amendment signed on 22 May 1974; and

WHEREAS the International Atomic Energy Agency has been applying safeguards in accordance with the provisions of the Agreement between the International Atomic Energy Agency, the Government of the Republic of South Africa and the Government of the United States of America for the Application of Safeguards of 26 July 1967[2] to materials, equipment and facilities required to be safeguarded under the Agreement for Co-operation of 8 July 1957, as amended, to ensure so far as it is able that they will not be used in such a way as to further any military purpose; and

WHEREAS the Parties desire to amend the Agreement of 26 July 1967, to apply safeguards to materials, equipment and facilities required to be safeguarded by the Agreement for Co-operation as amended on 22 May 1974;

NOW, THEREFORE, the Parties agree as follows:

Section 1. The Agreement for the Application of Safeguards of 26 July 1967 is amended as follows:

A. The first preambular clause is amended to read as follows:

"WHEREAS the Government of the Republic of South Africa and the Government of the United States of America have agreed to continue co-operating on the civil uses of atomic energy under their Agreement for Co-operation of 8 July 1957, as amended, which requires that equipment, devices and materials made available to South Africa by the United States be used solely for peaceful purposes and establishes a system of safeguards to that end;"

B. The fifth preambular clause is amended to read as follows:

"WHEREAS the Board of Governors of the Agency approved that request on 12 June 1974;"

[3] United Nations Treaty Series, Vol. 290, No. 4234.

[4] Ibid., Vol. 458, No. 4234.

[5] Ibid., Vol. 692, No. 4234.

C. Section 1(c) is amended to read as follows:

"(c) 'Agreement for Co-operation' means the agreement between South Africa and the United States for co-operation on the civil uses of atomic energy signed on 8 July 1957, as amended."

D. Section 1(g) is amended to read as follows:

"(g) 'Safeguards Document' means Agency document INFCIRC/66/Rev. 2 which contains provisions approved by the Board on 28 September 1965, 17 June 1966 and 13 June 1968."

E. Section 6 is amended by deleting "Article X of" in the first sentence, and by deleting the second sentence and inserting the following in lieu thereof:

"It is understood that no other rights and obligations of South Africa and the United States between themselves under the Agreement for Co-operation will be affected by this Agreement."

F. Section 19 is amended by adding the following sentence at the end of the existing text:

"Materials other than nuclear materials, equipment or facilities listed in category 1 of the inventory (other than such materials, equipment or facilities transferred in accordance with Section 14(b) or 15), shall be deleted from the inventory and Agency safeguards thereon shall be terminated, when and as the Agency determines that such materials, equipment or facilities have been consumed, are no longer usable for any nuclear activity relevant from the point of view of safeguards or have become practicably irrecoverable."

G. Section 33 is amended by deleting "Section 10(a) (iii)" in the last sentence and inserting in lieu thereof "Section 10(a)".

Section 2. The present Agreement shall be signed by or for the Director General of the International Atomic Energy Agency and by the authorized representatives of the Government of the Republic of South Africa and the Government of the United States and shall enter into force on the date upon which the amendment of 22 May 1974 enters into force. The two Governments shall notify the Agency of the date of the entry into force of the amendment of 22 May 1974 within one week after that date.

DONE in Vienna, this 20th day of June 1974 in triplicate in the English language.

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) U. L. Goswami

For the GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA:

(signed) K. R. S. von Schirnding

For the GOVERNMENT OF THE UNITED STATES OF AMERICA:

(signed) Dwight J. Porter