

which the person who claims to have suffered nuclear damage had knowledge or ought reasonably to have had knowledge of the damage and of the person responsible for the damage, provided that the period established under paragraphs 1 and 2 of this Article shall not be exceeded.

4. Any person who claims to have suffered nuclear damage and who has brought an action for compensation within the period applicable under this Article may amend his claim to take into account any aggravation of the damage, even after the expiry of that period, provided that final judgment has not been entered.

Article VI

Where provisions of national health insurance, social insurance, social security, workmen's compensation or occupational disease compensation systems include compensation for nuclear damage, rights of beneficiaries under such systems and rights of subrogation, or of recourse against the operator, by virtue of such systems, shall be determined by the law of the Contracting State having established such systems. However, if the law of such Contracting State allows claims of beneficiaries of such systems and such rights of subrogation and recourse to be brought against the operator in conformity with the terms of this Convention, this shall not result in the liability of the operator exceeding the amount specified in paragraph 1 of Article III.

Article VII

1. Where nuclear damage engages the liability of more than one operator and the damage attributable to each operator is not reasonably separable, the operators involved shall be jointly and severally liable for such damage. However, the liability of any one operator shall not exceed the limit laid down in Article III.

2. In the case of a nuclear incident where the nuclear damage arises out of or results from nuclear fuel or radioactive products or waste of more than one nuclear ship of the same operator, that operator shall be liable

under tre år fra det tidspunkt, da den person, der hævder at have lidt nuklear skade, havde kendskab eller med rimelighed burde have haft kendskab til skaden og til den person, der er ansvarlig for skaden; den frist, der er fastsat i stk. 1 og 2, kan dog ikke overskrides.

4. Enhver, som hævder at have lidt nuklear skade, og som har anlagt erstatnings-sag inden for den frist, som finder anvendelse i henhold til denne artikel, kan selv efter fristens udløb ændre sit krav under hensyn til en forværring af skaden, forudsat at endelig dom ikke er afsagt.

Artikel VI

I tilfælde hvor regler om statslig sygeforsikring, socialforsikring, social sikkerhed, arbejderforsikring eller forsikring mod erhvervssygdomme indbefatter erstatning for nuklear skade, skal spørgsmål om de sikredes rettigheder i henhold til sådanne ordninger samt om ret til subrogation eller regres mod indehaveren i medfør af sådanne ordninger afgøres efter lovgivningen i den kontraherende stat, der har oprettet sådanne ordninger. Dersom lovgivningen i en sådan kontraherende stat tillader, at der rejses krav mod indehaveren af de berettigede i henhold til disse ordninger, og at sådanne indtrædelses- og regresrettigheder gøres gældende over for indehaveren i overensstemmelse med denne konventions bestemmelser, kan dette dog ikke medføre, at indehaverens ansvar overstiger det i artikel III, stk. 1, angivne beløb.

Artikel VII

1. Hvor nuklear skade medfører ansvar for flere end én indehaver, og den skade, der kan henføres til hver enkelt indehaver, ikke med rimelig sikkerhed kan adskilles, er de implicerede indehavere solidarisk ansvarlige. Hver enkelt indehavers ansvar kan dog ikke overstige den i artikel III fastsatte grænse.

2. I tilfælde af en nuklear ulykke, hvor den nukleare skade opstår ved eller er en følge af nukleart brændsel eller radioaktivt produkt eller affald hidrørende fra mere end ét nukleart skib tilhørende samme indehaver,