

J. Paragraph (c) of Article 7 shall be replaced by the following text:

- (c) Compensation for damage caused to the means of transport on which the nuclear substances involved were at the time of the nuclear incident shall not have the effect of reducing the liability of the operator in respect of other damage to an amount less than either 5.000.000 Special Drawing Rights, or any higher amount established by the legislation of a Contracting Party.

K. Paragraph (d) of Article 8 shall be replaced by the following text:

- (d) Where the provisions of Article 13 (c) (ii) are applicable, the right of compensation shall not, however, be extinguished if, within the time provided for in paragraphs (a), (b), and (c) of this Article,
- (i) prior to the determination by the Tribunal referred to in Article 17, an action has been brought before any of the courts from which the Tribunal can choose; if the Tribunal determines that the competent court is a court other than that before which such action has already been brought, it may fix a date by which such action has to be brought before the competent court so determined; or
- (ii) a request has been made to a Contracting Party concerned to initiate a determination by the Tribunal of the competent court pursuant to Article 13 (c) (ii) and an action is brought subsequent to such determination within such time as may be fixed by the Tribunal.

L. Paragraph (b) of Article 15 shall be replaced by the following text:

- (b) In so far as compensation for damage involves public funds and is in excess of the 5.000.000 Special Drawing Rights referred to in Article 7, any such measure in whatever form may be applied under conditions which may derogate from the provisions of this Convention.

## II

- (a) The provisions of this Protocol shall, as between the Parties thereto, form an integral part of the Convention on Third Party Liability in the Field of Nuclear Energy of 29th July 1960, as amended by the Additional Protocol of 28th January 1964 (hereinafter referred to as the "Convention"), which shall be known as the "Convention on Third Party Liability in the Field of Nuclear Energy of 29th July 1960, as amended by the Additional Protocol of 28th January 1964 and by the Protocol of 16th November 1982.
- (b) This Protocol shall be ratified or confirmed. Instruments of ratification of this Protocol shall be deposited with the Secretary-General of the Organisation for Economic Co-operation and Development. Where there is a confirmation of this Protocol, it shall be notified to him.
- (c) The Signatories of this Protocol who have already ratified the Convention undertake to ratify or to confirm this Protocol as soon as possible. The other Signatories of this Protocol undertake to ratify it or to confirm it at the same time as they ratify the Convention.
- (d) This Protocol shall be open for accession in accordance with the provisions of Article 21 of the Convention. Accessions to the Convention will be accepted only if they are accompanied by accession to this Protocol.
- (e) This Protocol shall come into force in accordance with the provisions of Article 20 of the Convention.
- (f) The Secretary-General of the Organisation for Economic Co-operation and Development shall give notice to all Signatories and acceding Governments of the receipt of any instrument of ratification or accession and of the receipt of any confirmation.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered, have signed this Protocol.

DONE at Paris, this 16th day of November 1982 in the English, Dutch, French, German, Italian and Spanish languages, the six texts