

Article 4

- a) If a nuclear incident causes damage which gives rise to liability of more than one operator, the aggregate liability provided for in Article 5 d) of the Paris convention shall not, to the extent that public funds have to be made available pursuant to Article 3 b) ii) and iii), exceed 300 million Special Drawing Rights.
- b) The total amount of the public funds made available pursuant to Article 3 b) ii) and iii) shall not, in such event, exceed the difference between 300 million Special Drawings Rights and the sum of the amounts established with respect to such operators pursuant to Article 3 b) i) or, in the case of an operator whose nuclear installation is situated in the territory of a State which is not a Party to this Convention, the amount established pursuant to Article 7 of the Paris Convention. If more than one Contracting Party is required to make available public funds pursuant to Article 3 b) ii), such funds shall be made available by them in proportion to the number of nuclear installations situated in their respective territories, which are involved in the nuclear incident and of which the operators are liable.

E. Article 8 shall be replaced by the following text:

Article 8

Any person who is entitled to benefit from the provisions of this Convention shall have the right to full compensation in accordance with national law for damage suffered, provided that, where the amount of damage exceeds or is likely to exceed:

- i) 300 million Special Drawing Rights; or
- ii) if there is aggregate liability under Article 5 d) of the Paris Convention and a higher sum results therefrom, such higher sum, any Contracting Party may establish equitable criteria for apportionment. Such criteria shall be applied whatever the origin of the funds and, subject to the provisions of Article 2, without discrimination based on the nationality, domicile or residence of the person suffering the damage.

F. Paragraph (a) of Article 10 shall be replaced by the following text:

- a) The Contracting Party whose courts have jurisdiction shall be required to inform the other Contracting Parties of a nuclear incident and its circumstances as soon as it appears that the damage caused by such incident exceeds, or is likely to exceed, 175 million Special Drawing Rights. The Contracting Parties shall without delay make all the necessary arrangements to settle the procedure for their relations in this connection.

G. Paragraph (b) of Article 14 shall be replaced by the following text:

- b) Any such provisions made by Contracting Party pursuant to Articles 2 and 9 of the Paris Convention as a result of which the public funds referred to in Article 3 (b) (ii) and (iii) are required to be made available may not be invoked against any other Contracting Party unless it has consented thereto.

H. The Annex shall be replaced by the following text: