(b) such nuclear material, non-nuclear material or equipment has been transferred beyond the jurisdiction of the State of the receiving Party in accordance with Article 10 of this Agreement; or

(c) the Parties otherwise mutually determine in writing through the diplomatic channel that it should no longer be subject to this Agreement.

4. The principles of fungibility, proportionality and equivalence may be applied in handling nuclear material and non-nuclear material transferred pursuant to this Agreement and nuclear material recovered or produced as a by-product consistent with each Party's safeguards agreement with the Agency.

ARTICLE 13

1. With a view to promoting cooperation under this Agreement, the Parties may, at the request of either of them, consult with each other through the diplomatic channel or other consultative fora on matters such as the implementation of this Agreement, including any technical issues, and the development of cooperation in the field of peaceful uses of nuclear energy on a stable, reliable and predictable basis.

2. Representatives of the Parties shall meet at the request of either Party with a view to consulting on matters arising from the application of this Agreement. Accordingly, the Parties shall establish a Joint Committee to serve as the appropriate forum for such consultations. The Joint Committee shall be composed of representatives designated by the Parties, and may meet on mutually convenient dates. A Joint Technical Working Group may be established under the Joint Committee to consult on any technical issues referred to in paragraph 1 of this Article.

3. Each Party shall endeavour to avoid any action that affects cooperation specified under Article 2 of this Agreement.

4. If any dispute arises between the Parties with regard to the interpretation or application of this Agreement, the Parties shall endeavour to settle the dispute by negotiation or other means agreed to by the Parties.

5. Disputes regarding the interpretation, implementation or performance of subsequent commercial contracts shall be dealt with in accordance with the provisions found in the contracts.

ARTICLE 14

1. Either Party shall have the right to terminate this Agreement prior to its expiration by giving one year's written notice to the other Party. A Party giving notice of termination shall provide the reasons for seeking such termination. This Agreement shall terminate one year from the date of the written notice, unless the notice has been withdrawn in writing by the Party giving such notice prior to the date of termination or the Parties otherwise agree.

2. Before this Agreement is terminated pursuant to paragraph 1 of this Article, the Parties shall consider the relevant circumstances and promptly hold consultations to address the reasons cited by the Party seeking termination. The Party seeking termination of this Agreement has the right to cease further cooperation under this Agreement in whole or in part, if it determines that a mutually acceptable resolution of outstanding issues has not been possible or cannot be achieved through consultations. The Parties shall consider carefully the circumstances that may lead to termination of this Agreement or cessation of cooperation under this Agreement. They further agree to take into account whether the circumstances that may lead to termination of this Agreement or cessation of cooperation under this Agreement resulted from a Party's serious concern about a changed security environment or as a response to similar actions by other States which could impact national security.

3. If a Party seeking termination cites a violation of this Agreement as the reason for notice for seeking termination, the Parties shall consider whether the action was caused inadvertently or otherwise and whether the violation could be considered as material. No violation may be considered as being material unless corresponding to the definition of material violation or breach in the Vienna Convention on the Law of Treaties. If a Party seeking termination cites a violation of a safeguards agreement with the Agency as the reason for notice for seeking termination, a crucial factor will be whether the Board of Governors of the Agency has made a finding of non-compliance.