

## PARIS CONVENTION ON THIRD PARTY LIABILITY IN THE FIELD OF NUCLEAR ENERGY

### Application of the Paris Convention to non-metropolitan territories of the Contracting Parties

#### *Notifications under Article 23 (b) of the Paris Convention*

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## **Application of the Paris Convention to non-metropolitan territories of the Contracting Parties**

### ***Notifications under Article 23 (b) of the Paris Convention***

Article 23 (a) of the Paris Convention provides that the Convention shall apply to the metropolitan territories of the Contracting Parties.

Article 23 (b) stipulates that Signatories or the Contracting Parties may notify the OECD Secretary-General that the Convention shall also apply to non-metropolitan territories which are mentioned in the notification.<sup>1</sup>

The attached Table gives an overview of notifications provided under Article 23 (b). The NEA Secretariat has prepared this Table for the information of the Nuclear Law Committee. As required by the Convention, copies of all notifications referred to under Article 23 (b) remain with the depository of the Convention, the Secretary General of the OECD.

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<sup>1</sup> Article 23 of the Paris Convention:

- a. This Convention shall apply to the metropolitan territories of the Contracting Parties.
- b. Any Signatory or Contracting Party may, at the time of signature or ratification of or accession to this Convention or at any later time, notify the Secretary-General of the Organisation that this Convention shall apply to those of its territories, including the territories for whose international relations it is responsible, to which this Convention is not applicable in accordance with paragraph (a) of this Article and which are mentioned in the notification. Any such notification may, in respect of any territory or territories mentioned therein, be withdrawn by giving twelve months' notice to that effect to the Secretary-General of the Organisation.
- c. Any territories of a Contracting Party, including the territories for whose international relations it is responsible, to which this Convention does not apply shall be regarded for the purposes of this Convention as being a territory of a non-Contracting State.

### **Notifications under Article 23 (b) of the Paris Convention**

	The <b>1960 PC and its 1964 Additional Protocol</b> shall apply to:	Date of the notification	The <b>1982 Protocol</b> , shall apply to <sup>2</sup> :	Date of the notification	The <b>2004 Protocol</b> , shall apply to :	Date of the notification
Austria						
Belgium						
Denmark	Greenland <sup>3</sup>	5 Sept. 1975				
Finland						
France	French Overseas Departments and Territories ( <i>Départements d'outre mer- DOM- &amp; Territoires d'outre mer – TOM</i> )	9 March 1966	French Overseas Territories (TOM) <sup>4</sup> ; Local Authority of Mayotte ( <i>Collectivité de Mayotte</i> )	No ratification but application authorised by the Law No. 90-488 of 16 June 1990		
Germany	West Berlin	30 Sept. 1975	West Berlin	25 Sept. 1985		
Greece						
Italy						
Luxembourg						
Netherlands						
Norway						
Portugal						
Slovenia						
Spain						
Sweden						

<sup>2</sup> The notification shall take effect on the date of entry into force of the 1982 Protocol. The 1982 Protocol entered into force on 7 October 1988.

<sup>3</sup> Greenland Home Rule Act entered into force on 1 May 1979 following a consultative referendum in Greenland.

Note: Denmark notified that the PC and its 1964 additional Protocol and the PC and its 1982 additional Protocol shall not apply to the Faroe Islands, respectively on 5 September 1975 and on 16 May 1989.

<sup>4</sup> The French Overseas Departments (DOM) have the same status as metropolitan departments in France.

	The <b>1960 PC and its 1964 Additional Protocol</b> shall apply to:	Date of the notification	The <b>1982 Protocol</b> , shall apply to:	Date of the notification	The <b>2004 Protocol</b> , shall apply to :	Date of the notification
Switzerland						
Turkey						
United Kingdom	Gibraltar	4 Dec. 1970				
	Bahamas <sup>5</sup> , Cayman Islands, Falkland Islands <sup>6</sup> , Gilbert and Ellice Islands <sup>7</sup> , Hong Kong, Montserrat, Solomon Islands <sup>8</sup>	23 March 1972				
	Saint Helena and Saint Helena Dependencies	19 April 1972				
	British Virgin Islands	29 March 1973	British Virgin Islands, Cayman Islands, Gibraltar, Hong Kong <sup>9</sup> , Montserrat, Saint Helena, Saint Helena Dependencies	26 Aug. 1985 (ratification by the UK)		
	Bailiwick of Guernsey	21 August 1979	Bailiwick of Guernsey	18 March 1986		
	Isle of Man	28 June 1977	Isle of Man	2 Dec. 1987		
	Bailiwick of Jersey	6 March 1981	Bailiwick of Jersey	25 Feb. 1988		

<sup>5</sup> The Bahamas achieved independence in 1973 (1973 Bahamas Independence Order – *The Constitution of the Commonwealth of the Bahamas*) and became a fully self-governing member of the Commonwealth.

<sup>6</sup> The Falkland Islands are a UK Overseas Territory, self governing except for areas of foreign affairs and defence.

<sup>7</sup> The Gilbert and Ellice Islands were divided in 1976 into two different colonies which became independent shortly after: the Gilbert Islands became independent as Kiribati in 1979 and the Ellice Islands became Tuvalu in 1978.

<sup>8</sup> The Solomon Islands became independent on 7 July 1978. It is a parliamentary democracy within the Commonwealth.

<sup>9</sup> By a letter dated of 18 June 1997, the MFA of the People’s Republic of China notified the Secretary General of the OECD that the 1960 Paris Convention on Third Party Liability in the field of Nuclear Energy, as amended by the 1964 Additional Protocol and the 1982 Protocol, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Contracting Parties to the Paris Convention, as amended by the 1964 Additional Protocol and the 1982 Protocol, adopted on 12 October 2000 a “Declaration on the application on the Paris Convention on Third Party Liability in the field of Nuclear Energy to the Hong Kong Special Administrative Region (HKSAR)”.

