

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF TRADE, INDUSTRY AND ENERGY
OF THE REPUBLIC OF KOREA
AND
THE DEPARTMENT OF ENERGY AND CLIMATE CHANGE
OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND
CONCERNING COMMERCIAL CIVIL NUCLEAR ENERGY
COOPERATION**

The Ministry of Trade, Industry and Energy of the Republic of Korea (ROK) and the Department of Energy and Climate Change of the United Kingdom of Great Britain and Northern Ireland (UK) (hereinafter referred to as the "Participants");

On the basis of the traditional friendship between their peoples and the strong ties of cooperation between the two countries;

Recalling the Agreement between the Government of the Republic of Korea and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation in the Peaceful Uses of Nuclear Energy signed on 27 November 1991;

Recognising the significant on-going cooperation between the Participants in the energy sector;

Acknowledging the role civil nuclear energy can play in an appropriate mix of environmentally sustainable, safe, secure and cost-effective existing and future sources of energy;

Expressing their willingness to foster increased cooperation in their respective domestic markets through investment, deployment of technology and expertise and the construction of civil nuclear energy projects;

Expressing their willingness to jointly explore commercial opportunities for cooperation, in the field of civil nuclear energy, in third country markets to mutual commercial benefit;

Affirming their commitment to further enhancing bilateral cooperation in the civil nuclear energy sector by encouraging and facilitating the building of closer relationships between public and private entities;

Sharing a commitment to ensuring the non-proliferation of nuclear material, technology and expertise;

Have reached the following understanding:

Section 1

Scope and Forms of Cooperation

Paragraph 1

Cooperation between the Participants under this Memorandum of Understanding (MOU) will be based on the principles of mutual benefit and reciprocity and will recognise the achievements and developments in the field of civil nuclear energy made by the ROK and the UK, as well as the willingness and interest of relevant Korean and United Kingdom civil nuclear energy enterprises to cooperate in the development, construction and operation of civil nuclear energy projects in the ROK, UK and third country markets. The cooperation will be guided by the respective governments and delivered by businesses and other enterprises.

Paragraph 2

The Participants will encourage and facilitate cooperation by relevant civil nuclear energy enterprises of the two countries in the civil nuclear energy sector, including but not exclusively in the fields of research, planning and design, project management and consultancy, engineering and construction, investment, operation, maintenance, safety and equipment supply.

Paragraph 3

The Participants understand that the participation of relevant civil nuclear energy enterprises in the construction of civil nuclear energy projects must comply with the applicable laws, statutes, regulations and other independent regulatory requirements of the respective countries, and each Participant will take the appropriate measures within its capacity to protect all the relevant legal rights of investors and project participants. The Participants will also act in accordance with the international non-proliferation framework, including relevant international treaties and IAEA safeguards.

Paragraph 4

The Participants understand that the participation of relevant civil nuclear energy enterprises in the development and construction of civil nuclear energy projects in their respective countries, and the cooperation between relevant enterprises of the two countries for project development in third country markets, should be premised on an arm's length basis, respecting commercial negotiations and arrangements based on the commercial benefits of the Participants, as well as the long term and robust development of the enterprises.

Paragraph 5

The Participants will advance and support commercial cooperation in the civil nuclear energy sector in a manner consistent with ensuring the highest possible standards in nuclear safety in their respective countries and third country markets. They will do this by providing guidance regarding the laws, policies, regulations, procurement and other safety-related procedures relevant to any

specific investment project including, but not restricted to, relevant licensing and design certification requirements.

Paragraph 6

The Participants recognise the huge opportunities for their respective civil nuclear industries to share knowledge and experience in the development of civil nuclear new build in their respective countries and in third country markets and to understand and comply as appropriate with relevant regulatory requirements.

Section 2 Implementation

Paragraph 7

The Department of Energy and Climate Change of the UK will facilitate the provision of guidance to the Ministry of Trade, Industry and Energy of the ROK and relevant civil nuclear enterprises with an interest in participating in the long term in the UK new nuclear programme by:

- a) facilitating appropriate engagement with and between local and national supply chain enterprises, skills agencies and relevant academic institutions;
- b) sharing knowledge and experience of UK civil nuclear safety policies with a view to understanding the UK regulatory regime and ensuring international safety standards and maintaining and enhancing local, national and international public support for the development of civil nuclear energy.

Paragraph 8

The Participants recognise the strength of each other's expertise in all areas of the civil nuclear energy sector and welcome the partnerships of UK and Korean companies to work together on nuclear projects in the UK, Republic of Korea and third country markets on a commercial and competitive basis, as appropriate, and in accordance with the relevant regulatory and security requirements of the respective countries.

Paragraph 9

An annual ROK-UK nuclear energy industry dialogue will be held alternately in the two countries in the field of civil nuclear energy. The dates of the annual dialogue and the discussion topics are to be mutually decided upon between the Participants in advance.

Section 3 Confidential information Paragraph 10

Each Participant is to treat as confidential, to the extent permitted under its national law, information provided by the other Participant in connection with co-operation under this MOU with a request for confidential treatment of that information.

Section 4

Resolution of Differences

Paragraph 11

Any differences that may arise between the Participants relating to the interpretation or implementation of this MOU will be resolved through consultation between the Participants and will not be referred to any third party for resolution.


Section 5

Final Provisions


Paragraph 12

- a) This MOU will come into effect upon its signature by the Participants and will continue in effect until terminated in accordance with subparagraph 2 below.
- b) This MOU may be terminated by either Participant by providing six (6) months' written notice to the other Participant, or by mutual written consent on a date mutually determined by the Participants.
- c) Either Participant may propose an amendment to this MOU by means of a written notice to the other Participant; any such amendment will be effected by mutual written consent between the Participants.
- d) The Participants acknowledge that this MOU is not an international agreement and will not create any legally binding obligations under international law.

Signed in duplicate at Lancaster House, London, on 6 November 2013, in the English language.



For the Ministry of Trade, Industry and
Energy of the Republic of Korea



For the Department of Energy and Climate Change
of the United Kingdom of Great Britain
and Northern Ireland