

# **EXPLANATORY MEMORANDUM FOR THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF INDIA FOR CO-OPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY**

## **Title of the Agreement**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of India for Co-operation in the Peaceful Uses of Nuclear Energy.

**Command Paper No:** 9268

## **Subject Matter**

This Nuclear Cooperation Agreement (NCA) provides a framework for the United Kingdom and India to strengthen and deepen links on a range of areas relevant to the peaceful uses of nuclear energy, to mutual benefit.

The NCA was signed on 13 November 2015 by High Commissioner James Bevan on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland and by High Commissioner Ranjan Mathai on behalf of the Government of India.

## **Ministerial Responsibility**

Nuclear policy falls within the remit of the Secretary of State for Energy and Climate Change (DECC) and policy on nuclear export controls belongs with the Secretary of State for Business, Innovation and Skills (BIS). The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for UK policy relating to the UK's relations with India.

## **Policy considerations**

### *(i) General: Nuclear Cooperation Agreements*

NCAs provide a useful framework for nuclear co-operation in a number of ways. They are legally binding treaties which can be helpful in helping nuclear projects access funding in other countries, and helping to focus efforts where cooperation would be particularly beneficial to both parties.

NCAAs can cover a range of issues, including the exchange of personnel and technology and cooperation on areas such as training, standards, and safety. They can simplify export control of goods/services, and be used to encourage the spread of good practice of accepted standards in the development of civil nuclear programmes.

*(ii) NCA with India*

The UK Government seeks to introduce international agreements on civil nuclear cooperation and to extend the scope of its NCAs whenever appropriate. India is developing its civil nuclear programme further and so is a key market. The UK has a close relationship with India and a Civil Nuclear Cooperation Declaration was signed by the two countries on 11 February 2010.

The UK has a long history of successful nuclear energy. The development of strong links between the UK and India will enable both parties to benefit from relevant skills, expertise and equipment and secure proper training for nuclear-related staff. There are significant commercial opportunities for the civil nuclear sector in both countries. Whilst the UK does not have an indigenous reactor manufacturer, the UK's nuclear industry can offer leading edge technology, equipment, advice and services in a number of key areas. In addition, the UK can offer unparalleled experience and advice on practices and regulatory functions including nuclear safety and security, nuclear verification, transportation and, most significantly, non-proliferation standards.

*(iii) Financial*

Costs of collaboration, exchanges of personnel, training etc. encouraged by this Agreement would be met by the Commercial Parties themselves at no additional cost to the UK or Indian Governments, as would any industry undertakings. However, it is expected that the Agreement will encourage Parties to avail themselves of appropriate funding from others that seek to promote scientific/technological cooperation or international trade, and likewise, that those Agencies take account of the benefits of cooperation on nuclear matters that underpin this Agreement.

**Implementation**

No legislation is required in the UK to implement the Agreement. The Agreement shall enter into force on the date on which the Parties have notified each other through diplomatic channels, that their respective

internal procedures for the entry into force of this Agreement have been completed.

### **Consultation**

The European Commission was consulted on this Agreement, in accordance with Article 103 of the Treaty establishing the European Atomic Energy Community. Their response noted that no element was found which could impede the application of the Euratom Treaty within the meaning of Article 103 thereof.



**Mrs Andrea Leadsom, MP**  
**Minister of State**  
**Department of Energy and Climate Change**