



Republic of the Philippines
Department of Science and Technology



PHILIPPINE NUCLEAR RESEARCH INSTITUTE

**PNRI Administrative Order No. 01
Series of 2021**

**IMPLEMENTATION OF THE PROTOCOL ADDITIONAL TO THE AGREEMENTS
BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE INTERNATIONAL
ATOMIC ENERGY AGENCY FOR THE APPLICATION OF SAFEGUARDS**

WHEREAS, the *Republic of the Philippines* is a party to an agreement with the *International Atomic Energy Agency (IAEA)* for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons hereinafter referred to as the “Safeguards Agreement” which entered into force on 16 October 1974;

WHEREAS, Section 2. Declaration of Policy under Republic Act No.5207 provides that the production and use of atomic energy facilities and atomic energy materials shall be subjected to control by the Republic of the Philippines in order to assure fulfillment of the international obligations of the State;

WHEREAS, pursuant to the Section 4 (b) of the Republic Act No. 5207, the Philippine Nuclear Research Institute (PNRI) is authorized to establish and issue regulations and orders to ensure that atomic energy facilities and materials are used only for purposes authorized under this Act, and that such uses are consistent with the national interest.

WHEREAS, the Republic of the Philippines undertakes the application of Safeguards for exclusive purpose of verification of the fulfilment of its obligations to prevent diversion of nuclear materials, on all source or special fissionable material from peaceful uses or activities with its territory;

WHEREAS, the provisions of the Comprehensive Safeguards Agreement shall apply to the Additional Protocol to the extent that they are relevant to and compatible with the provisions of the Additional Protocol which was entered into force on 26 February 2010;

WHEREAS, the provisions of information of Articles of the Additional Protocol shall apply with the frequency and intensity of activities described in the Protocol and shall be kept to the minimum consistent with the objective of strengthening the effectiveness and improving the efficiency of safeguards;

WHEREFORE, the Republic of the Philippines shall implement all Articles of the Protocol Additional to the Comprehensive Safeguards Agreement and ANNEX 1 “List of Activities” referred to in the Article 2.a.(iv) and ANNEX 2 “List of Specified Equipment and Non-Nuclear Material” for the reporting of Exports and Imports according to Article 2.a.(ix) stipulated under the Additional Protocol;

Section 1. The Philippine Nuclear Research Institute shall provide declarations containing information stipulated in Article 2 and other relevant Articles of the Additional Protocol reportable to the IAEA;

Section 2. The Philippine Nuclear Research Institute (PNRI) shall collect and verify the information containing:

1. General description of and information specifying the location of nuclear fuel cycle related research and development activities not involving nuclear material carried out anywhere that are funded, specifically authorized, or controlled by, or carried out on behalf of, the Philippine Government.
2. General description of each building on each site, including its use and, if not apparent from the description, its contents. The description shall include a map or layout of the site.
3. Description of the scale of operations for each location engaged in the activities specified in Annex 1 “List of Activities” stipulated in the Additional Protocol;
4. Information specifying the location, operational status and the estimated annual production capacity of uranium mines and concentration plants and thorium concentration plants, and the current annual production of such mines and concentration plants as a whole.
5. Information regarding source material which has not reached the composition and purity suitable for fuel fabrication or for being isotopically enriched, as follows:
 - a. The quantities, the chemical composition, the use or intended use of such material, whether in nuclear or non-nuclear use, for each location at which the material is present in quantities exceeding ten metric tons of uranium and/or twenty metric tons of thorium,
 - b. and for other locations with quantities of more than one metric ton, and if the aggregate exceeds ten (10) metric tons of uranium or twenty (20) metric tons of thorium.

- c. The quantities, the chemical composition and the destination of each export out anywhere in the Philippine territory, of such material for specifically non-nuclear purposes in quantities exceeding ten (10) metric tons of uranium or ten (10) metric tons of thorium, or each of less than twenty metric tons, but exceeding a total twenty (20) metric tons for the year;
 - d. The quantities, the chemical composition and the destination of each import into anywhere in the Philippine territory, of such material for specifically non-nuclear purposes in quantities exceeding ten (10) metric tons of uranium or ten (10) metric tons of thorium, or each of less than twenty metric tons, but exceeding a total twenty (20) metric tons for the year;
6. Information regarding the quantities, uses and location of nuclear material exempted from safeguards pursuant to Articles 36 (b) and 37 of Safeguards Agreement;
7. Information regarding the location or further processing of intermediate or high-level waste containing plutonium, high enriched uranium or Uranium-233 on which safeguards have been terminated pursuant to Article 35 of the Safeguards Agreement.
8. Information regarding specified equipment and non-nuclear material listed in Annex II in the Additional Protocol (INFCIRC/540),
 - a. For each export out anywhere in the Philippines of such equipment and material; the identity, quantity, location of intended use in the receiving State and date or, as appropriate, expected date, of export.
9. General Plans for the succeeding ten-year period relevant to the development of the nuclear fuel cycle including nuclear fuel cycle-related research and development activities when approved by the Philippine Government.

Section 3. The PNRI shall make every reasonable effort to provide complementary access to IAEA;

- a. Any place on a site;
- b. Any location identified under Article 2.a (i), Article 2.a.(iv), Article 2.a.(ix)(b) or Article 2.b, of the Additional Protocol, other than those referred to in paragraph a. of this Section.
- c. Any location specified by the IAEA, other than locations referred to in paragraphs a. and b. of this Section, to carry out location-specific environmental sampling and its adjacent locations;

Section 4. This order shall take effect fifteen (15) days after its publication in the Official Gazette.

APPROVED:



CARLO A ARCILLA, Ph.D.
Director

Date: 12 May 2021