

Consolidated version of the Treaty establishing the  
European Atomic Energy Community 2016/C 203/01

TITLE II

**PROVISIONS FOR THE ENCOURAGEMENT OF  
PROGRESS IN THE FIELD OF NUCLEAR ENERGY**

*CHAPTER 6*

***Supplies***

*Section 2*

**Ores, source materials and special fissile materials coming from inside the Community**

*Article 62*

- 1 The Agency shall exercise its right of option on special fissile materials produced in the territories of Member States in order:
  - a to meet demand from users within the Community in accordance with Article 60; or
  - b to store such materials itself; or
  - c to export such materials with the authorisation of the Commission which shall comply with the second subparagraph of Article 59(b).
- 2 Nevertheless, while continuing to be subject to the provisions of Chapter 7, such materials and any fertile wastes shall be left in the possession of the producer, so that he may:
  - a store them with the authorisation of the Agency; or
  - b use them within the limits of his own requirements; or
  - c make them available to undertakings in the Community, within the limits of their requirements, where for carrying out a programme duly communicated to the Commission, these undertakings have with the producer a direct connection which has neither the aim nor the effect of limiting production, technical development or investment or of improperly creating inequalities between users in the Community.
- 3 The provisions of Article 89(1)(a) shall apply to special fissile materials which are produced in the territories of Member States and on which the Agency has not exercised its right of option.