

NUCLEAR ENERGY EXCLUSION CLAUSE 1994 - NMA 1975 (A)**(WORLDWIDE EXCLUDING USA AND CANADA)**

This Reinsurance shall exclude Nuclear Energy Risks whether Such risks are written directly and/or by way of reinsurance and/or via Pools and/or Associations.

For all purposes of this Reinsurance Nuclear Energy Risks shall be defined as all first party and/or third party insurance (other than Workers Compensation and/or Employers Liability) in respect of:

- (I) All Property on the site of a nuclear Reactors, reactor buildings and plant equipment therein on any site other than a nuclear power station
- (II) All Property, on any site (Including but not limited to the sites referred to in (i) above) used or having been used for :
 - a. The generation of nuclear energy ; or
 - b. The Production, Use or storage of Nuclear Material
- (III) Any other Property eligible for Insurance by the relevant local Nuclear Insurance Pool and/or Association but only to the extent of the requirements of that local Pool and/or Association.
- (IV) The supply of goods and service to any of the sites, described in (I) to (iii) above, unless such Insurances or reinsurances shall exclude the perils of Irradiation and contamination by Nuclear Material.

Except as undemoted, Nuclear Energy Risks shall not Include:

- (i) Any Insurance or reinsurance in respect of the construction or erection or installation or replacement or repair or maintenance or decommissioning of property as described in (I) to (III) above (including contractors plant and equipment)
- (ii) Any Machinery Breakdown or other Engineering Insurance or reinsurance not coming within the scope of (a) above:

Provided always that such insurance or reinsurance shall exclude the perils of irradiation and contamination by Nuclear Material.

However, the above exemption shall not extend to:

1. The provision of any Insurance or reinsurance whatsoever in respect of :
 - a. Nuclear Material:
 - b. Any Property in the High Radioactivity Zone or Area of any Nuclear Installation as from the introduction of Nuclear Material or - for reactor installations as from fuel loading or first critically where so agreed with the relevant local Nuclear Insurance Pool and/or Association
2. The provision of any insurance or reinsurance for the undernoted perils:
 - Fire, Lightning, explosion;
 - Earthquake;
 - Aircraft and other aerial devioss or articles dropped therefrom;
 - Irradiation and radioactive contamination;
 - Any other peril Insured by the relevant local Nuclear Insurance Pool and/or Association:

In respect any other Property not specified in (1) above which directly involves the Production, Use or Storage of Nuclear Material as from the introduction of Nuclear Material into such Property.

Definitions

"Nuclear Material" means;

- (i) Nuclear fuel, other than natural uranium and depleted uranium, capable of producing energy by a self-sustaining chain process of nuclear fission outside a Nuclear Reactor, other alone or in combination with some other material; and
- (ii) Radioactive Product or Waste.

"Radioactive Products or Waste" means any radioactive material produced in, or any material made radioactive by exposure to the radiation incidental to the production or utilisation of nuclear fuel, but does not include radioisotopes which have reached the stage of fabrication so as to be usable for any scientific, medical, agricultural, commercial or industrial purpose

"Nuclear Installation" means;

- (I) Any Nuclear Reactor;
- (II) Any factory using nuclear fuel for the production of Nuclear Material, or any factory for the processing of Nuclear Material, including any factory for the reprocessing of irradiated nuclear fuel ; and
- (III) Any facility where Nuclear Material is stored, other than storage incidental to the carriage of such material.

"Nuclear Reactor" means any structure containing nuclear fuel in such an arrangement that a self-sustaining chain process of nuclear fission can occur therein without and additional source of neutrons.

"Production, Use or Storage of Nuclear Material" means the production, manufacture enrichment, conditioning, processing, use, storage handling and disposal of Nuclear Material.

"Property" shall mean all land, buildings, structures, plant, equipment, vehicles, contents (including but not limited to liquids and gases) and all materials of whatever description whether fixed or not.

"High Radioactivity Zone or Area" means;

- (I) For nuclear power stations and Nuclear Reactors, the vessel or Structure which immediately contains the core (including its support and shrouding) and all the contents thereof, the fuel elements, the control rods the irradiated fuel store; and
- (II) For non-reactor Nuclear Installations any area where the level of radioactivity requires the provision of biological shield.