

**ANNEX XIV
TO THE PROTOCOL
FOR
COOPERATION IN THE FIELD OF FOSSIL ENERGY RESEARCH &
DEVELOPMENT BETWEEN
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF COAL INDUSTRY OF THE PEOPLE'S REPUBLIC OF CHINA
ON
BILATERAL CONSULTATIONS AND EXCHANGES ON COAL INDUSTRY
DEVELOPMENT AND INFORMATION**

WHEREAS, the United States Department of Energy (USDOE) and the Ministry of Coal Industry (MOCI) of the People's Republic of China (PRC) (hereinafter the Parties) signed a Protocol in the Field of Fossil Energy Research and Development on April 16, 1985 ("the Protocol"), under the Agreement between the Government of the United States of America and the Government of the People's Republic of China on Cooperation in Science and Technology (the Umbrella Agreement), signed at Washington, DC on January 31, 1979, and extended;

WHEREAS there is a history of productive cooperation between the Parties under the Protocol in the Field of Fossil Energy Research and Development; and

WHEREAS, the Parties now wish to conduct activities in the areas of Bilateral Consultations and Sino-US Coal Industry Information Exchanges;

The Parties agree as follows:

ARTICLE I: OBJECTIVES

The objectives of this Annex are to initiate bilateral consultations between Parties, to facilitate the exchange of coal industry information, focusing on the transmission of relevant information for the mutual benefit of the Parties, to establish and improve coal industry policies, rules and regulations in the PRC, and to enhance the development of the coal industries in the PRC and the USA.

ARTICLE II: AREAS OF COOPERATION

The Parties may exchange information in the following areas:

- A. National and regional government policies, rules and regulations related to the coal industry;

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- B. The status of industrial and economic developments, including new management experience related to the coal industry in the PRC and in the United States;
- C. Rules and regulations on market operations, environmental protection, and foreign trade in coal; and
- D. Other areas, as the Parties agree in writing.

ARTICLE III: FORMS OF INFORMATION EXCHANGE

To facilitate the exchange of information under this Annex, the Parties may:

- A. Organize the exchange of information, visits and bilateral meetings, as the Parties may agree; and
- B. Meetings may be held annually, or based on need, alternately in the United States and in the PRC;
- C. Develop proposals for research projects in areas of mutual interest to the Parties.

ARTICLE IV: COORDINATION

The Coordination of exchanges of information under this Annex shall be carried out by DOE's Office of Fossil Energy and MOCI's Department of Policy and Legislation. Each Party may invite other organizations to participate in meetings and the exchanges. Each Party shall name a Coordinator to convene meetings, conduct exchange activities, and publish reports.

ARTICLE V: INFORMATION

- A. All information exchanged under this Annex shall be treated in accordance with Annex I of the Umbrella Agreement.
- B. Any scientific or technical information transmitted by one Party to another Party under this Annex shall be accurate to the best knowledge and belief of the transmitting Party, but the

transmitting Party does not warrant the suitability of the scientific or technological information transmitted for any particular use of application by the receiving Party or any third party.

ARTICLE VI: APPLICABLE LAWS AND COSTS

It is understood that the ability of the parties to carry out their obligations under this Annex is subject to the availability of funds and personnel and laws and regulations of their respective countries. Unless otherwise noted, each Party shall be responsible for its travel and living expenses. The host Party shall be responsible to provide meeting rooms and necessary facilities.

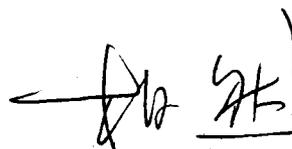
ARTICLE VII: ENTRY INTO FORCE AND TERMINATION

This Annex shall enter into force upon signature and shall remain in force for a period of five years. It is agreed that this Annex may be terminated by either Party upon six months written notice.

Done in the English language at the United States Department of Energy, Washington, DC, United States of America and translated into the Chinese language at the Ministry of Coal Industry of the People's Republic of China, both versions having the same validity.

FOR THE DEPARTMENT OF ENERGY
OF THE UNITED STATES OF AMERICA

FOR THE MINISTRY OF COAL INDUSTRY
OF THE PEOPLE'S REPUBLIC OF CHINA



DATE

14/11/97

DATE

14/11-97