

## ARTICLE VIII

*Cases of Force Majeure*

A vessel which is not subject to the provisions of this Agreement shall not become subject thereto due to stress of weather or any other cause of *force majeure*.

## ARTICLE IX

*Exemptions*

1. Each Contracting Government, if it considers that the conditions of the voyage or voyages affecting safety (including but not necessarily limited to the regularity, frequency and nature of the voyages, or other circumstances) are such as to render the full application of this Agreement unreasonable or unnecessary, may exempt partially, conditionally or completely any individual vessel for one or more voyages or for any period of time not exceeding one year from the date of exemption. Each Contracting Government shall promptly notify the other of each exemption that is granted and of the significant terms thereof.

2. Since the waters to which this Agreement applies are under the jurisdiction of Canada or the United States, the exemptions referred to in paragraph 1 of this Article may be granted only by each of the Contracting Governments, for vessels of its own country or for the vessels of other countries.

## ARTICLE X

*Radiotelephone Station*

1. Each vessel shall, except as it may be exempted under Article IX, be fitted with a radiotelephone station in effective operating condition and approved as meeting the requirements set forth in the Technical Regulations.

2. If the vessel's radiotelephone station ceases to be in effective operating condition, the master shall forthwith exercise due diligence to restore the radiotelephone station to effective operating condition at the earliest practicable moment. If the radiotelephone station becomes defective while underway, the master, if practicable to do so, shall notify authorities of the Contracting Governments of this fact, and shall comply with such instructions as may be given by those authorities.

## ARTICLE XI

*Vessel Records*

Each vessel shall, except as it may be exempted under Article IX, maintain such records of the use of the radiotelephone station for safety purposes as may be required by the Technical Regulations.

## ARTICLE XII

*Annual Inspections and Surveys*

1. So far as concerns the enforcement of this Agreement, the radiotelephone stations of all vessels subject to the provisions of this Agreement and the Technical Regulations shall be subject to inspection from time to time. In