

12.4 Claims arising out of acts or omissions by members of the Canadian Team in the performance of their official duty, or out of any other act, omission or occurrence for which the Canadian Team is legally responsible, and causing damage, injury or loss of life in the territory of the Netherlands to third parties, shall be dealt with by the Netherlands Government in accordance with the following provisions:

- a. Claims shall be filed, considered and settled or adjudicated in accordance with the laws and regulations of the Netherlands with respect to claims arising from the activities of its own armed forces.
- b. The Netherlands Government may settle any such claims, and payment of the amount agreed upon or determined by adjudication shall be made in Netherlands currency.
- c. Such payment, whether made pursuant to a settlement or to adjudication of the case by a competent Netherlands tribunal, or the final adjudication by such a tribunal denying payment shall be binding and conclusive upon the Netherlands and the Canadian Government.
- d. The cost incurred in satisfying claims as referred to in this paragraph shall be borne by the Canadian Government.

12.5. Claims against members of the Canadian Team arising out of tortious acts or omissions in the territory of the Netherlands not done in the performance of official duty shall be dealt with in the following manner:

- a. The authorities of the Netherlands shall consider the claim and assess compensation to the claimant in a fair and just manner, taking into account all the circumstances of the case, including the conduct of the injured person, and shall prepare a report on the matter.
- b. The report shall be delivered to the authorities of Canada, who shall then decide without delay whether they will offer an ex gratia payment, and if so, of what amount.
- c. If an offer of ex gratia payment is made, and accepted by the claimant in full satisfaction of his claim, the authorities of Canada shall make the payment themselves and inform the authorities of the Netherlands of their decision and of the sum paid.
- d. Nothing in this paragraph shall affect the jurisdiction of the Netherlands to entertain an action against a member of the Canadian Team unless there has been payment in full satisfaction of the claim.

### 13. ENTRY AND VISAS

13.1 In order to facilitate the entry of the Canadian Team, the Canadian Government shall communicate at the earliest possible date the names and nationalities of the members of the Canadian Team.

13.2 The members of the Canadian Team shall have the right to unimpeded entry into and exit from the Netherlands. Visas and entry permits shall,