

## ARTICLE III

Where preclearance exists in the territory of a Party, that Party shall:

- (a) permit inspection agencies of the other Party to carry out preclearance of passengers and their possessions, aircraft, crew, baggage and aircraft stores destined to the territory of the inspecting Party and, in this context, permit such inspection agencies to determine the procedures under which the inspections will be carried out and the utilization of manpower;
- (b) provide at each preclearance location facilities acceptable to the other Party's inspection agencies as defined in Annexes B or C, as appropriate, to this Agreement;
- (c) permit the installation and operation by the other Party of such communications and other modern inspection aids as it requires;
- (d) provide appropriate law enforcement assistance to the other Party's inspectors including *inter alia*, upon request of the other Party's inspection officer:
  - (i) search by a law enforcement officer of the territory where inspection takes place of any person and his effects which are subject to preclearance in accordance with this Agreement if, under the law of the country in which preclearance takes place, that law enforcement officer has authority and sufficient grounds to believe that the person to be searched is seeking to carry into the other country merchandise or other articles the possession of which constitutes an offence under the law of the country in which preclearance takes place;
  - (ii) search by a law enforcement officer of any accomplice or abettor of a person searched for reasons and under the conditions specified in paragraph (i) above;
  - (iii) if a search, conducted pursuant to paragraph (d)(i) and (ii) above, discloses merchandise or other articles the possession of which constitutes an offence under the law of the territory in which preclearance takes place, take whatever steps would have ordinarily been taken if the articles or merchandise would have been found under circumstances unrelated to preclearance;
- (e) wherever possible, conduct searches under Article III paragraph (d) in the presence of the other Party's inspection officer. When a person refuses to submit to search, such person shall not be permitted to board a precleared flight.

## ARTICLE IV

The Party conducting preclearance shall:

- (a) provide a sufficient number of inspectors to carry out with reasonable speed and efficiency preclearance of passengers and their possessions, crew, baggage and aircraft stores on eligible flights of carriers