

- 7.3. A shift of supervision and command of combined operations from one Party to the other may be determined by the Parties in light of the development of the response operation.

Paragraph 8.

- 8.1. The costs of a response operation shall be borne by the Party initiating the operation.
- 8.2. If however, a Party calls upon the other Party for assistance, the first Party shall bear all direct costs of such operations taken by the other Party upon request.
- 8.3. Notwithstanding paragraph 8.1., any measure taken by a Party that is necessary and reasonable as immediate response pending designation of the OSC does not constitute initiation of a response operation for the purposes of this Agreement.
- 8.4. The costs of a response operation subsequent to a shift of supervision and command from one Party to another pursuant to paragraph 7.3 shall be borne by the latter Party.
- 8.5. The provisions of this Paragraph shall apply as between the two Parties, without prejudice to rights of recovery against third parties. The Party to whom costs of response operations are reimbursed will assist as appropriate the other Party in exercising a right of recovery against a third party including the provision of documentation and witnesses.

Paragraph 9.

- 9.1. Agencies designated by the respective Parties may agree to amendments to this Annex. Such amendments shall come into force upon signature.
- 9.2. The appropriate agencies of the Parties may agree on and amend any Supplement regarding operational implementation of this Annex.