

repair, neither NASA nor the Department will be liable to the other for the value of any part of the aircraft.

3. If supporting equipment or material is destroyed or damaged beyond economical repair, NASA will consult with the Department concerning the need for replacement of such damaged property and, if replacement is agreed to be necessary, then NASA and the Department or their designated representatives will consult and decide how the cost is to be borne.

4. In general, NASA will be responsible for settling any valid claim for damages to property or injuries to persons arising from the use of operation of the aircraft in connection with this Project by United States personnel authorized by NASA, including contractor personnel, and the Department will be responsible for settling any valid claims for damages to property or injury to persons arising from the use or operation of the aircraft in connection with this Project by any Canadian personnel authorized by the Department. However, notwithstanding the foregoing, these general responsibilities may be modified in cases where the personnel of the other agency may be found to have contributed significantly to the damage or injury incurred. In such event, the sharing of the responsibility will be as agreed between NASA and the Department or their duly authorized representatives.

#### XI. Export Permits

The agencies will be responsible for obtaining any export permits required for items to be shipped from their respective countries.

#### XII. Taxes and Duties

The agencies will use their best efforts to arrange for the duty and tax-free entry of all items shipped to their respective countries.

#### XIII. Termination Costs

In the event of the termination of the Agreement, the agency of the Government terminating the Agreement will be liable for its full share of the costs incurred up to the date of expiration of the six months notice of termination provided by the Agreement, and the agency of the non-terminating Government will have the right to continue the project at such agency's cost on a basis agreed between the agencies.