

(g) The responsibility for the operation and maintenance of the Radio Range at the Newfoundland Airport shall be the subject of separate negotiations between the Governments of Canada and Newfoundland.

(h) In the event of an outbreak of hostilities involving Canada and Newfoundland the Government of Newfoundland, at the request of the Government of Canada, shall transfer control and operation of the Newfoundland Airport to the Government of Canada for the duration of hostilities: Provided that during the control and operation of the Airport by the Government of Canada no part of the Airport shall be handed over to the control of a third party without the prior consent of the Government of Newfoundland, and that the Government of Canada shall maintain in repair, except in respect of damage occasioned by enemy action, the buildings owned by the Government of Newfoundland at the date of transfer and shall return possession thereof to the Government of Newfoundland on the cessation of hostilities.

ARTICLE 3

The Government of Canada forgoes its rights with respect to leases at the seaplane bases at Botwood and Gleneagles under the provisions of Article VII of the said Air Bases Agreement of April 17, 1941.

ARTICLE 4

(a) Title in fee simple to the lands of Torbay Airport and its subsidiary installations shall be vested in the Government of Canada in accordance with the understanding between the Governments of Canada and Newfoundland at the time of the construction of the Airport.

(b) Torbay Airport may be operated as a commercial airport by the Government of Canada for the air service between Newfoundland and Canada, in accordance with such laws and regulations in force from time to time in Newfoundland as may be applicable to civil aviation.

(c) Torbay Airport shall be available to Newfoundland civil and military aircraft on terms not less favourable than those applicable to Canadian civil and military aircraft.

(d) Torbay Airport shall be available for emergency landing by any civil or military aircraft.

(e) Any landing fees imposed on civil aircraft using Torbay Airport shall enure to the Government of Canada, provided that any revenue from landing fees or other charges in excess of the costs of operating the Airport for civil purposes shall be paid to the Government of Newfoundland.

(f) The Government of Canada may construct and maintain at Torbay Airport such installations for defence purposes and may maintain there such military equipment and supplies as it deems advisable.

(g) The Government of Canada may use Torbay Airport for military training and requirements including the stationing there of military aircraft and personnel for such purposes.

(h) In order to avoid doubt it is hereby declared that the laws of Newfoundland shall be applicable throughout Torbay Airport and to all persons therein, and duly authorized officials of the Government of Newfoundland shall have access at all reasonable times to the Airport in the course of the carrying out of their duties.

(i) The Government of Canada shall provide suitable accommodation for the Customs, Immigration and Posts and Telegraphs services of the Government of Newfoundland at Torbay Airport.