

ARTICLE XII

A claim against Tanzania or a trainee arising out of an act or omission of a trainee in the performance of his official duties shall be assimilated to, and dealt with by Canada as if it were a claim arising out of the activities of a member of the Canadian Forces in the performance of his official duties in Canada. This article shall not apply to any claim arising in connection with the death of, or an injury to, another trainee.

ARTICLE XIII

Ex Gratia Payments

Claims against trainees arising out of acts or omissions in Canada not done in the performance of official duty may be dealt with in the following manner:

- (a) Canadian authorities may investigate the incident giving rise to the claim and prepare a report on the case, including an estimate of the amount of money which the Canadian authorities consider would represent reasonable compensation for the death, injury or property damage, or loss suffered by the claimant;
- (b) the report shall be delivered to Tanzanian authorities who, upon receipt, shall decide without delay whether to offer an ex gratia payment, and, if so, of what amount;
- (c) any offer of an ex gratia payment or payment itself by the Tanzanian authorities shall be sent to the claimant directly or through the Deputy Minister of the Department of National Defence;
- (d) nothing in this article affects the jurisdiction of courts in Canada to entertain an action against a trainee unless and until there has been payment in full satisfaction of the claim;
- (e) where the claim has been adjudicated by a court in Canada or Tanzania and a judgement rendered in favour of the claimant, the Tanzanian authorities will consider whether to make an ex gratia payment to satisfy the judgement, or to take such other steps as they may, within bounds of Tanzanian domestic legislation, to seek compliance with the judgement.

ARTICLE XIV

Entry into Canada

1. On the conditions specified in the second paragraph of this article and subject to compliance with the formalities established by Canada relating to entry into, and departure from, Canada of military trainees from foreign countries, trainees shall be exempt from passport and visa regulations on entering or leaving Canada.