

14. DND and DoD may review the types of T&E data that are expected to be acquired during the conduct of a particular project to determine the relevance to their own programs. Each may request that the data acquired during the conduct of a project by one be provided to the other. Data so provided shall be used for defence purposes only, and at no cost except as stated in paragraph 9 above. All proprietary information and data exchanged under this program shall be in accordance with the NATO Agreement on the Communication of Technical Information for Defence Purposes signed in Brussels on October 19, 1970. All T&E Project Arrangements shall contain the appropriate Intellectual Property provisions, including any procedures necessary to identify proprietary technical information.

15. Any classified information and materiel exchanged under this Program shall be safeguarded in accordance with existing agreements between Canada and the United States in relation to the protection of classified information.

16. All tests and evaluations involving classified information and/or materiel used or acquired in a project shall be carried out under the security control of the defence department which proposes the project unless the specific Project Arrangement specifies otherwise. However, command and control of the facilities used will remain as described in paragraph 6 above.

17. Information provided by one Party to another in confidence and such information produced pursuant to this Agreement and the MOU between the respective defence departments, requiring confidentiality, shall either retain its original classification or be assigned a classification that will ensure a degree of protection against disclosure equivalent to that required by the other Party's government.

18. Each Party shall take all lawful steps available to keep free from disclosure under any legislative provision, without the written consent of the originating Party, information exchanged in confidence under this Agreement and the MOU between the representative defence departments.

19. To assist in providing the desired protection, each Party shall mark such recorded information furnished to the other in confidence with a legend indicating its origin, the security classification, the conditions of release, that the information is related to this Agreement and the MOU between the respective defence departments, and that it is furnished in confidence.