

loss or damage is caused by a Trainee acting in the course of his official duties and where there is no evidence of neglect or malice on the part of the Trainee.

ARTICLE 11

Canada and Zambia waive all claims against each other for injury or death suffered by a trainee or a member of the Canadian Forces while either is engaged in the performance of his official duties. Where a claim is made against Canada by any person for the injury or death suffered by a trainee in the performance of his duties, Zambia shall indemnify Canada in respect of costs incurred and damages paid by Canada in dealing with such a claim.

ARTICLE 12

A claim against Zambia, 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 be dealt with by Canada as if it were a claim arising out of the activities of a member