

(b) loss of or damage to property which has been constructed or procured from occupation costs, mandatory expenditures or support costs funds, to the extent that such loss or damage was caused while the property was at the disposal of a force or a civilian component for its use.

3. (a) The Federal Republic shall waive all its claims against a sending State in respect of loss of, or damage to, property owned by the Federal Republic and made available for the exclusive use of the force or of the civilian component. This shall apply equally if such property is made available for use by the forces of several sending States or is used by the force of one or more sending States jointly with the German Armed Forces. This waiver shall not apply to damage caused wilfully or by gross negligence, nor to damage to the property of the German Federal Railways or German Federal Post.

(b) The provisions of sub-paragraph (f) of paragraph 2 of Article VIII of the NATO Status of Forces Agreement shall not apply to loss of or damage to property owned by the German Federal Railways or the German Federal Post nor to damage to Federal roads.

4. The Federal Republic shall relieve the sending States of liability for claims arising from loss of or damage to property owned by a Land, if the loss or damage was caused prior to the entry into force of the present Agreement.

5. Each sending State shall waive all its claims against the Federal Republic in respect of loss of or damage to property owned by such sending State and caused by members or employees of the German Armed Forces in the performance of official duties or by the use of vehicles, ships or aircraft of the German Armed Forces, provided that it is property used by the force or the civilian component of that State and that it is located in the Federal territory. This waiver shall not apply to damage caused wilfully or by gross negligence.

6. The provisions of paragraph 5 of Article VIII of the NATO Status of Forces Agreement and of this Article shall not apply to damage suffered by members of a force or of a civilian component and caused by acts or omissions of other members of the same force or the same civilian component, or by other occurrences for which such force or such civilian component is responsible.

7. The organizations referred to in paragraph 2 of Article 71 shall for the purpose of the settlement of damage claims in accordance with Article VIII of the NATO Status of Forces Agreement in conjunction with this Article be considered to be, and treated as, integral parts of the force concerned unless it is agreed that any such organization shall not enjoy in that respect exemption from German jurisdiction.

8. The liability of a force or of a civilian component shall not be affected by the fact that such force or civilian component enjoys exemption from German regulations. Where the German Armed Forces enjoy the same exemptions, compensation shall be payable only if and to the extent that compensation is payable for damage caused by the latter.