

- (d) authorize the Inspecting Party's preclearance officers who act on reasonable grounds to use as much force as is necessary to perform their preclearance duties under the Agreement. The preclearance officer may not use force that is intended or is likely to cause death or cause grievous bodily harm, unless the officer believes on reasonable grounds that it is necessary for self-preservation or the preservation of anyone in the preclearance area from death or grievous harm.
5. (a) Within the preclearance area in Canada:
- (i) a preclearance officer shall be required to inform a traveller of his or her right to be taken before a senior officer before performing a frisk search (pat down), unless the officer suspects on reasonable grounds that the person is carrying something that would present a danger to human life or safety. The senior officer may direct the traveller to be searched only if that senior officer suspects on reasonable grounds that such a search is necessary;
- (ii) a preclearance officer shall perform a frisk search (pat down) of a traveller of the opposite sex only if the officer suspects on reasonable grounds that the person is carrying something that would present a danger to human life or safety. If no officer of the same sex as that of the traveller is available, the preclearance officer may authorize any suitable person of the same sex as that of the traveller to perform the search.
- (b) Within the preclearance area in the United States, and consistent with Article II (3), a preclearance officer shall conduct a frisk search (pat down) in accordance with the law and regulations in force in the United States and Canada.
6. The Host Party shall authorize preclearance officers of the Inspecting Party to examine and, in the preclearance area, seize, and detain goods and cause their forfeiture. Subject to further agreement between the Parties, currency and monetary instruments are not among goods that can be seized or forfeited.
7. The Host Party shall retain and control goods for which the possession, import, export or handling is prohibited under the Host Party laws.
8. Outside a preclearance area, the Host Party shall authorize preclearance officers:
- (a) to examine an aircraft that is subject to preclearance, including goods, currency and monetary instruments that are in, or that are to be loaded onto, that aircraft;
- (b) after completion of the examination, to request that a traveller or goods be sent to a preclearance area to ensure compliance with the requirements of the Inspecting Party;
- (c) to request that a Host Party law enforcement officer escort the traveller and their goods to the preclearance area if a traveller refuses to return to the preclearance area.