

- (e) That all necessary road maintenance in Newfoundland other than as provided for above should be a responsibility of the appropriate Newfoundland authorities.

TWENTY-FIRST RECOMMENDATION

Montreal, November 10, 1941

Maintenance of Facilities

Attention was directed to the question of the maintenance of the structures, etc., provided by Canada at Gander Lake for occupation by United States Forces and it was recognized that the course of events may make it convenient to permit the use by United States Forces of like facilities in both Newfoundland and Canada and also permit the use of facilities in the United States by Canadian forces. Consideration was accordingly given to the general principles which should govern the responsibilities of each country in respect of the maintenance of structures, etc., built by the Government of either which are occupied by the Forces of the other, and the Board agreed upon the following as its twenty-first recommendation.

When facilities are provided by the Government of either country for the occupation of Forces of the other the following principles should apply to the maintenance, upkeep and servicing of such facilities, subject to such local definition and if necessary modification as the circumstances require:

- (a) Any building constructed by the Government of one country and wholly occupied by Forces of the other should be maintained by the occupying Forces and at the termination of the occupation turned over to the Government of the country by which it was provided in the same condition as when the occupation commenced, ordinary wear and tear, act of God, enemy action, riot, insurrection or fire excepted.
- (b) The same rule should apply to structures appurtenant to buildings when these are included in an area capable of delimitation and occupied by the Forces concerned which should in these circumstances undertake the policing of the area.
- (c) The occupying Forces should also be responsible for the heating, lighting and other services relating to any building or area occupied by them in all cases in which the service is derived from a source adapted exclusively to take care of the building or area in question but in other cases the services should be provided on an equitable basis by the Government of the country by which the occupation is permitted.
- (d) No occupying Forces should make any structural change in existing facilities without the approval of the Service by which the area is set aside for occupation or the occupied buildings are provided.