

to which preclearance has been extended in accordance with Article VI;

- (b) have its inspection agencies consult with the airport manager, the appropriate authorities of the other Party and with the air carriers concerned in the implementation of this Agreement;
- (c) have the prerogative to require post-clearance as it deems necessary of any aircraft, passenger or passengers and their possessions on any flight that has been precleared. Any flight that is diverted or required to be post-cleared shall be given preferential treatment for the purposes of post-clearance inspection.
- (d) in any case where required under its law and in particular where there is likely to be commingling of cleared and uncleared passengers or baggage, have the right to deny preclearance.

#### ARTICLE V

Each Party agrees to take all appropriate steps to protect:

- (a) the facilities and premises used by the other Party in preclearance against any intrusion or damage and to prevent any disturbance of the peace on the premises; and,
- (b) the official archives and documents maintained by the inspection agencies.

#### ARTICLE VI

Preclearance being a facilitation procedure, the Parties agree that each air carrier should have the option to use either preclearance or post-clearance subject to the following conditions:

- (a) If an air carrier applies for preclearance, it shall use the procedures for all of its flights on a given route. Ordinarily, three months notice to the appropriate inspectional agencies will be sufficient at locations where other routes or carries are being precleared; however, the inspection agencies may require an additional reasonable delay before compliance in order to obtain or reduce personnel or facilities required by the anticipated changes in service.
- (b) An air carrier desiring to withdraw entirely from preclearance at any location must give twelve months notice to both Parties, but if neither Party objects, it may withdraw sooner. To withdraw from preclearance only in respect to one or more eligible routes, the inspection agencies may require reasonable notice.
- (c) Inspection agencies may decline to conduct preclearance on any carrier until that carrier has filed tariffs acceptable to the appropriate government regulatory agency permitting the carrier to deny carriage to anyone failing to submit to a preclearance inspection and to anyone who, having submitted to such inspection, is found ineligible by inspection agencies to board a precleared flight.