

Bases Agreement over Canadian citizens, other British subjects, and alien civilians other than those subject to U.S. military law by reason of their accompanying or serving with the U.S. Forces.

(b) (1) That the Governments of the United States and of Canada, through an exchange of diplomatic notes, agree to suspend the exercise of their rights of jurisdiction under Article IV of the Leased Bases Agreement other than those waived by the U.S. Government under (a) above, for a period of five years, and thereafter subject to six months notification of termination, except that in the event of war or other emergency the suspension shall, on notification given by either Government, cease to operate;

(2) That the Canadian Government, as a condition precedent to the waiver and suspension of the exercise of rights under Article IV and to the extension to Newfoundland of an amended Visiting Forces (USA) Act, give satisfactory assurances that the U.S. officials in Newfoundland will have a degree of jurisdiction comparable to that which they now in fact exercise. In this connection, the U.S. Section would regard the proposed letter from the Government of Canada to the Government of Newfoundland, with a reply from the Newfoundland Government that jurisdictional conditions would remain substantially as now exercised, as the basis for satisfactory assurances to be given by the Canadian Governments.

(c) That the Canadian Government undertake to seek legislation to protect U.S. interests in security offences as envisaged by Article V of the Leased Bases Agreement.

(d) That the Canadian Government seek amendment to the Visiting Forces (USA) Act to provide for the compulsory attendance of witnesses required by U.S. Service courts.

(e) That either Government should be free to raise through appropriate channels the matter of any difficulties arising out of the working of the foregoing jurisdictional arrangements.

II

The Secretary of State of the United States of America to the Canadian Ambassador to the United States of America.

MARCH 19, 1952.

EXCELLENCY:

I have the honor to refer to your note No. 109, dated February 13, 1952, annexing the Recommendation of March 30, 1950 by the Permanent Joint Board on Defense, relating to the Agreement of March 27, 1941 between the Governments of the United Kingdom and of the United States of America concerning bases in Newfoundland leased to the United States.

I note that the Canadian Government on March 21, 1951 approved this Recommendation, which had been approved by the President of the United States on August 1, 1950. It is further noted that certain provisions dealing with income taxation were included, in accordance with the Recommendation, in the revised Convention on Double Taxation between our Governments, which was signed on June 12, 1950 and came into force on November 21, 1951.