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*The High Commissioner of the United Republic of Tanzania to the Secretary
of State for External Affairs*

TZO/D.40/1/156

Ottawa, 2 January 1975

EXCELLENCY:

I have the honour to refer to your Note of December 19, 1974 concerning the question of liability for damage with respect to a program for training pilots of the Tanzania Peoples Defence Force at Won-Del Aviation Ltd., St. Hubert, P.Q., scheduled to commence on November 15, 1974.

I am pleased to confirm that to the extent such damages are not established to be the responsibility of a private insurance company under any insurance contract, the Government of the Republic of Tanzania agrees to accept full responsibility for all damages resulting directly or indirectly from any act or omission of a member of the defence forces of the Republic of Tanzania who is in Canada for the purpose of participating in the above-mentioned flight training course. In the event of any dispute regarding responsibility for such damages, the decision of an appropriate Canadian court shall be considered final and the Government of the Republic of Tanzania agrees to submit both to the jurisdiction and to the judgement of such a Canadian court.

The Government of the Republic of Tanzania also confirms that it agrees to indemnify and hold harmless the Government of Canada from any and all liability resulting directly or indirectly from acts or omissions of a member of the defence forces of the Republic of Tanzania who is in Canada for the purpose of participating in the above-mentioned flight training course.

The Government of the Republic of Tanzania also agrees with your Excellency's proposal that your Excellency's Note together with this reply shall constitute an agreement between our two governments which shall enter into force on the second day of January in the year 1975.

Accept, Excellency, the assurance of my highest consideration.

FREDERICK RUTAKYAMIRWA
High Commissioner

The Honourable Allan MacEachen
Secretary of State for External Affairs
Ottawa