

**EXCHANGE OF NOTES (SEPTEMBER 28 AND NOVEMBER 13/15, 1946)
BETWEEN CANADA AND THE UNITED STATES OF AMERICA
RECORDING AN AGREEMENT FOR THE WAIVER OF CLAIMS
ARISING FROM MARITIME COLLISIONS INVOLVING VESSELS
OF THE TWO COUNTRIES.**

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*The Canadian Ambassador to the United States of America to the
Acting Secretary of State of the United States*

CANADIAN EMBASSY

WASHINGTON, September 28, 1946.

No. 348

Sir,

With reference to the exchange of notes of May 25 and 26, 1943, between the Governments of Canada and of the United States of America recording an agreement for the waiver of claims from collisions between vessels of war,* I have the honour to inform you that the Government of Canada is prepared to give effect to an agreement in the following terms:

Article 1

In this Agreement the expression "Government vessel" means a vessel (including a vessel of war), flying-boat or drydock owned by or under bareboat charter to, requisitioned by, demised to, or otherwise operated by, either Government, its servant, agent or instrumentality on bareboat terms or chartered to or otherwise operated by or for such Government on terms which authorize such Government to make this Agreement effective with respect to such vessel, flying-boat or drydock; it includes a vessel operated under the supervision of the War Shipping Administration or Park Steamship Company Limited, but does not include (a) a vessel, flying-boat or drydock on bareboat charter or otherwise on demise by either Government to a Government other than a contracting Government, or to any person, firm or corporation otherwise than as the servant, agent or instrumentality of either contracting Government; or (b) a vessel owned by Canadian National (West Indies) Steamships Limited, Canadian National Steamship Company Limited or associated or subsidiary companies.

Article 2

The Government of Canada and the Government of the United States of America agree that each shall waive all those legal maritime claims by either Government against the other Government or any servant, agent or instrumentality of the other Government or any Government vessel in respect of collision, salvage, general average, negligent navigation or negligent management of the said Government vessel or in respect of the loss or salvage of, damage to, or general average in connection with, cargoes carried in the said Government vessel; subject however to the provisions of Articles 3 and 4.

* For the text of the Exchange of Notes, see *Canada Treaty Series*, 1943, No. 12.