

EXCHANGE OF NOTES (NOVEMBER 22 AND DECEMBER 20, 1944)
BETWEEN CANADA AND THE UNITED STATES OF AMERICA
CONSTITUTING AN AGREEMENT CONCERNING THE POST-WAR
DISPOSITION OF UNITED STATES DEFENCE PROJECTS IN
CANADA

I

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

CANADIAN EMBASSY

WASHINGTON, November 22, 1944.

No. 399

Sir:

Under instructions from my Government, I have the honour to refer to recent discussions with respect to the post-war disposition of defence projects, installations and facilities built or provided in Canada by the Government of the United States. This matter was the subject of a recommendation of the Canada-United States Permanent Joint Board on Defence, adopted on January 13, 1943, and subsequently embodied in an Exchange of Notes dated January 27, 1943.*

After further study, and in the light of experience in connection with specific agreements already reached, it appeared desirable to the Board to amend its earlier recommendation and to make the revised recommendation applicable to all projects, disposition of which remains unsettled. Accordingly, on September 7, 1944, the Board adopted the following recommendation:

"The Permanent Joint Board on Defence recommends that the following formula be applied to the disposition of all defence facilities constructed or provided in Canada by the United States (and *mutatis mutandis* to any defence facilities constructed or provided in the United States by Canada) which have not already been dealt with.

Immovables

A—The Government of the United States shall, within three months from the date of the approval of this Recommendation, supply the Government of Canada with a list of immovables (hereinafter referred to as facilities) which it desires to make subject to the provisions of this Recommendation.

B—In the case of each of the facilities included in the list referred to in A, the Canadian Government and the United States Government will each appoint one qualified appraiser whose joint duty it will be to appraise such facility in order to determine the fair market value thereof at the time and place of appraisal. If the two appraisers cannot agree on the fair market value, they will select a third appraiser to determine this value. The amount set by the appraisers shall be

* For the text of the Exchange of Notes of January 27, 1943, see *Canada Treaty Series, 1943, No. 2.*