

3. The CANUS T&E Program conducted under the provisions of this Agreement shall be governed by the terms of the Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces (NATO SOFA) dated June 19, 1951.

4. This Agreement is applicable to T&E projects, agreed upon by DND and DoD, developed under the auspices of this Program. Either DND or DoD may refuse any T&E project proposed under this Agreement.

5. Nothing in this Agreement shall derogate from the application of Canadian law in Canada or United States law in the United States. If, in unusual circumstances, the application of Canadian or United States law may lead to delay or difficulty in the conduct of a T&E project, DND or DoD may request the assistance of the other in seeking appropriate relief.

6. The Canadian Forces shall exercise command and control over Canadian facilities used by the DoD for T&E, and Canadian safety regulations and orders shall apply. The United States Forces shall exercise command and control over United States facilities used by DND for T&E, and United States safety regulations and orders shall apply.

7. Specific T&E projects shall be confined to agreed test sites including the bases, training areas, and agreed airspace of Canada and the United States. Project Arrangements shall contain provisions for DND and DoD, subject to certain restrictions set out below, to use each other's facilities for testing and evaluating, inter alia, weapons, weapons systems, stores and equipment, and electronic warfare systems and may include associated training and tactics development activities.

8. In no case shall nuclear, biological or chemical warfare materials be brought into Canada or the United States under this Agreement. Cruise missiles shall be unarmed.