

**EXCHANGE OF NOTES BETWEEN CANADA AND PAPUA NEW GUINEA
CONSTITUTING AN AGREEMENT RELATING TO INVESTMENT
INSURANCE**

I

*The High Commissioner of Canada to the Minister Foreign Affairs
and Trade of Papua New Guinea*

Canberra, May 6, 1982

No. 1021

Sir,

I have the honour to refer to discussions which have recently taken place between representatives of our two Governments relating to investments in Papua New Guinea which would further the development of economic relations between Papua New Guinea and Canada, and to insurance of such investments by the Government of Canada, through its agent the Export Development Corporation. I also have the honour to confirm the following understandings reached as a result of those discussions:

1. In the event of a payment by the Export Development Corporation under a contract of insurance for any loss by reason of:

- (a) war, riot, insurrection, revolution or rebellion in Papua New Guinea;
- (b) the arbitrary seizure, expropriation, confiscation or substantive deprivation of use of any property by a Government, or an agency thereof, in Papua New Guinea;
- (c) any action by a Government, or an agency thereof, in Papua New Guinea other than action of the kind described in sub-paragraph (b) that deprives the investor of any rights in, or in connection with an investment; and
- (d) any action by a Government, or an agency thereof, in Papua New Guinea that prohibits or restricts the transfer of any money or the removal of any property from that country;

the said Corporation, hereinafter called the "Insuring Agency" shall be authorized by the Government of Papua New Guinea to exercise the rights having devolved on it by law or having been assigned to it by the predecessor in title.