



## ARTICLE TWELVE

### CLAIMS

A claim against Namibia, or a trainee, arising out of an act or omission of a trainee in the performance of his/her official duties, shall be assimilated to and be dealt with by Canada as if it were a claim arising out of the activities of a member of the Canadian Forces in the performance of his/her official duties in Canada. This Article shall not apply to any claim arising in connection with the death of or injury to a trainee.

## ARTICLE THIRTEEN

### *EX GRATIA* PAYMENTS

Claims against trainees arising out of acts or omissions in Canada not done in the performance of official duty may be dealt with in the following manner:

- a) Canadian authorities may investigate the incident giving rise to the claim and prepare a report on the case, including an estimate of the amount of money which the Canadian authorities consider would represent reasonable compensation for the death, injury or property damage or loss suffered by the claimant;
- b) the report may be delivered to Namibian authorities who, upon receipt, shall decide without delay whether to offer an *ex gratia* payment and, if so, of what amount;
- c) any offer of an *ex gratia* payment or payment itself by the Namibian authorities may be sent to the claimant directly or through the Deputy Minister of the Department of National Defence;