

5. Construction

Procedures for awarding contracts for construction of the aerial refueling facilities and for the procurement of construction equipment, construction supplies and related technical services shall be determined by agreement between appropriate agencies of the two Governments.

6. Procurement of Equipment

The Canadian Government reaffirms the principle that electronic equipment at installations on Canadian territory should, as far as practicable, be manufactured in Canada. The question of practicability must, in each case, be a matter for consultation between appropriate Canadian and United States agencies to determine the application of the principle. The factors to be taken into account shall include availability at the time required, cost and performance. For the purpose of applying the principle, consultation shall take place between representatives of the United States Air Force, the Royal Canadian Air Force, and the Canadian Department of Defence Production.

7. Canadian Law

Nothing in this Agreement shall derogate from the application of Canadian law in Canada, provided that if in unusual circumstances its application may lead to unreasonable delay or difficulty in the establishment, maintenance or operation of the aerial refueling facilities, United States authorities may request the assistance of Canadian authorities in seeking appropriate alleviation. Canadian authorities will give sympathetic consideration to any such request submitted by United States authorities.

8. Operation

(a) Canada shall, without charge, to the extent compatible with Canadian needs, make available to the United States and maintain and operate such existing Canadian facilities, equipment and services at the sites (including existing Canadian airfields at the sites, communications and electronic equipment, pipeline systems, utilities and maintenance services) as the appropriate agencies of the two Governments shall determine necessary to ensure effective military use of the aerial refueling facilities. Canada shall maintain and operate, without cost to the United States, access roads, wharves, and jetties at the sites.

(b) The United States shall have those rights of operation necessary to ensure effective military use of the aerial refueling facilities, including:

- operation of the refueling facilities constructed at the sites and all equipment installed at the sites under the terms of this Agreement;
- use of the Canadian airfields at the sites for the operation of United States military aircraft;
- stockpiling of equipment, material, supplies including petroleum products;
- use of existing facilities, equipment and services made available by Canada;

provided that the foregoing rights shall be exercised so as not to cause any unacceptable interference with Canadian operations at the sites.

(c) Supplementary arrangements may be entered into between the responsible Canadian and United States authorities at the sites to facilitate the