

CANADA

TREATY SERIES, 1943

No. 14

EXCHANGE OF NOTES

(27th August and 27th October 1943)

BETWEEN

CANADA

AND

THE UNITED KINGDOM

RECORDING AN AGREEMENT

FOR THE WAIVER OF CLAIMS ARISING FROM  
COLLISIONS BETWEEN VESSELS OF WAR

In force October 27, 1943

Retroactive to April 1, 1943



OTTAWA

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KING'S PRINTER AND CONTROLLER OF STATIONERY

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SUMMARY

CANADA

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**EXCHANGE OF NOTES (27th AUGUST AND 27th OCTOBER 1943)  
BETWEEN CANADA AND THE UNITED KINGDOM RECORDING AN  
AGREEMENT FOR THE WAIVER OF CLAIMS ARISING FROM  
COLLISIONS BETWEEN VESSELS OF WAR.**

**I**

*The Secretary of State for Dominion Affairs  
to the High Commissioner for Canada in the United Kingdom*

**DOMINIONS OFFICE**

**London, 27th August, 1943.**

My dear High Commissioner,

The Government of the United Kingdom are prepared to enter into an Agreement with the Government of Canada with regard to the settlement of claims arising out of collisions involving Naval vessels of the two Governments in the following terms:—

- (a) The agreement would cover all naval vessels of the two Governments, including not only warships but also non-commissioned auxiliary Naval vessels, for which either Government is respectively financially responsible.
- (b) The Agreement would apply to collisions taking place in any part of the world on or after the 1st April, 1943, which involved a United Kingdom Naval vessel and a Canadian Naval vessel.
- (c) Neither Government shall make any claim against the other for any form of damage arising out of a collision to which this Agreement applies.
- (d) Neither Government shall make any claim against the other Government in respect of the death of or injury to a member of the Naval Forces of the United Kingdom or of Canada caused by a collision to which Agreement applies.
- (e) The provisions of this Agreement relate only to claims of one Government against the other and would not apply to claims between either Government and private interests.

I shall be glad if you will inform me whether the Government of Canada agree to an arrangement on this basis. If so, this letter and your reply to that effect could be regarded as constituting an agreement between our two Governments which would continue in force in respect of all collisions which may occur prior to the expiration of three months from the date on which either of the two Governments shall have given notice to the other of its intention to terminate the Agreement.

**C. R. ATTLEE.**



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*The High Commissioner for Canada in the United Kingdom  
to the Secretary of State for Dominion Affairs*

HIGH COMMISSIONER'S OFFICE

London, 27th October, 1943.

My dear Secretary of State,

With reference to your predecessor's letter of the 27th August, making proposals for the settlement of claims arising out of collisions between vessels of the Royal Navy and Royal Canadian Navy, I am now informed that an Order in Council No. P.C. 74/7895 of the 13th October 1943, has been passed under which the Government of Canada are prepared to enter into an Agreement with the Government of the United Kingdom in the following terms:—

- (a) The agreement would cover all Naval vessels of the two Governments, including not only warships but also non-commissioned auxiliary Naval vessels, for which either Government is respectively financially responsible.
- (b) The Agreement would apply to collisions taking place in any part of the world on or after the 1st April, 1943, which involved a United Kingdom vessel and a Canadian Naval vessel.
- (c) Neither Government shall make any claim against the other for any form of damage arising out of a collision to which this Agreement applies.
- (d) Neither Government shall make any claim against the other Government in respect of the death of or injury to a member of the Naval Forces of the United Kingdom or of Canada caused by a collision to which Agreement applies.
- (e) The provisions of this Agreement relate only to claims of one Government against the other and would not apply to claims between either Government and private interests.

Mr. Attlee suggested that his letter and my reply could be regarded as constituting an agreement between our two Governments which would continue in force in respect of all collisions which may occur prior to the expiration of three months from the date on which either of the two Governments shall have given notice to the other of its intention to terminate the Agreement, and for our part this will be quite acceptable.

VINCENT MASSEY.

C. R. ATTLEE