

No. 52587*

**Canada
and
Antigua and Barbuda**

Agreement between the Government of Canada and the Government of Antigua and Barbuda for the training in Canada of personnel of the armed forces of Antigua and Barbuda. Antigua, 6 October 1987

Entry into force: *6 October 1987 by signature, in accordance with article 21*

Authentic texts: *English and French*

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**Canada
et
Antigua-et-Barbuda**

Accord entre le Gouvernement du Canada et le Gouvernement d'Antigua et Barbuda concernant la formation au Canada de personnel des forces armées d'Antigua et Barbuda. Antigua, 6 octobre 1987

Entrée en vigueur : *6 octobre 1987 par signature, conformément à l'article 21*

Textes authentiques : *anglais et français*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE
GOVERNMENT OF ANTIGUA AND BARBUDA FOR
THE TRAINING IN CANADA OF PERSONNEL OF THE
ARMED FORCES OF ANTIGUA AND BARBUDA**

The Government of Canada and the Government of Antigua and Barbuda hereinafter referred to as Canada and Antigua and Barbuda respectively,

Considering that Antigua and Barbuda has requested Canada to provide training in Canada for personnel of the armed forces of Antigua and Barbuda,

Have agreed as follows:

ARTICLE 1

Definitions

In this Agreement,

- (a) "trainee" means a member of the armed forces of Antigua and Barbuda who has been authorized by his Government to undergo training in Canada with the Canadian Forces and who has been accepted by Canada for training;
- (b) "training" means the military training prescribed by the Chief of the Defence Staff of the Canadian Forces.

ARTICLE 2

Training and Costs

Subject to terms and conditions of this Agreement, Canada shall provide training in Canada for trainees in such numbers as may from time to time be agreed upon by the appropriate authorities of Antigua and Barbuda and Canada.

ARTICLE 3

Unless other arrangements are made for particular courses of training, costs shall be borne as follows:

- (a) Canada shall bear the cost of:
 - (i) the allowances mentioned in sub-paragraphs (b)(iii) and (iv) of article 4,
 - (ii) tuition, clothing and equipment required for training, and all other training costs,
 - (iii) rations and quarters,
 - (iv) duty travel in connection with the training, and

- (v) administration, including routine medical and dental care.
- (b) Antigua and Barbuda shall bear the cost of:
 - (i) the pay and allowances mentioned in sub-paragraph (a) of article 4,
 - (ii) the Maintenance Allowance provided for in sub-paragraph (b)(i) of article 4,
 - (iii) the Clothing Allowance provided for in sub-paragraph (b)(ii) of article 4,
 - (iv) return commercial transportation between Antigua and Barbuda and Canada, including all in transit costs,
 - (v) major medical care relating to serious injury and illness and major dental care, and
 - (vi) ex-gratia payments made under article 13.

ARTICLE 4

Pay and Allowances

Trainees during their period of training in Canada shall be paid as follows:

- (a) Antigua and Barbuda shall issue to the credit of each trainee in Antigua and Barbuda such pay and allowances, according to his rank, as he may be entitled to receive under regulations of Antigua and Barbuda. The authorities of Antigua and Barbuda will assume responsibilities for arrangements such as assignments or deductions from such pay and allowances, which may be required to meet such obligations as the support of a trainee's dependents in Antigua and Barbuda. A trainee may make private arrangements to draw upon any balance of such pay and allowances remaining to his credit to meet his personal expenses while in Canada, if and to the extent that such arrangements are permitted by the authorities of Antigua and Barbuda. Pay and allowances issued by Antigua and Barbuda shall be exempt from Canadian taxation.
- (b) Allowances shall be issued by Canada to each trainee, to meet his living and other expenses during his period of training, as follows:
 - (i) a Maintenance Allowance at a rate appropriate to the trainee's rank,
 - (ii) a Clothing Allowance if the trainee is in Canada for at least two months or during the winter season (October to April),
 - (iii) a Ration Allowance, in an amount to be determined by the Minister of National Defence, at any time that rations are not provided to the trainee free of charge,

- (iv) a Leave Transportation Allowance when appropriate, having regard to the duration of the training, and at the rates applicable to members of the Canadian Forces.
- (c) The rate of the Maintenance Allowance and Clothing Allowance mentioned above will be determined in consultation with the authorities of Antigua and Barbuda. Allowances issued by Canada shall be exempt from Antigua and Barbuda taxation.

ARTICLE 5

Military Jurisdiction

Trainees shall not, during the period of their training in Canada, be subject to the Code of Service Discipline of the Canadian Forces. The authorities of Antigua and Barbuda will, however, issue in advance to trainees appropriate written orders, a copy of which will be conveyed to the authorities of Canada, to ensure compliance by the trainees with orders and instructions issued to them by the authorities of the Canadian Forces during the period of their training in Canada. If, in the opinion of the authorities of the Canadian Forces, a trainee fails to comply with said orders and instructions, his training may be terminated.

ARTICLE 6

Prohibited Activities

A trainee shall not during the period of training in Canada:

- (a) be required to participate in any form of combat operations either in or out of Canada or in aid of the civil power; or
- (b) be required to perform any function, duty or act that is inconsistent with the purpose of this Agreement.

ARTICLE 7

Canadian Law

Trainees will be amenable to the civil and criminal laws in force in Canada and to the jurisdiction of civil and criminal courts in Canada.

ARTICLE 8

Canada shall take measures to ensure the security and protection within Canada of the person and property of trainees, to the extent that it does for members of the Canadian Forces.

ARTICLE 9

Antigua and Barbuda shall take security measures to prevent the disclosure by a trainee, after the cessation of his training, to any other government or to any unauthorized person of classified Canadian information of which he may become cognizant in his capacity as a trainee.

ARTICLE 10

Claims

Canada waives all claims against Antigua and Barbuda for losses of, or damage to, any property owned or used by Canada where such loss or damage is caused by a Trainee acting in the course of his official duties and where there is no evidence of neglect or malice on the part of the trainee.

ARTICLE 11

Canada and Antigua and Barbuda waive all claims against each other for injury or death suffered by a trainee or a member of the Canadian Forces while either is engaged in the performance of his official duties. Where a claim is made against Canada by any person for the injury or death suffered by a trainee in the performance of his duties, Antigua and Barbuda shall indemnify Canada in respect of costs incurred and damages paid by Canada in dealing with such a claim.

ARTICLE 12

A claim against Antigua and Barbuda or a trainee, arising out of an act or omission of a trainee in the performance of his 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 official duties in Canada. This article shall not apply to any claim arising in connection with the death or injury to a trainee.

ARTICLE 13

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.