3. The Parties shall consult on the settlement of any other claims by a Party against the other Party for damage caused or arising as stated in paragraph 1(a) to other property owned by the former Party. The cost incurred in satisfying such claims shall be distributed between the Parties in accordance with paragraph 5(e).

4. For the purposes of paragraphs 1 and 3, the expression "owned by a Party":

(a) in the case of a vessel, includes a vessel on bare boat charter to that Party or requisitioned by it on bare boat terms; or

(b) in the case of a vehicle or aircraft, includes a vehicle or aircraft on exclusive hire or lease or charter to that Party,

except to the extent that the risk of loss or liability is borne by some person other than such Party.

5. Claims arising out of acts or omissions of members of the Visiting Force or the Civilian Component done in the performance of official duties, or out of any other act, omission or occurrence for which the Visiting Force is legally responsible, and causing damage to property and/or injury or death in the Receiving State to third parties shall be dealt with by the Receiving State in accordance with the following provisions:

(a) all claims shall be filed, considered and settled or adjudicated in accordance with the laws and regulations of the Receiving State applicable to claims arising from the activities of its own Force. The Receiving State shall settle the claims in consultation with the Sending State, except when the claims are to be adjudicated;

(b) payment of the amount agreed upon by the Receiving State with the claimant or determined by adjudication shall be made by the Receiving State in its currency within the shortest possible time;

(c) the Receiving State shall notify the Sending State of the particulars of all claims and shall keep the Sending State informed of its dealings with the claim. The Receiving State shall take into consideration the reasonable instructions of the Sending State as to the defense or settlement of the claim;

(d) every claim paid by the Receiving State under this paragraph shall be communicated to the Sending State, together with full particulars and a proposed distribution in conformity with subparagraph (e). In default of a reply from the Sending State within two months, the proposed distribution shall be regarded as having been accepted by the Sending State;

(e) unless otherwise mutually determined by the Parties, the cost incurred in satisfying claims, including the reasonable cost borne by the Receiving State in dealing with the claim pursuant to the preceding subparagraphs, shall be distributed between the Parties as follows:

(i) where either Party is solely responsible for the damage, injury or death, that Party alone shall meet the cost of the claim in full;

(ii) where both Parties are responsible for the damage, injury or death and can mutually determine the degree of respective responsibility, each Party shall meet the portion of the amount agreed upon for the settlement or determined by adjudication corresponding to the degree of its responsibility; and

(iii) where both Parties are responsible for the damage, injury or death and cannot mutually determine the degree of respective responsibility, or where the damage, injury or death was caused by both Parties and it is not possible to attribute responsibility for the damage, injury or death specifically to either Party, the amount agreed upon for the settlement or determined by adjudication shall be distributed equally between them;