

No. 5892

**UNITED STATES OF AMERICA
and
AUSTRALIA**

**Exchange of notes constituting an agreement relating to a
Transit Navigational Satellite Program. Canberra,
5 June 1961**

Official text: English.

Registered by the United States of America on 29 September 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
AUSTRALIE**

**Échange de notes constituant un accord relatif à un pro-
gramme de satellites du type Transit pour la naviga-
tion. Canberra, 5 juin 1961**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 29 septembre 1961.

No. 5892. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND AUSTRALIA RELATING TO A TRANSIT NAVIGATIONAL SATELLITE PROGRAM. CANBERRA, 5 JUNE 1961

I

The American Embassy to the Australian Department of External Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 238

The Embassy of the United States of America presents its compliments to the Department of External Affairs and has the honor to refer to the initiation by the Government of the United States of America of a Transit Navigational Satellite Program designed to provide improved, world-wide, all-weather navigational facilities. The Government of the United States of America desires to enlist the cooperation of the Government of the Commonwealth of Australia in the development of the program.

It is proposed that this cooperation be carried out in accordance with the following principles and procedures :

1. The program shall be conducted in Australia by cooperating agencies of each Government. On the part of the Government of the United States the cooperating agency will be the Department of Defense. On the part of the Government of the Commonwealth of Australia, the cooperating agency will be the Department of Supply.
2. Facilities required in Australia for the program consist of a passive satellite tracking station to be established in the vicinity of Adelaide, South Australia, and such other facilities as may be determined from time to time by agreement between the two cooperating agencies.
3. The Government of the Commonwealth of Australia agrees to provide, on a basis to be mutually agreeable to the cooperating agencies, such land as may be required in connection with each facility. The Government of the United States undertakes to bear the cost of conducting the program in Australia, including the installation, operation, maintenance and support of each facility.

¹ Came into force on 5 June 1961 by the exchange of the said notes.

4. The cooperating agencies will discuss with a view to reaching agreement upon arrangements with respect to the duration of use of each facility and other details relating to the establishment of or operation of the facility.

5. Each cooperating agency shall provide to the other, from the data acquired through the operation of each facility, such reduced scientific data as the other agency may request for scientific studies it may wish to carry out. The results of all such studies shall be available to both agencies.

6. The cooperating agency of the Government of the Commonwealth of Australia may participate with the cooperating agency of the Government of the United States in the operation of each facility. In addition, each facility established may, unless otherwise agreed, be used for independent scientific activities of the Government of the Commonwealth of Australia, it being understood that such activities would be conducted so as not to conflict with the agreed schedules of operations and that any additional operating costs resulting from such independent activities would be borne by the Government of the Commonwealth of Australia.

7. The Government of the United States shall retain ownership of any movable property provided by the Government of the United States and it shall have the right of removing or disposing of such property at its own expense upon termination of the program or sooner, provided thirty days written notice is given to the Australian cooperating agency.

8. (A) The Government of the Commonwealth of Australia shall take the necessary steps to facilitate the admission into the territory of Australia of such United States personnel as may be assigned to visit or participate in the activities provided for in the program.

(B) The effects for personal and household use of United States personnel entering Australia for the purpose of carrying out the provisions of the program shall be permitted free entry in accordance with Australian customs law in effect at the date the goods are imported.

(C) (1) United States personnel sent to Australia by the United States cooperating agency for the purpose of carrying out the provisions of the program shall be free from Australian income tax in respect of: (a) remuneration for services rendered in Australia under the program; and (b) income derived from sources outside Australia while engaged in Australia under the program.

(2) Such personnel will also be free from Australian death and gift duties which, because of their presence in Australia under the program, may otherwise become payable in respect of property situated outside Australia as a result of the happening of any event while the person concerned is engaged in Australia under the program.

9. The Government of the Commonwealth of Australia shall take the necessary steps to facilitate the admission into and removal from the territory of Australia of all items of property provided by the Government of the United States or its contractor in connection with activities under the program. No duties, taxes, or other charges shall be imposed on such items by the Government of the Commonwealth of Australia or any instrumentalities thereof.

10. The above program of cooperation shall remain in effect during the pleasure of the two Governments and may be terminated by either Government upon six months notification to the other.

The Embassy would be pleased to know whether the foregoing proposals would be acceptable to the Australian Government. If they are so acceptable, the Embassy has the honor to propose that the present Note and the Department's confirmatory reply thereto should be deemed to constitute and evidence an agreement between the Australian and United States Governments in the matter.

W. J. S.

Embassy of the United States of America
Canberra, June 5, 1961

II

The Australian Department of External Affairs to the American Embassy

680/3/2/1/6

The Department of External Affairs presents its compliments to the Embassy of the United States of America and has the honour to acknowledge receipt of the Embassy's Note No. 238 of 5th June, 1961, reading as follows :

[See note I]

The Department has the honour to confirm that the proposals of the Government of the United States of America are acceptable to the Australian Government, which agrees that the Embassy's Note and this present reply should be deemed to constitute and evidence an agreement between the two Governments in the matter.

(Initialled) [illegible]
[SEAL]

Canberra, A. C. T., 5th June, 1961