

No. 24084

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**AUSTRALIA**  
**and**  
**UNITED STATES OF AMERICA**

**Exchange of notes constituting an agreement concerning access to the repair and maintenance facilities of Australian ports to United States fishing vessels. Canberra, 10 April and 10 May 1984**

*Authentic text: English.*

*Registered by Australia on 2 May 1986.*

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

**Échange de notes constituant un accord concernant l'accès des navires de pêche des États-Unis aux ateliers de réparations et d'entretien portuaires australiens. Canberra, 10 avril et 10 mai 1984**

*Texte authentique : anglais.*

*Enregistré par l'Australie le 2 mai 1986.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING ACCESS TO THE REPAIR AND MAINTENANCE FACILITIES OF AUSTRALIAN PORTS TO UNITED STATES FISHING VESSELS

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I

EMBASSY OF THE UNITED STATES OF AMERICA  
CANBERRA, A.C.T.

April 10, 1984

No. 53

Excellency:

I have the honor to refer to recent discussions among representatives of our two governments concerning access to the repair and maintenance facilities of Australian ports by United States commercial fishing vessels fishing in waters outside the Australian fishing zone.

In this regard, the Embassy has the honor to propose the following:

1. The Government of Australia shall permit the entry of United States commercial fishing vessels (called the "vessels") to such ports (called "nominated ports") as the Government of Australia may determine, which shall include the port of Cairns, for the purpose of undertaking repairs and maintenance.
2. The number of these vessels may be determined from [time] to time by mutual arrangement of the two governments.
3. While within Australian jurisdiction as recognized by international law the vessels shall comply with applicable Australian laws and regulations.
4. The Government of Australia reserves the right to refuse entry to a nominated port to any vessel.
5. The Government of the United States of America shall cooperate to the fullest extent possible to ensure that vessels permitted entry to a nominated port in accordance with this agreement shall comply with Australian laws and regulations applicable to foreign fishing vessels and with the provisions of this agreement.
6. Upon the request of either government, the two governments shall hold consultations through diplomatic channels regarding the operation of this agreement.
7. This agreement shall remain in force until either government notifies the other in writing that it desires to terminate the agreement, in which event the agreement shall terminate ninety days after such notice has been given.

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<sup>1</sup> Came into force on 10 May 1984, the date of the note in reply, in accordance with the provisions of the said notes.

I have the honor to propose that, if the foregoing is acceptable to the Government of Australia, my Note and your reply constitute an agreement between our two governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

[Signed — Signé]<sup>1</sup>

His Excellency Bill Hayden, M.P.  
Minister of Foreign Affairs of Australia

## II

MINISTER FOR PRIMARY INDUSTRY  
PARLIAMENT HOUSE  
CANBERRA, A.C.T.

10 May 1984

Your Excellency,

I have the honour to refer to your note No. 53 of 10 April, 1984 to the Minister of Foreign Affairs which reads as follows:

[See note I]

I have the honour to confirm that the foregoing is acceptable to the Government of Australia which agrees that your note together with this reply shall constitute an agreement between our two Governments on this matter which shall enter into force on today's date.

Accept, Excellency, the renewed assurances of my highest consideration.

[Signed]

JOHN KERIN

His Excellency Mr. R. D. Nesen  
Ambassador of the United States of America  
Canberra

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<sup>1</sup> Signed by R. D. Nesen — Signé par R. D. Nesen.