

Air Navigation

No. 79 of 1971

An Act to amend the *Air Navigation Act 1920-1966*.

[Assented to 7 October 1971]

[Date of Commencement 4 November 1971]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Air Navigation Act 1971*.

Short title
and citation.

(2.) The *Air Navigation Act 1920-1966** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Air Navigation Act 1920-1971*.

2. Section 3A of the Principal Act is amended—

Approval of
ratification of
Chicago
Convention, &c.

(a) by omitting from paragraph (d) of sub-section (2.) the word “and” (last occurring); and

(b) by adding at the end of sub-section (2.) the following word and paragraph:—

“; and (f) the Protocol amending Article 50 (a) of the Chicago Convention, approved by the Assembly of the International Civil Aviation Organization on the twelfth day of March, One thousand nine hundred and seventy-one.”.

3. Section 4 of the Principal Act is amended by omitting the words “and Sixth” and inserting in their stead the words “, Sixth and Seventh”.

Texts of
Chicago
Convention
&c.

4. Section 6 of the Principal Act is repealed.

Repeal of
section 6.

5. The Principal Act is amended by adding at the end thereof the following Schedule:—

Seventh
Schedule.

SEVENTH SCHEDULE

Section 4.

PROTOCOL

relating to an amendment to the Convention
on International Civil Aviation

Signed at New York, on 12 March 1971

THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

HAVING MET in Extraordinary Session, at New York, on the eleventh day of March 1971,
HAVING NOTED that it is the general desire of contracting States to enlarge the membership of the Council,

* Act No. 50, 1920, as amended by No. 93, 1936; Nos. 6 and 89, 1947; No. 80, 1950; No. 39, 1960; No. 72, 1961; No. 8, 1963; and No. 93, 1966.

HAVING CONSIDERED it proper to provide for three seats in the Council additional to the six seats which were provided for by the amendment adopted on the twenty-first day of June 1961 to the Convention on International Civil Aviation (Chicago, 1944) and, accordingly, to increase the membership of the Council to thirty,

AND HAVING CONSIDERED it necessary to amend for the purpose aforesaid the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944,

APPROVED, on the twelfth day of March 1971, in accordance with the provisions of paragraph (a) of Article 94 of the Convention aforesaid, the following proposed amendment to the said Convention:

In paragraph (a) of Article 50 of the Convention, the second sentence shall be deleted and replaced by:

“ It shall be composed of thirty contracting States elected by the Assembly.”

SPECIFIED, pursuant to the provisions of paragraph (a) of Article 94 of the said Convention, eighty as the number of contracting States upon whose ratification the proposed amendment aforesaid shall come into force, and

RESOLVED that the Secretary General of the International Civil Aviation Organization draw up a Protocol in the English, French and Spanish languages, each of which shall be of equal authenticity, embodying the proposed amendment above mentioned and the matters hereinafter appearing.

CONSEQUENTLY, pursuant to the aforesaid action of the Assembly,

This Protocol has been drawn up by the Secretary General of the Organization;

This Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation;

The instruments of ratification shall be deposited with the International Civil Aviation Organization;

This Protocol shall come into force, in respect of the States which have ratified it, on the date on which the eightieth instrument of ratification is so deposited;

The Secretary General shall immediately notify all contracting States of the date of deposit of each ratification of this Protocol;

The Secretary General shall immediately notify all States parties to the said Convention of the date on which this Protocol comes into force;

With respect to any contracting State ratifying this Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

IN WITNESS WHEREOF, the President and the Secretary General of the aforesaid Extraordinary Session of the Assembly of the International Civil Aviation Organization, being authorized thereto by the Assembly, sign this Protocol.

DONE at New York on the twelfth day of March of the year one thousand nine hundred and seventy-one, in a single document in the English, French and Spanish languages, each of which shall be of equal authenticity. This Protocol shall remain deposited in the archives of the International Civil Aviation Organization, and certified copies thereof shall be transmitted by the Secretary General of the Organization to all States parties to the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944.