



Christmas Island Agreement Act 1976

No. 118, 1976

**An Act to approve an Agreement entered into
between the Government of Australia and the
Government of New Zealand to amend the
Christmas Island Agreement 1958**

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Christmas Island Agreement Act 1976

No. 118, 1976

**An Act to approve an Agreement entered into
between the Government of Australia and the
Government of New Zealand to amend the
Christmas Island Agreement 1958**

[Assented to 18 November 1976]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Christmas Island Agreement Act 1976*.

2 Commencement

This Act shall come into operation on the day on which it receives the Royal Assent.

3 Approval

The agreement a copy of which is set out in the Schedule is approved.

Schedule—Agreement between the Government of Australia and the Government of New Zealand to amend the Christmas Island Agreement 1958

Section 3

The Government of Australia and the Government of New Zealand—
desiring to revise in part the Christmas Island Agreement 1958 (hereinafter
referred to as “the Principal Agreement”)
have agreed as follows:

Article 1

Article 6 of the Principal Agreement is amended:

(a) by omitting paragraph 3 and inserting in its stead the following
paragraph:

“3. After the expenses referred to in paragraph 1 of this Article
together with interest thereon as provided in that paragraph have been
recouped, the Commission shall create a special fund (in this Article
called the “fund”) for the purpose of accumulating moneys to meet the
cost of discharging from time to time those obligations towards the
inhabitants of the Island which, and such other residual liabilities as, the
two Governments agree are of a special nature and fall upon the
Government of Australia.”, and

(b) by omitting paragraphs 7 and 8 and inserting in their stead the following
paragraphs:

“7. The two Governments shall consult together whenever necessary
to assess what part or parts of the fund should be applied from time to
time to meeting the cost of discharging the obligations and other residual
liabilities referred to in paragraph 3 of this Article.

“8. (a) Such part or parts of the fund as has or have been so
assessed shall be paid or transferred to the Government of
Australia for the purpose of meeting the cost of discharging
the said obligations and other residual liabilities.

(b) Whenever the two Governments agree that the purposes for
which the fund was created have been satisfied, the fund

Schedule Agreement between the Government of Australia and the Government of New Zealand to amend the Christmas Island Agreement 1958

shall be closed and the balance thereof equally divided between the two Governments.”

Article 2

This Agreement shall come into force on the date on which the Government of Australia notifies the Government of New Zealand that it has completed the processes necessary in Australia to give effect to this Agreement.

IN WITNESS WHEREOF the undersigned, duly authorised thereto, have signed the present Agreement, and have affixed thereto their seals.

DONE at Canberra this eighth day of September 1976.

ANDREW PEACOCK
For the Government of Australia

L. J. FRANCIS
For the Government of New Zealand

(L.S.)

(L.S.)