

AIR NAVIGATION AMENDMENT ACT 1977

No. 91 of 1977

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

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Air Navigation Amendment Act 1977*.¹ Short title,
&c.
 - (2) The *Air Navigation Act 1920*² is in this Act referred to as the Principal Act.
 2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commence-
ment
 3. Section 3A of the Principal Act is amended—
 - (a) by omitting from paragraph (f) of sub-section (2) “and”; and
 - (b) by adding at the end of sub-section (2) the following word and paragraph:
“; and (h) the Protocol amending Article 50 (a) of the Chicago Convention, approved by the Assembly of the International Civil Aviation Organization on 14 October 1974.”Approval of
ratification
of Chicago
Convention,
&c.
 4. Section 4 of the Principal Act is amended by omitting “and Eighth” and substituting “, Eighth and Ninth”. Texts of
Chicago
Convention,
&c.
 5. The Principal Act is amended by adding at the end thereof the Schedule set out in Schedule 1 to this Act. Ninth
Schedule
 6. The Principal Act is amended as set out in Schedule 2 to this Act. Formal
amendments
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SCHEDULE 1

Section 5

NINTH SCHEDULE

Section 4

PROTOCOL

relating to an amendment to Article 50 (a) of the Convention on International Civil Aviation

Signed at Montreal, on 16 October 1974

THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

HAVING MET in its Twenty-first Session, at Montreal on 14 October 1974,

HAVING NOTED that it is the general desire of contracting States to enlarge the membership of the Council,

HAVING CONSIDERED it proper to provide for three additional seats in the Council, and accordingly to increase the membership from thirty to thirty-three, in order to permit an increase in the representation of States elected in the second, and particularly the third, part of the election, 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,

- (1) APPROVED, in accordance with the provisions of Article 94 (a) of the Convention aforesaid, the following proposed amendment to the said Convention:

In Article 50 (a) of the Convention the second sentence shall be amended by replacing "thirty" by "thirty-three".

- (2) SPECIFIED, pursuant to the provisions of the said Article 94 (a) of the said Convention, eighty-six as the number of contracting States upon whose ratification the proposed amendment aforesaid shall come into force, and
- (3) 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 matter hereinafter appearing:
- (a) The Protocol shall be signed by the President of the Assembly and its Secretary General.
 - (b) The Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation.
 - (c) The instruments of ratification shall be deposited with the International Civil Aviation Organization.
 - (d) The Protocol shall come into force in respect of the States which have ratified it on the date on which the eighty-sixth instrument of ratification is so deposited.
 - (e) The Secretary General shall immediately notify all contracting States of the date of deposit of each ratification of the Protocol.
 - (f) The Secretary General shall immediately notify all States parties to the said Convention of the date on which the Protocol comes into force.
 - (g) With respect to any contracting State ratifying the Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

CONSEQUENTLY, pursuant to the aforesaid action of the Assembly,

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

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

SCHEDULE 1—continued

DONE at Montreal on the sixteenth day of October of the year one thousand nine hundred and seventy-four, 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 the States parties to the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944.

SCHEDULE 2

Section 6

The following provisions of the Principal Act are amended by omitting “Australia” (wherever occurring) and substituting “the Commonwealth”:

Sections 2A, 16, 20 (2) (c), 21 (3) and 24.

NOTES

1. Act No. 91, 1977; assented to 12 September 1977.
2. Act No. 50, 1920, as amended. For previous amendments *see* Act No. 93, 1936; Nos. 6 and 89, 1947; No. 80, 1950; No. 39, 1960; No. 72, 1961; No. 8, 1963; No. 93, 1966; No. 79, 1971; No. 130, 1973; No. 216, 1973 (as amended by No. 20, 1974); and No. 124, 1974.