

AIR NAVIGATION.

No. 72 of 1961.

An Act to amend the *Air Navigation Act* 1920–1960.

[Assented to 27th October, 1961.]

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

Short title
and citation.

1.—(1.) This Act may be cited as the *Air Navigation Act* 1961.

(2.) The *Air Navigation Act* 1920–1960* 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* 1920–1961.

Approval of
ratification of
Chicago
Convention, &c.

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

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

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

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

“ ; and (d) the Protocol amending Article 50(a) of the Chicago Convention, approved by the Assembly of the International Civil Aviation Organization on the twenty-first day of June, One thousand nine hundred and sixty-one.”.

3. Section four of the Principal Act is amended by omitting the words “ and Fourth ” and inserting in their stead the words “ , Fourth and Fifth ”.

Texts of
Convention, &c.

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

Fifth Schedule.

“ FIFTH SCHEDULE.

Section 4.

PROTOCOL

relating to an amendment
to the Convention
on International Civil Aviation

THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION
ORGANIZATION,

HAVING MET in its Thirteenth (Extraordinary) Session, at Montreal, on the nineteenth day of June, 1961,

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 six additional seats in the Council and, accordingly, to increase the membership from twenty-one to twenty-seven,

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 twenty-first day of June of the year one thousand nine hundred and sixty-one, 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 expression “ twenty-one ” shall be deleted and substituted by “ twenty-seven ”,

SPECIFIED, pursuant to the provisions of the said Article 94(a) of the said Convention, fifty-six 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 matter hereinafter appearing.

FIFTH SCHEDULE—*continued.*

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 fifty-sixth 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 or signatories 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 FAITH WHEREOF, the President and the Secretary General of the Thirteenth (Extraordinary) Session of the Assembly of the International Civil Aviation Organization, being authorized thereto by the Assembly, sign this Protocol.

DONE at Montreal on the twenty-first day of June of the year one thousand nine hundred and sixty-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 or signatories to the Convention on International Civil Aviation done at Chicago on the seventh day of December, 1944."
