

No. 6897

**AUSTRALIA
and
UNITED STATES OF AMERICA**

**Agreement relating to the establishment of a United States
Naval Communication Station in Australia. Signed at
Canberra, on 9 May 1963**

Official text: English.

Registered by Australia on 6 September 1963.

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

**Accord relatif à l'établissement, en Australie, d'une station
pour les communications navales des États-Unis. Signé
à Canberra, le 9 mai 1963**

Texte officiel anglais.

Enregistré par l'Australie le 6 septembre 1963.

No. 6897. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA RELATING TO THE ESTABLISHMENT OF A UNITED STATES NAVAL COMMUNICATION STATION IN AUSTRALIA. SIGNED AT CANBERRA, ON 9 MAY 1963

The Government of the Commonwealth of Australia (in this Agreement called "the Australian Government") and the Government of the United States of America (in this Agreement called "the United States Government"),

Recalling the Security Treaty which was concluded at San Francisco between Australia, New Zealand and the United States of America on the first day of September 1951;²

Noting, in particular, Article II of that Treaty which provides that the parties thereto will separately and jointly maintain and develop their individual and collective capacity to resist armed attack;

Desiring to co-operate further in efforts for collective defence and for the preservation of peace and security;

Considering that the establishment, maintenance and operation of a United States naval communication station in Australia will materially contribute to that end; and

Considering that the two Governments are entering into an Agreement concerning the Status of United States Forces in Australia,³ which Agreement is to be read with this Agreement;

Have agreed as follows :

Article 1

In accordance with the terms and conditions set out in this Agreement, the United States Government may establish, maintain and operate a naval communication station (in this Agreement called "the station") at North West Cape in the State of Western Australia.

Article 2

The Australian Government will acquire such land as is required for the purposes of the station. All land so acquired will remain vested in the Australian

¹ Came into force on 28 June 1963 by the exchange of instruments notifying approval by the two Governments, in accordance with article 16 (1).

² United Nations, *Treaty Series*, Vol. 131, p. 83.

³ United Nations, *Treaty Series*, Vol. 469, No. 6784.

Government, which will for the duration of this Agreement grant to the United States Government all necessary rights of access to, and of exclusive use and occupancy of, such land.

Article 3

(1) The two Governments will consult from time to time at the request of either Government on any matters connected with the station and its use.

(2) Except with the express consent of the Australian Government, the station will not be used for purposes other than purposes of defence communication, and appropriate Australian authorities nominated by the Australian Government shall at all times have access to the station.

Article 4

The communication services of the station will be available to the Australian armed forces in accordance with technical arrangements made by the co-operating agencies of the two Governments.

Article 5

At all stages in the construction and maintenance of the station, the maximum practicable use will be made of Australian resources. Arrangements for giving effect to this Article shall be as determined from time to time by the two Governments.

Article 6

The Australian Government will, jointly with the Government of the State of Western Australia, appoint a Civil Commissioner at Exmouth, who will have such functions as those Governments may vest in him and will represent them in such matters as they may determine.

Article 7

Consistently with this Agreement, the United States Government will conform to the provisions of applicable Commonwealth and State laws and