

No. 8798

AUSTRALIA
and
UNITED STATES OF AMERICA

**Agreement relating to the establishment of a joint defence
space research facility. Signed at Canberra, on
9 December 1966**

Official text: English.

Registered by Australia on 18 October 1967.

AUSTRALIE
et
ÉTATS-UNIS D'AMÉRIQUE

**Accord concernant la création d'un centre commun de
recherches sur la défense dans le domaine spatial. Signé
à Canberra, le 9 décembre 1966**

Texte officiel anglais.

Enregistré par l'Australie le 18 octobre 1967.

No. 8798. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA RELATING TO THE ESTABLISHMENT OF A JOINT DEFENCE SPACE RESEARCH FACILITY. SIGNED AT CANBERRA, ON 9 DECEMBER 1966

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 effective defence and for the preservation of peace and security;

Considering that the establishment, maintenance and operation of a joint United States-Australia defence space research facility in Australia will materially contribute to that end;

Adverting to the Agreement entered into between the Australian Government and the United States Government on the ninth day of May 1963,³ concerning the Status of United States Forces in Australia (in this Agreement called "the Status of Forces Agreement");

Have agreed as follows:

Article 1

In accordance with the terms and conditions set forth in this Agreement, the Australian Government and the United States Government shall establish, maintain and operate in Australia a facility for general defence research in the space field (in this Agreement called "the facility").

¹ Came into force on 9 December 1966 by signature, in accordance with article 13.

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

³ United Nations, *Treaty Series*, Vol. 469, p. 55.

Article 2

The Australian Government shall at its own expense provide such land in the vicinity of Alice Springs, Northern Territory, as is required for the purposes of the facility. All land so provided will remain vested in the Australian Government, which shall for the duration of this Agreement make the land available for the facility on terms and conditions to be agreed between the two Governments and shall for this purpose accord to the United States Government all necessary rights of access to, and joint use and occupation of, the land.

Article 3

The facility shall be established, maintained, and operated by the co-operating agencies of the two Governments, and information derived from the research programmes conducted at the facility shall be shared by the two Governments. These agencies are the Australian Department of Defence and the Advanced Research Projects Agency (ARPA) of the United States Department of Defense.

Article 4

At all stages of construction and maintenance of the facility use shall be made of Australian resources, wherever appropriate and practicable.

Article 5

The land provided for the facility under Article 2 shall be considered a secure area. The authorities of the Australian Government shall prescribe appropriate measures to control access to the land and the facility. Security measures within the area shall be arranged between the co-operating agencies.

Article 6

Except as may be otherwise agreed between the two Governments, the United States Government and its contractors and sub-contractors shall retain title to equipment, materials, supplies and other property brought into or acquired in Australia by them for the facility. The United States Government, consistently with this Agreement, and its contractors and sub-contractors may remove such property from Australia at their own expense and free from export duties and related charges, upon the termination of this Agreement or sooner. However, such property shall not be disposed of within Australia except under conditions to be agreed upon by the two Governments.