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**AUSTRALIA
and
UNITED STATES OF AMERICA**

Agreement concerning cooperation in defense logistic support. Signed at Sydney on 4 November 1989

Authentic text: English.

Registered by Australia on 30 July 1990.

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

Accord relatif à la coopération en matière d'appui logistique à la défense. Signé à Sydney le 4 novembre 1989

Texte authentique : anglais.

Enregistré par l'Australie le 30 juillet 1990.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA
AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING COOPERATION IN DEFENSE LOGISTIC
SUPPORT

The Government of Australia and the Government of the
United States of America (hereinafter referred to as the
Parties),

NOTING their commitments under the Security Treaty between
Australia, New Zealand, and the United States ("the ANZUS
Treaty") done at San Francisco on 1 September 1951;²

NOTING that the supply and support of defense materiel
makes an important contribution to self-reliant combat
capability;

NOTING the contribution that the Parties' self-reliant
support capabilities make to the sharing of the burden of
promoting western strategic interests;

NOTING that, from an Australian viewpoint, defense
strategy must take into account the large area of
Australia's strategic interest, the resource implications
of a small population, including the necessity for
advanced technology to compensate for the small population
base, the geographical isolation and the unique strategic
circumstances;

NOTING that, from a United States viewpoint, defense
strategy must take into account its global commitments,
the resource and industrial base implications of those
commitments, the need to maintain a technological

¹ Came into force on 4 November 1989 by signature, in accordance with article XX (1).

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

advantage to deter aggression, the necessity to protect unique military capabilities, and laws, directives, and policies which affect that strategy;

NOTING the applicability of existing arrangements for the protection of classified information exchanged between the Parties and the participation of the Parties in the group known as the Coordinating Committee;

RECOGNIZING that a clear commitment to cooperate regarding Logistic Support between the Parties will enhance the defense capabilities of the United States Armed Forces and the Australian Defence Force individually and collectively;

RECOGNIZING that this Agreement will be subject to national laws and regulations, the exigencies of war, and be implemented in the spirit and intent of the ANZUS Treaty;

WISHING to set forth policies and principles for the provision of Logistic Support to the Australian Defence Force by the United States and to the United States Armed Forces by Australia in all situations which extend during peacetime to circumstances of armed conflict, involving either or both Parties.

HAVE AGREED as follows:

ARTICLE I DEFINITIONS

For the purpose of this Agreement:

- (a) "Logistic Support" - means materiel and services to military forces to enable successful

accomplishment of assigned missions and taskings in situations extending from peacetime to circumstances of conflict involving either or both Parties. Such Logistic Support may encompass the provision of Defense Articles and Defense Services;

- (b) "Defense Articles" - means any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war; any machinery, facility, tool, material, supply, or other item necessary for the manufacture, production, processing, repair, servicing, storage, construction, transportation, operation, or use of any other Defense Article or any component or part of any article listed in this definition. Defense Articles include Computer Software;
- (c) "Defense Services" - means any service, test, inspection, repair, training, publication, or technical or other assistance, or defense information. Defense Services include Computer Software and Technical Data;
- (d) "Computer Software" - means computer programs and computer data bases;
- (e) "Technical Data" - means recorded information, regardless of the form or method of the recording, of a scientific or technical nature (including Computer Software documentation). The term does not include Computer Software or data incidental to contract administration, such as financial and/or management information; and
- (f) "Force/Activity Designator (FAD)" - means the numerical expression of the relative order of priority given to a specific military force, unit, function, project, task or program.

ARTICLE II POLICY

Each Party shall, within the broad aims of its defense policies, and the exigencies of war, provide or facilitate the provision of Logistic Support on a cooperative basis. Each Party's commitment under this Agreement shall be subject to its national laws, regulations, and policies and to case-by-case review and determination.

ARTICLE III PRINCIPLES GOVERNING LOGISTIC SUPPORT

In fulfilling the policy specified under Article II, the Parties shall have regard to:

- (a) the importance of the contribution that the supply and support of Defense Articles and Defense Services to each other have on self-reliant defense capability;
- (b) the achievement of broad ANZUS interests;
- (c) the ability of the United States Armed Forces and the Australian Defence Force to conduct and sustain operations;
- (d) the safeguarding of Australian and United States interests; and
- (e) the continuation of appropriate rationalization, standardization and interoperability between the Australian Defence Force and the United States Armed Forces.