

OIL AGREEMENT.

No. 80 of 1952.

An Act to approve an Agreement made between the Commonwealth and the Anglo-Iranian Oil Company Limited, and for purposes connected therewith.

[Assented to 6th November, 1952.]

[Date of commencement, 4th December, 1952.]

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

1. This Act may be cited as the *Oil Agreement Act* 1952. Short title.
2. The *Oil Agreement Act* 1920, the *Oil Agreement Act* 1924 and the *Oil Agreement Act* 1926 are repealed. Repeal.
3. The agreement made between the Commonwealth and the Anglo-Iranian Oil Company Limited, being the agreement a copy of which is set forth in the Schedule to this Act, is approved. Approval of agreement.

THE SCHEDULE.

Section 3.

AN AGREEMENT made this twenty-sixth day of September One thousand nine hundred and fifty-two BETWEEN the COMMONWEALTH OF AUSTRALIA (in this agreement called "the Commonwealth") of the one part and the ANGLO-IRANIAN OIL COMPANY LIMITED of London, England, of the other part.

WHEREAS an agreement dated the fourteenth day of May One thousand nine hundred and twenty was made between the Commonwealth of the one part and the Anglo-Persian Oil Company Limited of London, England (which company on the twenty-seventh day of June One thousand nine hundred and thirty-five changed its name to "Anglo-Iranian Oil Company Limited" and is in that agreement and in this agreement called "the Oil Company") of the other part:

AND WHEREAS that agreement was supplemented by agreements between the Commonwealth and the Oil Company dated the sixth day of June One thousand nine hundred and twenty-four and the twenty-second day of March One thousand nine hundred and twenty-six respectively (which three agreements are in this agreement collectively referred to as "the Oil Agreement"):

AND WHEREAS the Oil Agreement was approved by Parliament by the *Oil Agreement Act 1920*, the *Oil Agreement Act 1924* and the *Oil Agreement Act 1926*:

AND WHEREAS in pursuance of the Oil Agreement, a company with limited liability, known as the Commonwealth Oil Refineries Limited (in the Oil Agreement and in this agreement called "the Refinery Company") was formed and registered subject to the conditions set forth in the Oil Agreement, and the Commonwealth subscribed for, was allotted and now holds in the name of the Commonwealth or its nominees four hundred and twenty-five thousand and one (425,001) One pound (£1) shares in the Refinery Company:

AND WHEREAS the Commonwealth has agreed to sell to the Oil Company all the shares in the Refinery Company which are held in the name of the Commonwealth or its nominees at the price and subject to the terms and conditions set out in this Agreement:

NOW IT IS HEREBY AGREED between the Commonwealth and the Oil Company as follows:—

1. The Commonwealth will sell to the Oil Company and the Oil Company will purchase from the Commonwealth the four hundred and twenty-five thousand and one (425,001) One pound (£1) shares in the Refinery Company which are registered in the name of the Commonwealth or its nominees at the price of Six pounds ten shillings Australian currency (£A6/10/-) per share, that is to say, for the sum of Two million seven hundred and sixty-two thousand five hundred and six pounds ten shillings Australian currency (£A2,762,506/10/-).

2. The sale of the shares will be completed at the registered office of the Refinery Company in Melbourne by the Commonwealth handing over to the Oil Company, in exchange for the purchase price, the shares together with duly executed transfers in favour of the Oil Company of the shares and any other documents necessary to effectuate the sale.

3.—(1.) The parties will procure the holding of a meeting of the Board of Directors of the Refinery Company immediately after the completion of the sale of the shares by the Commonwealth to the Oil Company.

(2.) The Commonwealth will instruct its appointed Directors to vote at that meeting in favour of the registration of the share transfers and to resign from the Board of Directors after registration of the transfers has been duly authorized.

4.—(1.) The Oil Agreement is hereby cancelled as from the date of the completion of the sale of the shares.

THE SCHEDULE—continued.

(2.) After completion of the sale of the shares, the Commonwealth will introduce legislation during the present session to procure the approval of Parliament for the cancellation of the Oil Agreement and to repeal the *Oil Agreement Act 1920*, the *Oil Agreement Act 1924* and the *Oil Agreement Act 1926*.

(3.) After completion of the sale of the shares, and until the legislation referred to in sub-clause (2.) of this clause has been passed, no action will be taken by the Commonwealth to enforce its rights, if any, under the Oil Agreement.

5. After the completion of the sale of the shares, the Oil Company will use its best endeavours to procure the completion as soon as is practicable of the erection and equipment at or near Fremantle in the State of Western Australia of a modern mineral oil refinery with an input capacity of approximately three million (3,000,000) tons of crude oil per annum.

6. The Oil Company will pay the stamp duty (if any) and registration fee payable on the transfer of the shares or on this agreement and each party will bear its own costs of the preparation and execution of this agreement.

IN WITNESS whereof the parties have executed this agreement the day and year first hereinbefore written.

SIGNED SEALED AND DELIVERED by the Right Honourable ROBERT GORDON MENZIES, the Prime Minister of the Commonwealth of Australia, for and on behalf of the Commonwealth, in the presence of—

ROBERT G. MENZIES. (L.S.)

A. S. BROWN.

SIGNED SEALED AND DELIVERED by ARTHUR CHAMPION JENNINGS, the attorney under power of the Anglo-Iranian Oil Company Limited for and on behalf of the Company, in the presence of—

A. C. JENNINGS. (L.S.)

W. J. BYRNE, Solicitor, Melbourne.