

Air Navigation Act 1973

No. 130 of 1973

AN ACT

To amend the *Air Navigation Act* 1920–1971.

[Assented to 13 November 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

1. (1) This Act may be cited as the *Air Navigation Act* 1973. Short title
and citation.
(2) The *Air Navigation Act* 1920–1971* 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* 1920–1973.
2. This Act shall come into operation on the day on which it receives the Royal Assent. Commence-
ment.
3. Section 3A of the Principal Act is amended— Approval of
ratification
of Chicago
Convention,
&c.
 - (a) by omitting from paragraph (c) of sub-section (2) the word “and” (last occurring); and

* Act No. 50, 1920, as amended by No. 93, 1936; Nos. 6 and 59, 1947; No. 80, 1950; No. 39, 1960; No. 72, 1961; No. 8, 1963; No. 93, 1966; and No. 79, 1971.

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

“; and (g) the Protocol amending Article 56 of the Chicago Convention, approved by the Assembly of the International Civil Aviation Organization on 7th July, 1971.”.

Texts of
Chicago
Convention,
&c.

4. Section 4 of the Principal Act is amended by omitting the words “ and Seventh ” and substituting the words “, Seventh and Eighth ”.

Eighth
Schedule.

5. The Principal Act is amended by adding at the end thereof the Schedule set out in Schedule 1.

Formal
amendments.

6. The Principal Act is further amended as set out in Schedule 2.

SCHEDULE I

Section 5

EIGHTH SCHEDULE

Section 4

PROTOCOL RELATING TO AN AMENDMENT TO THE CONVENTION
ON INTERNATIONAL CIVIL AVIATION

Signed at Vienna, on 7 July 1971

THE ASSEMBLY OF THE INTERNATIONAL CIVIL
AVIATION ORGANIZATION

HAVING MET in its Eighteenth Session, at Vienna, on the fifth day of July 1971,

HAVING NOTED that it is the general desire of Contracting States to enlarge the membership of the Air Navigation Commission,

HAVING CONSIDERED it proper to increase the membership of that body from twelve to fifteen, 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,

(1) APPROVED, in accordance with the provisions of Article 94 (a) of the Convention aforesaid, the following proposed amendment to the said Convention:

"In Article 56 of the Convention the expression 'twelve members' shall be replaced by 'fifteen members'";

(2) SPECIFIED, pursuant to the provisions of the said Article 94 (a) of the said Convention, eighty as the number of Contracting States upon whose ratification the aforesaid amendment shall come into force, and

(3) RESOLVED that the Secretary General of the International Civil Aviation Organization shall draw up a Protocol, in the English, French and Spanish languages, each of which shall be of equal authenticity, embodying the amendment above-mentioned and the matters hereinafter appearing:

(a) The Protocol shall be signed by the President of the Assembly and its Secretary General.

(b) The Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation.

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 eightieth 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 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 WITNESS WHEREOF, the President and the Secretary General of the Eighteenth Session of the Assembly of the International Civil Aviation Organization, being authorized thereto by the Assembly, sign this Protocol.

DONE at Vienna on the seventh day of July of the year one thousand nine hundred and seventy-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 to the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944.

SCHEDULE 2

Section 6

FORMAL AMENDMENTS

1. The following provisions of the Principal Act are amended by omitting any number expressed in words that is used, whether with or without the addition of a letter or letters, to identify a section of that Act or of another Act and substituting that number expressed in figures:—

Sections 5, 17, 20, 26 (1) and (4) and 28 (1) and (5).

2. The following provisions of the Principal Act are amended by omitting the words "of this Act" and "of this section" (wherever occurring):—

Sections 5, 14 (4) and (5), 17, 21 (5), 26 (1) and 28 (1).

3. The Principal Act is further amended as set out in the following table:—

Section	Amendment
Sub-section 3 (1) (definitions of "the Air Transit Agreement" and "the Chicago Convention")	Omit "the seventh day of December, One thousand nine hundred and forty-four", substitute "7th December, 1944".
Paragraphs 3A (2) (b) and (c)	Omit "the fourteenth day of June, One thousand nine hundred and fifty-four", substitute "14th June, 1954".
Paragraph 3A (2) (d)	Omit "the twenty-first day of June, One thousand nine hundred and sixty-one", substitute "21st June, 1961".
Paragraph 3A (2) (e)	Omit "the fourteenth day of September, One thousand nine hundred and sixty-two", substitute "14th September, 1962".
Paragraph 3A (2) (f)	Omit "the twelfth day of March, One thousand nine hundred and seventy-one", substitute "12th March, 1971".
Section 4	Omit "to this Act".
Sub-section 20 (1)	Omit "the fourth day of March, One thousand nine hundred and forty-eight", substitute "4th March, 1948".
Section 29	(a) Omit "the thirtieth day of June, One thousand nine hundred and sixty-one", substitute "30th June, 1961". (b) Omit "thirtieth day of June" (second occurring), substitute "30th June".