

PARLIAMENT OF AUSTRALIA

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Christmas Island Agreement Bill, 1976

- Date introduced: 9 September 1976 introduced. into the Senate.
20 October, 1976 received. from the Senate and read a first time
in the House of Representatives
11 November, 1976 read a second, time in the House of
Representatives.
- House: House of Representatives – second. reading
11 November 1976.
- Presented by: Mr. A. A. Street (Hon. Anthony Austin Street).
Minister for Employment and Industrial Relations and Minister
Assisting the Prime Minister in Public Service Matters.
(Minister representing the Minister for Administrative Services,
Senator the Hon. Reginald. Greive Withers).

Short Digest of Bill

The purpose of the Bill: to honour a longstanding moral obligation of the Commonwealth Government to the long term Asian residents of the Territory of Christmas Island to provide some form of resettlement assistance when the life of the usable phosphate deposits on Christmas Island ends in about 20 years. In particular to honour the undertaking of the Minister for Administrative Services (Senator Withers), when the Minister visited Christmas Island in April 1976, that enabling legislation would be introduced with respect to a resettlement policy for the long term Asian residents of Christmas Island as soon as the necessary amendment to the Christmas Island Agreement could be formally agreed to by the Australian and New Zealand Governments and Parliament. To obtain Parliamentary approval of the amendment to the Christmas Island Agreement, agreed to by the Australian and New Zealand Governments, and formal documents signed on 8 September, 1976.

Summary: Clause 3 would provide for approval of an Agreement of 8 September 1976 between the Australian and New Zealand Governments to amend the Christmas Island Agreement 1958 (hereinafter referred to as the “Principal Agreement”). A copy of the Agreement of 8 September 1976 which contains two Articles is set out in the Schedule to the Bill as follows:

Article 1 would amend Article 6 of the Principal Agreement:

(1) by omitting paragraph 3 thereof and inserting in its stead provision to create a special fund for the purpose of accumulating money therein to finance progressively a scheme for the voluntary resettlement of the long term Asian residents of Christmas Island and such other residual liabilities as the two Governments agree are of a special nature, and fall upon the Australian Government;

(2) by omitting paragraphs 7 and 8 thereof and inserting in their stead provisions:

for mandatory consultation between the Australian and New Zealand Governments
when the level of such assistance is assessed from time to time (Art. 7);

Christmas Island Agreement Bill 1976 (Bills Digest, no. 41, 1976–77)

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that such part or parts of the fund as has or have been so assessed be paid or transferred to the Australian Government for the purpose of financing the said obligations and other residual liabilities (Art.8 (a));

that the fund shall be closed when the two governments agree that the purposes for which it was created have been satisfied. At that time the balance of the fund shall be equally divided between the two Governments. (Art. 8 (b)).

Article 2 would provide that the Agreement shall come into force on the date the Australian Government notifies the New Zealand Government that it has completed the processes necessary in Australia to give effect to the Agreement.

Implications: Work on the proposed resettlement scheme can begin immediately when Parliament has ratified the Agreement (Schedule to the Bill) and proceed progressively instead of waiting to commence until the phosphate industry ends in about 20 years time.

K. I. INGLIS.

(Legislative Research Specialist (Grade 5)

Special Duties (Law and Government)

15 November 1976

LEGISLATIVE RESEARCH SERVICE

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