

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE
GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA TO AMEND AND EXTEND THE AGREEMENT
CONCERNING THE CONDUCT OF SCIENTIFIC BALLOON FLIGHTS FOR
CIVIL RESEARCH PURPOSES**

Documents tabled on 21 June 2005

**National Interest Analysis [2005] ATNIA 11
with attachment on consultation**

Text of the proposed treaty action

Background information:

United States of America political brief and country fact sheet

List of other treaties with the United States of America

NATIONAL INTEREST ANALYSIS: CATEGORY 2 TREATY SUMMARY PAGE

Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the United States of America to Amend and Extend the Agreement concerning the Conduct of Scientific Balloon Flights for Civil Research Purposes

Nature and timing of proposed treaty action

1. It is proposed that Australia amend and extend an Agreement with the United States of America concerning the Conduct of Scientific Balloon Flights for Civil Research Purposes (“the Agreement”), by way of ratifying an updated version of the Agreement. The predecessor Agreement on the same subject (Exchange of Notes Constituting an Agreement between the Government of Australia and the Government of the United States of America concerning the Conduct of Scientific Balloon Flights, [1992] ATS 26 (“the predecessor Agreement”) entered into force on 19 June 1992 and terminated on 19 June 2002. The Government of the United States has asked that the Agreement be renewed. Since the expiration of the predecessor Agreement, balloon flights have continued under a non-legally binding arrangement between the CSIRO and NASA.

2. The Agreement retains the same arrangements put in place by the predecessor Agreement on the conduct of balloon flights, but updates these arrangements in a number of respects (see below, under “Obligations”).

3. Article 18 of the Agreement provides that it will enter into force by way of an exchange of notes between the Governments of Australia and the United States. Both Parties have given their assent to tabling the Agreement in Parliament prior to its execution.

4. It is proposed that the Agreement be provisionally applied pending its entry into force. This is to enable the United States to begin exporting equipment to Australia in preparation for its next balloon flight scheduled for December 2005. Australian practice is already consistent with the terms of the Agreement and no new domestic legislation is required for it to enter into force.

5. Provisional application of the Agreement would operate in practice as follows. Following Executive Council approval for ratification, Australia, by way of diplomatic note, would advise the United States that it will observe the terms of the treaty as a matter of practice until its entry into force. The Agreement would not have force of law until all Parliamentary procedures had taken place.

Overview and national interest summary

6. The purpose of ratifying this Agreement with the Government of the United States is to enable the long-standing cooperation that Australia has enjoyed with the US National Aeronautics and Space Administration (NASA) on scientific balloon flights and recoveries to continue. The balloon flights program has proven beneficial to Australian science insofar as Australian scientists have had the opportunity to partake in experimental research into atmospheric science, environmental science, and astrophysics. The program also entitles Australia to receive the results of such experiments. Moreover, the economic benefit to the Australian economy each time a balloon campaign is conducted is significant. Ratification of the Agreement will further serve to maintain, on the political level, the strong relationship that Australia shares with the United States on matters concerning space-related science.

Reasons for Australia to take the proposed treaty action

7. Australia has a long relationship with the United States in the area of space science. Our established cooperation with NASA on balloon flights to date has proven advantageous on a number of political, scientific and economic grounds.

8. Australia first entered into an Agreement with the Government of the United States regarding the conduct of scientific ballooning activities in Australia in 1984. In 1985 a further Agreement was concluded that related to the launching of long duration balloon flights beyond Australia. In 1992 these two Agreements were merged and renewed for a further ten years. Pursuant to these agreements, over the last two decades many ballooning campaigns have been conducted by NASA from the Alice Springs Ballooning Facility, allowing Australian scientists to be involved in, and take advantage of, the conduct of such flights being launched in and from Australia.

9. At times, up to six different scientific experimental payloads have been launched during the one campaign, requiring the convergence on Alice Springs of six different scientific teams from around the world for sometimes up to three to four months. The teams launch experiments to study matters such as black holes and quasars, and conduct experimental research into atmospheric and environmental science. At times Australian scientists have flown their own experiments or are co-collaborators in experiments with other scientists. Ratification of the Agreement will enable Australian scientists to continue to reap the benefits of this research and will further ensure that Australia remains entitled to receive data and other results of any such experiments conducted. For these reasons the Australian scientific community is highly supportive of continued Australian participation in NASA's balloon launch program.

10. The scientists involved in each balloon campaign are supported by a NASA launch team, which in turn receives local support from the Australian Government agency responsible for managing NASA's deep space tracking and scientific ballooning activities (CSIRO) and the University of New South Wales' Australian Defence Forces Academy (ADFA). In all, each balloon campaign can involve some thirty to forty people domiciled in Alice Springs for the campaign duration. The direct economic benefits to Australia of this activity are considerable. The Commonwealth Scientific and Industrial Research Organisation (CSIRO) estimates that each campaign attracts up to AUD \$5 million to the Australian domestic economy.

11. Ratification of the Agreement could also give rise to indirect economic benefits. For example, preliminary discussions have been held between CSIRO and NASA about a possible substantial NASA funded upgrade to the CSIRO owned launch facility, as NASA consider their options for the conduct of their Ultra Long Duration Balloon (ULDB) flights.

12. In addition to the considerable scientific and economic benefits which will arise from cooperation under the Agreement, ratification will also confirm on a political level our strong commitment to continued cooperation and research on space and scientific matters with the United States.

13. Provisional application of the Agreement would enable established cooperation with NASA to continue as it has over the past two decades, until such time as the Agreement formally enters into force. As noted above, the Agreement requires no changes to domestic legislation, or to existing Australian cooperative practice with NASA. In these circumstances, provisional application would have the effect of ensuring that NASA is able to begin exporting equipment for its next balloon campaign, pending conclusion of the formal ratification process.

Obligations

14. The differences between the Agreement and its 1992 predecessor are as follows:
 - The application of the Agreement has been extended to include balloon recoveries in Australian territory, as well as launches (*Article 1*).
 - The CSIRO has been established as the cooperating agency on behalf of the Australian Government, replacing the former Department for Industry, Technology and Commerce (*Article 1*).
 - The general prohibition against the Australian or US Governments bringing civil law claims against the other for injury, death or damage resulting from activities under the Agreement has been maintained. However, the Agreement has been amended to permit such claims in the specific circumstance where the injury, death or damage has been caused by wilful misconduct (*Article 5*). Article 5 has further been amended to clarify that the right of each party to institute criminal proceedings relating to an activity under the Agreement remains intact.
 - New arrangements concerning the transfer of technical data and goods have been included, obliging the Parties to transfer only such data or goods as are necessary to fulfil their respective responsibilities under the Agreement (*Article 9*).
 - This Article is identical to parallel arrangements already in place with NASA under a related less-than-treaty status instrument, namely, the Cooperating Agency Agreement between NASA and CSIRO on the Establishment and Operation of Space Vehicle Tracking and Communications Facilities in Australia 2003 (paragraph 9). This provision will also protect Australia against unauthorised transfer of goods or information.
 - *Article 9(1)* clarifies that the Parties must carry out all activities under the Agreement in accordance with their national laws including those relevant to export controls and the transfer of classified information.
 - *Article 9(2)* provides that technical data with respect to operational matters under the Agreement, such as the interface or integration of new equipment into existing equipment, and data relating to the safe conduct of the program, will be made available without restriction, unless this would be contrary to the Parties' national laws.
 - *Article 9(3)* outlines procedures for the transfer and protection of proprietary or export-controlled goods and technical data (for example, goods or data of commercial or other sensitivity, which may attract intellectual property protection and/or which may be subject to export controls), including through marking and identification mechanisms.
 - *Article 9(4)* ensures that any proprietary or export-controlled goods and technical data transferred under the Agreement are exclusively used for the purposes of the Agreement, and must be returned to the relevant Party at its request, or otherwise disposed of as directed by the furnishing Party, upon completion of activities under the Agreement.

- A clarification has been introduced to ensure that movable property provided by or purchased in Australia by the United States or its agents under the Agreement cannot be disposed of within Australia, except with the permission of CSIRO as the Australian cooperating agency (*Article 10*)
- A new provision has been inserted at the request of the United States which makes activities under the Agreement subject to the availability of appropriated funds (*Article 13*)
- The Agreement identifies the *Convention between Australia and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, done at Sydney on August 6, 1982, as Amended by the 2001 Protocol, done at Canberra on September 27, 2001 (the "Convention")* as the basis for providing the exemption from Australian income tax for US personnel (*Article 14*). This exemption was contained in the predecessor Agreement but has been simplified to refer to the relevant international convention.
- The exemption from Australian death and gift duties has been removed, given that these are no longer imposed in Australia (*previous Article 12B*)
- The definition of US personnel has been changed to “nationals of the United States of America” instead of “civilian citizens”. The US Government requested this change to standardise its reference to US personnel in international agreements (*Article 14*).
- The Agreement provides for a refund of indirect Australian federal taxes (which includes the Goods and Services Tax) in respect of equipment, materials, supplies and other property and services imported into or purchased in Australia, and which are certified as being for use in connection with the activities under the Agreement. The predecessor Agreement provided NASA with an exemption from sales tax. Section 62(c) of the *Tax Administration Act 1953* enables the Australian Government to provide NASA with a refund of indirect tax on the basis of its existing international obligation (*Article 15B*).
- A dispute resolution clause has been inserted obliging the Parties to consult promptly on all issues involving interpretation or implementation of the Agreement and its subsidiary arrangements. Matters of dispute will be referred to program managers in the cooperating agencies. If they are unable to reach agreement, the dispute will be referred to the Parties or their designated representatives for joint resolution (*Article 16*).
- The period of operation of the Agreement has been extended to 12 June 2012 (*Article 18(A)*).
- A mechanism for termination of the Agreement has been introduced in accordance with Australia’s treaty making practice (*Article 18(B)*).

15. The Agreement retains the obligations in the predecessor Agreement to coordinate any necessary support activities associated with balloon campaigns with other countries (*Article 2*), and to take responsibility for the recovery of balloons and their payloads (*Article 4*). The US is obliged to pay for or compensate Australia for any meritorious third party claims relating, for example, to personal injury or property damage resulting from activities carried out on behalf of the Government of the United States under the Agreement (*Article 6*). The United States will retain title to equipment, materials and supplies provided by, or acquired in, Australia at its own expense pursuant to the Agreement (*Article 10*).

16. The Agreement also retains the obligations as in the predecessor Agreement to facilitate the entry and exit of US personnel engaged in Australia for the conduct of activities under the Agreement (*Article 11*). US personnel are granted entry and exit using Australian foreign government visas. Personal and household effects of US personnel will also continue to be exempt from import duty (*Article 12*). US goods and equipment brought into Australia for the conduct of activities under the Agreement will continue to be exempt from customs duties and other like charges (*Article 15A*). The Australian Government currently provides this exemption under Item 4 of the *Customs Tariff Act 1995*.

Implementation

17. No new implementation measures are required to bring the Agreement into force. Versions of this Agreement have been in place for the past two decades, and Australian practice in support of these campaigns is already consistent with the provisions of the Agreement. Consequently, no new domestic legislation will be required for it to enter into force.

Costs

18. No additional costs are anticipated as a consequence of this treaty action. The Government of the United States funds all activities under this Agreement, with the exception of minimal time spent by officers in some agencies other than CSIRO in assisting this program. CSIRO staff associated with managing this program in collaboration with NASA are fully funded by the US Government. The involvement of the Australian Defence Force Academy support personnel is also fully funded by the US Government.

Regulation Impact Statement

19. The Office of Regulation Review (Productivity Commission) has been consulted and confirms that a Regulation Impact Statement is not required.

Future Treaty Action

20. The Agreement does not include specific amendment procedures. Article 18(A) permits the Parties to extend the Agreement by the consent of both Governments. Any such amendment or extension would be subject to Australia's domestic treaty making process.

Withdrawal or denunciation

21. Once in force, Article 18(B) of the Agreement allows either Party to terminate the Agreement. Termination would occur after consultations between both Governments have taken place and one year after written notice of termination is received by one Party through the diplomatic channel. Any decision to withdraw from the Agreement would be subject to Australia's domestic treaty-making process.

Contact Details

International S&T Relations
International Science Branch
Department of Education, Science & Training

Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the United States of America to Amend and Extend the Agreement concerning the Conduct of Scientific Balloon Flights for Civil Research Purposes

CONSULTATION

Federal Consultation

1. Approval for Australia to ratify this Agreement has been received from the following relevant Australian Government Ministers: the Treasurer; the Attorney-General; Foreign Affairs; Transport and Regional Services; Industry, Tourism and Resources; Immigration, Multicultural and Indigenous Affairs; Communications, Information Technology and the Arts; Defence; Agriculture, Fisheries and Forestry; Environment and Heritage; and Justice and Customs. The Prime Minister has been informed of the process to ratify the Agreement.
2. The Ministers were advised of the proposed amendment and extension of the Agreement in May 2003 and again in April 2005.
3. The Minister for Transport and Regional Services raised an issue that needs to be considered by CSIRO and NASA when conducting the balloon flights. This is outlined below.
 - Section 3 of the proposed agreement states that CSIRO may permit each balloon flight upon the receipt of advice from NASA through Article 8 of the Chicago Convention.
 - Australia requires approval by the Civil Aviation Safety Authority in relation to Civil Aviation Safety Regulation (CASR) Part 101 which came into effect on 1 July 2002 and covers the requirements of unmanned operations, a copy of which may be found at <http://www.casa.gov.au/rules/1998casr/101/index.htm>.
 - CASR Part 101, particularly Subpart E covers the requirements for operations of this nature in Australian airspace and includes how to release balloons, illumination and visibility issues, tracking, flight reporting, ending and recovery arrangements.
4. NASA and CSIRO are both aware of these regulations and will ensure that they are adhered to when conducting the experiments in association with the balloon flights.
5. The Treasury Department recommended minor changes to Article 14 to ensure consistency with the Convention between Australia and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, done at Sydney on August 6, 1982, as Amended by the 2001 Protocol, done at Canberra on September 27, 2001 (the "Convention"). These changes were incorporated into the text of the Agreement after consultation with The Government of the United States.

State/Territory Consultation

5. State and Territory Governments have been advised of the proposed extension of the Agreement through the Standing Committee on Treaties' Schedule of Treaty Action. The Agreement has been on the

list of current and forthcoming negotiations since May 2003. No objections or concerns were raised by the State or Territory Governments as a result of this notification.

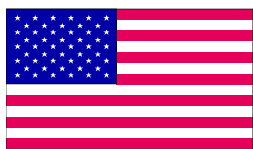
Science Community Consultation

6. The benefits of extending this Agreement have been discussed with the Australian Defence Force Academy (ADFA), a major participant in scientific balloon-borne projects and a representative of Australian university research groups in this field. ADFA is keen to continue its relationship with NASA on these experiments and maintain access to the knowledge that results from the work. Given that NASA will be the main agency covering all the costs of the balloon flights and conducting the majority of the experiments, other interested scientific parties will be consulted as required.

United States – Political Brief

The United States is Australia's most important economic partner and closest security ally. We are seen as a reliable, consistent and dependable partner that makes a material contribution and is willing to stay the course. Our access and influence in Washington is at new heights and covers issues spanning the breadth of the security and economic relationship. Australia's alliance with the United States, which dates from 1951, remains relevant and vital to meeting our current security challenges. The United States global pre-eminence means that it will continue to be a key influence on most issues of importance to Australia.

Our scientific cooperation is an important element of the overall bilateral relations between Australia and the United States. All major fields of scientific endeavour are covered by scientists from our two countries. Closer scientific and technical cooperation between Australian and the United States will help the development of scientific research in our respective countries as well as further strengthen people-to-people links. In addition, cooperation in this area builds long-lasting friendships and a deeper understanding of the Australian people.



UNITED STATES

Fact Sheet

General information:

Fact sheets are updated biannually; May and September 2005

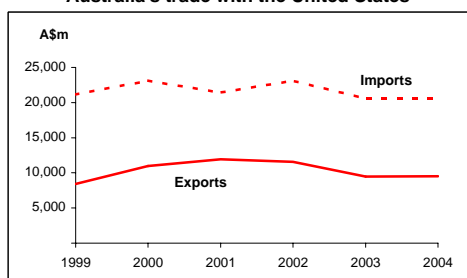
Capital	Washington D.C.
Surface area:	9,364 thousand sq km
Official language:	English
Population:	293.0 million (2004)
Exchange rate:	A\$1 = US\$0.7808 (Feb 2005)

Head of State and Head of Government:
President George W Bush

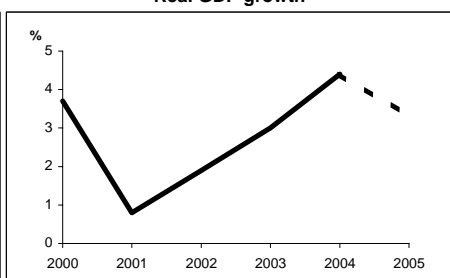
Recent economic indicators:

	2000	2001	2002	2003	2004(a)	2005(b)
GDP (US\$bn):	9,817.0	10,127.9	10,487.0	11,004.0	11,728.0	12,325.7
GDP per capita (US\$):	34,770	35,534	36,454	37,900	40,023	41,679
Real GDP growth (% change YOY):	3.7	0.8	1.9	3.0	4.4	3.3
Current account balance (US\$m):	-413,500	-385,700	-473,900	-530,700	-661,300	-780,000
Current account balance (% GDP):	-4.2	-3.8	-4.5	-4.8	-5.6	-6.3
Goods & services exports (% GDP):	8.9	8.2	7.7	7.5	7.6	10.2
Inflation (% change YOY):	3.4	2.8	1.6	2.3	2.7	2.5
Unemployment rate (%):	4.0	4.8	5.8	6.0	5.5	5.0

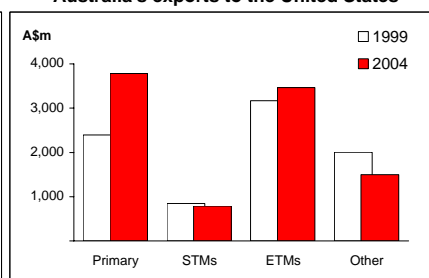
Australia's trade with the United States



Real GDP growth



Australia's exports to the United States



Australia's trade relationship with the United States:

Major Australian exports, 2004 (A\$m):

Bovine meat	1,407
Alcoholic beverages	897
Crude petroleum	526
Passenger motor vehicles	485
Meat (excl. bovine)	350

Major Australian imports, 2004 (A\$m):

Aircraft & parts	1,845
Measuring and controlling instruments	836
Medicaments (incl. veterinary)	779
Telecommunications equipment	704
Internal combustion piston engines	659

Australian merchandise trade with the United States, 2004:

		Total share:	Rank:	Growth (yoy):
Exports to the United States (A\$m):	9,533	8.1%	3rd	0.8%
Imports from the United States (A\$m):	20,525	14.5%	1st	-0.0%
Total trade (exports + imports) (A\$m):	30,059	11.6%	2nd	0.2%
Merchandise trade deficit with the United States (A\$m):	10,992			

Australia's trade in services with the United States, 2004:

		Total share:
Exports of services to the United States (A\$m):	4,396	12.8%
Imports of services from the United States (A\$m):	6,139	17.3%
Services trade deficit with the United States (A\$m):	1,743	

United States' global merchandise trade relationships:

United States' principal export destinations, 2004:

1	Canada	23.1%
2	Mexico	13.5%
3	Japan	6.7%
4	United Kingdom	4.4%
5	China	4.2%
14	Australia	1.7%

United States' principal import sources, 2004:

1	Canada	17.4%
2	China	13.4%
3	Mexico	10.6%
4	Japan	8.8%
5	Germany	5.3%
30	Australia	0.5%

Compiled by the Market Information and Analysis Section, DFAT, using the latest data from the ABS, the IMF and various international sources.

(a) all recent data subject to revision; (b) EIU forecast.

List of other treaties with the United States of America

- Air Transport Agreement
[1946] ATS 8
- Exchange of Notes constituting an Agreement regarding the Extension of Time for Copyright
[1949] ATS 17
- Exchange of Notes constituting an Agreement regarding Reciprocal Waiver of Visa Fees
[1950] ATS 2
- Exchange of Notes constituting an Agreement relating to Mutual Defence Assistance
[1951] ATS 22
- Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Gifts
[1953] ATS 4
- Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on the Estates of Deceased Persons
[1953] ATS 4
- Exchange of Notes constituting an Agreement relating to Non- Immigrant Passport Visas
[1955] ATS 18
- Agreement concerning Cooperation regarding Atomic Information for Mutual Defence Purposes
[1957] ATS 13
- Agreement to Facilitate the Interchange of Patent Rights and Technical Information for Defence Purposes, and Exchange of Notes
[1958] ATS 2
- Exchange of Notes constituting an Agreement relating to Non-Immigrant Visa Procedures
[1959] ATS 32
- Mutual Weapons Development Program Agreement
[1960] ATS 11

- Exchange of Notes constituting an Agreement concerning a Program of Cooperation to Facilitate Space Flight Operations contributing to the advancement of Mutual Scientific Knowledge of Man's Spatial Environment and Its Effects
[1961] ATS 9
- Exchange of Notes constituting an Agreement for Co-operation in a Transit Navigational Satellite Programme
[1961] ATS 10
- Exchange of Notes constituting an Agreement relating to Procedures for the Reciprocal Filing of Classified Patent Applications under the Agreement to Facilitate the Interchange of Patent Rights and Technical Information for Defence Purposes of 24 January 1958
[1961] ATS 25
- Agreement concerning the Status of United States Forces in Australia, and Protocol
[1963] ATS 10
- Agreement for the Funding of Certain Education and Cultural Programs [Fulbright Agreement]
and
Exchange of Notes amending the Agreement for the Financing of Certain Educational and Cultural Exchange Programmes of 28 August 1964 (Canberra, 27 May 2003)
[1964] ATS 15
- Exchange of Notes constituting an Agreement regarding the Reciprocal Granting of Authorisations to Permit Licensed Amateur Radio Operators of Either Country to Operate their Stations in the Other Country
[1965] ATS 8
- Agreement relating to the Establishment of a Joint Defence Space Research Facility [Pine Gap, NT]
[1966] ATS 17
- Exchange of Notes constituting an Agreement to amend the Agreement for the Funding of Certain Education and Cultural Programs of 28 August 1964
[1967] ATS 12
- Exchange of Notes constituting an Agreement concerning a Cooperative Scientific Program designated Hi Star South
[1974] ATS 19
- Exchange of Notes constituting an Agreement relating to Reciprocal Acceptance of Airworthiness Certifications
[1975] ATS 21

- Treaty on Extradition
[1976] ATS 10
- Exchange of Notes extending the Agreement relating to the Establishment of a Joint Defence Space Research Facility [Pine Gap]
[1977] ATS 24
- Exchange of Notes constituting an Agreement concerning the Establishment, Maintenance and Operation of a Solar Observatory
[1977] ATS 25
- Exchange of Notes constituting an Agreement regarding the Management and Operation of the Joint Geological and Geophysical Research Station at Alice Springs
[1978] ATS 3
- Exchange of Notes constituting an Agreement concerning Space Vehicle Tracking and Communication Facilities, 1980
[1980] ATS 15
- Agreement concerning Peaceful Uses of Nuclear Energy
[1981] ATS 4
- Agreement relating to Cooperation on Antitrust Matters.
[1982] ATS 13
- Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income
[1983] ATS 16
- Exchange of Notes constituting an Agreement to amend the Agreement regarding Management and Operation of the Joint Geological and Geophysical Research Station at Alice Springs of 28 February 1978
[1984] ATS 9
- Exchange of Notes constituting an Agreement on Employment Opportunities for Dependants of Officials Overseas
[1984] ATS 33
- Exchange of Notes constituting Agreements concerning the Application of the Agreement concerning Peaceful Uses of Nuclear Energy of 5 July 1979
[1985] ATS 22
- Exchange of Letters constituting an Agreement to amend the Air Transport Agreement of 3 December 1946
[1987] ATS 24

- Exchange of Notes constituting an Agreement Amending and Further Extending in force the Agreement on the Establishment of a Joint Space Research Facility of 9 December 1966 [Pine Gap]
[1988] ATS 36
- Exchange of Notes constituting an Agreement regarding access to the Australian Fishing Zone
[1988] ATS 44
- Exchange of Notes constituting an Agreement to amend the Air Transport agreement of 3 December 1946
[1989] ATS 6
- Exchange of Notes constituting an Agreement concerning Airline Capacity
[1989] ATS 7
- Agreement concerning Cooperation in Defence Logistic Support
[1989] ATS 28
- Exchange of Notes constituting an Agreement concerning the Transfer of Australian Ores containing Uranium, Thorium, Monazite and Xenotime
[1989] ATS 31
- Exchange of Notes constituting an Agreement to further mend and Extend the Agreement concerning Space Vehicle Tracking and Communications Facilities of 29 May 1980
[1990] ATS 15
- Agreement concerning NAVSTAR Global Positioning System
[1991] ATS 11
- Exchange of Notes constituting an Agreement to bring International Obligation Exchanges under the Coverage of the Agreement concerning Peaceful Uses of Nuclear Energy, and Agreed Minute, of 5 July 1979
[1991] ATS 48
- Exchange of Notes constituting an Agreement to amend the Agreement for the Funding of Certain Education and Cultural Programs of 28 August 1964
[1992] ATS 8
- Protocol amending the Treaty on Extradition of 14 May 1974
[1992] ATS 43
- Exchange of Notes constituting an Agreement to amend the Air Transport Agreement of 3 December 1946 and the Agreement concerning Capacity of 23 March 1989
[1994] ATS 8

- Agreement concerning Cooperative and Collaborative [Defence] Research, Development and Engineering
[1994] ATS 35
- Memorandum of Agreement concerning Reciprocal Defence Procurement
[1995] ATS 20
- Exchange of Notes constituting an Agreement concerning Certain Mutual Defence Commitments [Chapeau Defence Agreement]
[1995] ATS 35
- Agreement concerning [Defence] Acquisition and Cross-Servicing
[1999] ATS 18
- Treaty on Mutual Assistance in Criminal Matters
[1999] ATS 19
- [Supplementary] Agreement on Mutual Antitrust Enforcement Assistance.
[1999] ATS 22
- Agreement for Cooperation concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation (SILEX Agreement), Agreed Minutes and Exchange of Notes
[2000] ATS 19
- Exchange of Notes Constituting an Agreement to further extend in force the Agreement relating to the Establishment of a Joint Defence Facility at Pine Gap of 9 December 1996, as amended
[2000] ATS 27
- Exchange of Notes constituting an Agreement to further Amend and Extend the Agreement concerning Space Vehicle Tracking and Communications Facilities of 29 May 1980. as amended
[2000] ATS 32
- Agreement by Exchange of Notes to Amend and Extend the Agreement on Cooperation in Defence Logistics Support [CDLSA] of 4 November 1989
[2001] ATS 13
- Exchange of Notes constituting an Agreement concerning Cooperation in the Application of Non-Proliferation Assurances on Retransfer to Taiwan
[2002] ATS 9
- Agreement on Social Security
[2002] ATS 18

- Agreement for the Enforcement of Maintenance (Support) Obligations
[2002] ATS 24
- Agreement concerning Security Measures for the Protection of Classified Information
[2002] ATS 25
- Protocol Amending the Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income of 6 August 1982
[2003] ATS 14
- Australia-USA Free Trade Agreement
[2005] ATS 1

There are no similar treaties with other countries.

June 2005