

WESTERN AUSTRALIA.

IRON ORE
(HAMERSLEY RANGE)
AGREEMENT.

No. 39 of 1972.

AN ACT to amend the Iron Ore (Hamersley Range)
Agreement Act, 1963-1968.

[Assented to 16th June, 1972.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1972.* Short title and citation.

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the
Reprinted
Acts,
Reprinted
as approved
the 1st
March, 1966
as amended
by Act No.
48 of 1968.

(2) In this Act the Iron Ore (Hamersley Range) Agreement Act, 1963-1968, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Iron Ore (Hamersley Range) Agreement Act, 1963-1972.

Amendment
to section 2.
(Interpreta-
tion.)

2. Section 2 of the principal Act is amended by adding after the word "Act" being the last word in the section a passage as follows—

;

"the Third Supplementary Agreement" means
the agreement of which a copy is set out
in the Fourth Schedule to this Act. .

Section 3C
added.

3. The principal Act is amended by adding, after section 3B, a section as follows—

Third
Supple-
mentary
Agreement
approved.

3C. The Third Supplementary Agreement is
approved. .

Fourth
Schedule
added.

4. The principal Act is amended by adding after the Third Schedule, the following schedule—

FOURTH SCHEDULE.

S 2.

THIS AGREEMENT made the 10th day of March One thousand nine hundred and seventy-two BETWEEN THE HONOURABLE JOHN TREZISE TONKIN, M.L.A., Premier of the State of Western Australia acting for and on behalf of the said State and Instrumentalities thereof from time to time (hereinafter called "the State") of the one part and HAMERSLEY IRON PTY. LIMITED a company incorporated under the Companies Act 1961 of the State of Victoria and having its registered office and principal place of business in that State at 95 Collins Street Melbourne and its registered office in the State of Western Australia at 191 St. George's Terrace Perth (hereinafter called "the Company" which expression will include the assignees and appointees of the Company under clause 20 of the Agreement a copy of which is set out in the First Schedule to the Iron Ore (Hamersley Range) Agreement Act 1963-1968 (as that clause applies to the Agreement hereinafter defined as the "amending Agreement")) of the other part—

WHEREAS—

- (a) there are references in the amending Agreement (as hereinafter defined) to the Agreement forming the Second Schedule to the Iron Ore (Hanwright) Agreement Act, 1967-1968 (which Agreement (as amended) is hereinafter referred to as "the Hanwright Agreement");
- (b) the Hanwright Agreement is to be determined by the mutual consent of the parties thereto contemporaneously with the coming into force of the Agreements set out in the Schedule hereto;
- (c) it is desired in consequence to amend the amending Agreement as hereinafter provided.

WITNESSETH—

1. In this Agreement subject to the context—

"amending Agreement" means the Agreement of which a copy is set out in the Third Schedule to the Iron Ore (Hamersley Range) Agreement Act 1963-1968 (which Agreement was approved by the Iron Ore (Hamersley Range) Agreement Act Amendment Act 1968);

"principal Agreement" means the Agreement of which a copy is set out in the First Schedule to the Iron Ore (Hamersley Range) Agreement Act, 1963-1968 as amended by the Agreement of which a copy is set out in the Second Schedule to that Act (both of which Agreements were approved by that Act) as further amended by

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the amending Agreement and except where the context otherwise requires as further amended by this Agreement;

words and phrases to which meanings are given under clause 1 of the principal Agreement (other than words and phrases to which meanings are given in the foregoing provisions of this clause) shall have the same respective meanings in this Agreement as are given to them under clause 1 of the principal Agreement;

reference in this Agreement to an Act shall include the amendments to such Act for the time being in force and also any Act passed in substitution therefor or in lieu thereof and the regulations for the time being in force thereunder;

power given under any clause of this Agreement or under any clause other than clause 24 of the principal Agreement as applying to this Agreement to extend any period or date shall be without prejudice to the power of the Minister under the said clause 24 as applying to this Agreement.

2. The State shall introduce and sponsor a Bill in the Parliament of Western Australia to ratify this Agreement and endeavour to secure its passage.

3. The subsequent clauses of this Agreement shall not operate unless and until—

- (a) the Bill to ratify this Agreement as referred to in clause 2 hereof is passed as an Act before the 30th day of June, 1972 or such later date if any as the parties hereto may mutually agree upon; and
- (b) Bills to ratify each of the Agreements referred to in the Schedule hereto are passed as Acts before the 30th day of June, 1972 or such later date if any as the parties hereto may mutually agree upon.

If the said Bills are not passed before that date or later date or dates (as the case may be) this Agreement will then cease and determine and neither of the parties hereto will have any claim against the other of them with respect to any matter or thing arising out of, done, performed or omitted to be done or performed under this Agreement.

4. The amending Agreement is amended or altered as hereinafter provided and such amending Agreement shall be read and construed accordingly.

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The Agreement of even date herewith between the Honourable John Trezise Tonkin, M.L.A., Premier of the State of Western Australia acting for and on behalf of the said State and Instrumentalities thereof of the first part Hancock Prospecting Pty. Ltd. and Wright Prospecting Pty. Ltd. of the second part.

IN WITNESS WHEREOF this Agreement has been executed by or on behalf of the parties hereto the day and year first hereinbefore mentioned.

SIGNED by the said THE
HONOURABLE JOHN TREZISE }
TONKIN, M.L.A., in the presence } JOHN T. TONKIN
of—

DON MAY,
Minister for Mines.

THE COMMON SEAL of HAMERS-
LEY IRON PTY. LIMITED was } (C.S.)
hereunto affixed in the presence }
of—

R. T. MADIGAN,
Director.

JOHN CALDER,
Secretary.
