

No. 8303. AGREEMENT ESTABLISHING THE ASIAN DEVELOPMENT BANK. DONE AT MANILA, ON 4 DECEMBER 1965¹

RATIFICATION

Instrument deposited on:

19 September 1966

AUSTRALIA

The instrument of ratification stipulates that the Agreement is ratified subject to the following reservations and declarations :

“ The Government of Australia declares in accordance with paragraph 2 (ii) of article 24 of the said Agreement that it desires the use of the portion of its subscription paid pursuant to paragraph 2 (b) of article 6 of the said Agreement to be restricted to payments for goods or services produced in its territory and that any purchases of goods or services in the territory of Australia, subject to the usual consideration of competitive tendering, shall be first charged against the portion of its subscription paid pursuant to paragraph 2 (b) of article 6 of the Agreement.

“ The Australian Government further declares in accordance with paragraph 2 of article 56 of the said Agreement that it retains the right to levy taxation in respect of salary and emoluments paid by the Bank for services rendered in Australia to a Director, alternate, officer or employee of the Bank, including an expert performing a mission for the Bank, being a resident of Australia within the meaning of the Australian legislation relating to income tax unless the person is not a citizen of Australia and came to Australia solely for the purpose of performing duties of the office in the Bank held by him.

“ The Australian Government is unable to accord to the Bank, in respect of any mailbags which the Bank might wish to dispatch through postal channels in Australia, the reduced rates which the Australian Government accords, on the basis of reciprocity, to certain other Governments in respect of mailbags dispatched through postal channels by their diplomatic missions in Australia.

“ The Australian Government is, insofar as the article applies to priorities, rates and taxes on telecommunications, unable fully to comply with article 54 of the Agreement which requires that the Bank in respect of its official communications shall be accorded by each member treatment not less favourable than that accorded to the official communications of any other member, until such time as all other Governments have decided to co-operate in granting this treatment to international organizations. This reservation shall not affect the right of the Bank to lodge press telegrams at prescribed press rates to the press and radio in Australia.

¹ United Nations, *Treaty Series*, Vol. 571, p. 123.

“The Australian Government understands that nothing in the said Agreement affects the application of any Australian law relating to quarantine.”

In accordance with paragraph 2 of article 64 of the Agreement, Australia became a member of the Asian Development Bank on the date of deposit of its instrument of ratification.