

Note of Australia, dated 9 May 2016

N° 16/039

«The Department of Foreign Affairs and Trade presents its compliments to the Embassy of the People's Republic of China and has the honour to refer to the Note dated 12 November 2015 concerning amendments to the *Agreement on Consular Relations between Australia and the People's Republic of China* and the *Agreement between the Government of Australia and the Government of the People's Republic of China concerning the Continuation of Consular Functions by Australia in the Macau Special Administrative Region of the People's Republic of China*. The Department of Foreign Affairs and Trade confirms on behalf of the Government of Australia that the Government of Australia and the Government of the People's Republic of China have reached agreement on the following matters:

1. The Agreement on Consular Relations between Australia and the People's Republic of China, done at Canberra on 8 September 1999, shall apply to Macau Special Administrative Region of the People's Republic of China.

2. With regard to the *Agreement on Consular Relations between Australia and the People's Republic of China*, the two parties agree:

(1) Article 18 referred to as "Aircraft of the sending State" is revised as follows:

"The provisions of this Agreement concerning vessels of the sending State shall apply to aircraft of the sending State provided that such application does not contravene the provisions of bilateral agreements in force between the sending State and the receiving State or multilateral agreements to which both States are signatories, as well as the provisions of any air service agreements signed between the Hong Kong and Macau Special Administrative Regions of the People's Republic of China and Australia."

(2) For Article 21 referred to as "Application of the Agreement to the Hong Kong Special Administrative Region", the title of the Article changed to "Scope of Application of the Agreement", and the content of the Article is revised as follows: "This Agreement shall apply as well to the Hong Kong Special Administrative Region of the People's Republic of China and the Macau Special Administrative Region of the People's Republic of China."

3. The *Agreement between the Government of Australia and the Government of*

the People's Republic of China concerning the Continuation of Consular Functions by Australia in the Macau Special Administrative Region of the People's Republic of China, done at Canberra on 8 September 1999, continues to be in force. Article 2 of the Agreement is revised as follows: "The Government of the People's Republic of China shall, in accordance with the *Vienna Convention on Consular Relations* done on 24 April 1963, the *Agreement on Consular Relations between Australia and the People's Republic of China* and the relevant laws and regulations of the People's Republic of China, accord necessary assistance and facilitation to the Consulate-General of Australia in the exercise of consular functions."

The Department of Foreign Affairs and Trade confirms on behalf of the Government of Australia that this Note and Note Number 149/2015 from the Embassy of the People's Republic of China shall constitute an agreement between the Government of Australia and the Government of the People's Republic of China. The two parties shall inform each other through diplomatic channels by notes when the necessary domestic legislative procedures for this Agreement to enter into force have been completed, and the Agreement shall enter into force on the thirty first day from the date the last notification is sent.

The Department of Foreign Affairs and Trade avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

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