

IRON ORE (CLEVELAND-CLIFFS) AGREEMENT.

No. 95 of 1985.

AN ACT to amend the Iron Ore (Cleveland-Cliffs) Agreement Act 1964.

[Assented to 4 December 1985.]

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 (Cleveland-Cliffs) Agreement Amendment Act 1985*.

Short title and principal Act.

(2) In this Act the Iron Ore (Cleveland-Cliffs) Agreement Act 1964 is referred to as the principal Act.

Act No. 91 of 1964 as amended by Acts Nos. 79 of 1969, 35 of 1970, 68 of 1973 and 37 of 1984.

Commence-
ment.

2. This Act shall come into operation on the day on which it is assented to by the Governor.

Section 2
amended.

3. Section 2 of the principal Act is amended by inserting after the definition of "the first variation agreement" the following definition—

“ “the fourth variation agreement” means the agreement a copy of which is set forth in the Fifth Schedule to this Act; ”.

Section 3D
inserted.

4. After section 3C of the principal Act the following section is inserted—

“ 3D. (1) The fourth variation agreement is approved and ratified.

(2) The implementation of the fourth variation agreement is authorized.

(3) Without limiting or otherwise affecting the application of the Government Agreements Act 1979, the fourth variation agreement shall operate and take effect notwithstanding any other Act or law. ”.

Section 5
amended.

5. Section 5 of the principal Act is amended by deleting "and the second variation agreement" and substituting the following—

“ , the second variation agreement, the third variation agreement and the fourth variation agreement ”.

Fifth
Schedule
added.

6. After the Fourth Schedule to the principal Act the following Schedule is added—

" FIFTH SCHEDULE. Section 3D.

AN AGREEMENT made the 29th day of October 1985, BETWEEN THE HONOURABLE BRIAN THOMAS BURKE, 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 first part CLIFFS INTERNATIONAL INC. a limited company incorporated under the laws of the State of Ohio, one of the United States of America and registered in the State of Western Australia under the provisions of the Companies Act 1961 of the said State and having its registered office in the State of Western Australia at 12-14 St. George's Terrace, Perth (hereinafter called "Cliffs") of the second part and CLIFFS WESTERN AUSTRALIAN MINING CO. PTY. LTD., a company incorporated under the said Companies Act and having its registered office at 12-14 St. George's Terrace, Perth (hereinafter called "Cliffs Western") MITSUI IRON ORE DEVELOPMENT PTY. LTD. a company incorporated under the said Companies Act and having its principal office in the said State at 22nd Floor, 44 St. George's Terrace, Perth (hereinafter called "Mitsui Iron") PEKO-WALLSEND OPERATIONS LIMITED a company incorporated under the Companies Act of the State of New South Wales and having its principal place of business at 1 Macquarie Street, Sydney in the State of New South Wales (hereinafter called "Peko") and NIPPON STEEL AUSTRALIA PTY. LIMITED a company incorporated in the State of New South Wales and having its registered office in that State at 60 Martin Place, Sydney, SUMITOMO METAL AUSTRALIA PTY. LIMITED a company incorporated in the State of New South Wales and having its registered office in that State at 30th floor CBA Centre, 60 Margaret Street, Sydney and the said MITSUI IRON ORE DEVELOPMENT PTY. LTD., such lastmentioned three companies acting together and carrying on business in the State of Western Australia at 22nd Floor, 44 St. George's Terrace, Perth (hereinafter collectively called "CLIA"), the said Cliffs Western, Mitsui Iron, Peko and CLIA (hereinafter collectively called "the Participants") being the party of the third part.

WHEREAS:

- (a) By an agreement under seal dated the 18th day of November One thousand nine hundred and sixty-four made between the State of the one part and Basic Materials Pty. Limited (hereinafter called "Basic") of the other part (which agreement was approved by and is scheduled to the Iron Ore (Cleveland-Cliffs) Agreement Act 1964 and is hereinafter referred to as "the

SIGNED for and on behalf
of CLIFFS INTERNATIONAL
INC. by VICTOR FAHRNEY
KOONTZ pursuant to and
with the authority of a resolu-
tion of the Board of Directors
of CLIFFS INTERNATIONAL
INC. in the presence of—

V. KOONTZ

W. REES

THE COMMON SEAL OF
CLIFFS WESTERN AUST-
RALIAN MINING CO. PTY.
LTD. was hereunto affixed by
authority of the Directors and
in the presence of—

(C.S.)

Director V. KOONTZ

Director W. REES

THE COMMON SEAL of
MITSUI IRON ORE DEVEL-
OPMENT PTY. LTD. was
hereunto affixed by authority
of the Directors and in the
presence of—

(C.S.)

Director Y. OKAMOTO

Secretary J. MACKENZIE

Executed by PEKO-WALL-
SEND OPERATIONS LIMITED
by being signed by its
Attorney RICHARD ANDREW
LADBURY under Power of
Attorney dated 23rd October
1985 (who certifies that he
has received no notice of
revocation thereof) in the
presence of:

R. A. LADBURY

R. E. BLANCKENSEE
Solicitor Perth

Executed by NIPPON STEEL
AUSTRALIA PTY LIMITED
by being signed by its Attorney
YASUYOSHI OKAMOTO
under Power of Attorney
dated 25th October 1985 (who
certifies that he has received
no notice of revocation there-
of) in the presence of:

Y. OKAMOTO

R. M. B. REYNOLDS

No. 95.] *Iron Ore (Cleveland-Cliffs)*
Agreement.

[1985.

Executed by SUMITOMO
METAL AUSTRALIA PTY.
LTD. by being signed by its
Attorney YASUYOSHI
OKAMOTO under Power of
Attorney dated 24th October
1985 (who certifies that he
has received no notice of
revocation thereof) in the
presence of:

Y. OKAMOTO

R. M. B. REYNOLDS

THE COMMON SEAL of
MITSUI IRON ORE DEVEL-
OPMENT PTY. LTD. was here-
unto affixed by authority of
the Directors and in the
presence of—

(C.S.)

Director Y. OKAMOTO

Secretary J MACKENZIE

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