

No. 7415

**AUSTRALIA
and
UNITED STATES OF AMERICA**

**Agreement for the financing of certain educational and
cultural exchange programmes. Signed at Canberra,
on 28 August 1964**

Official text: English.

Registered by Australia on 16 September 1964.

**AUSTRALIE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord relatif au financement de certains programmes
d'échanges dans le domaine de l'enseignement et de la
culture. Signé à Canberra, le 28 août 1964**

Texte officiel anglais.

Enregistré par l'Australie le 16 septembre 1964.

No. 7415. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE FINANCING OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMMES. SIGNED AT CANBERRA, ON 28 AUGUST 1964

PREAMBLE

The Government of the Commonwealth of Australia and the Government of the United States of America;

Desiring to continue and expand programmes to promote further mutual understanding between the peoples of the United States of America and Australia through educational contacts;

Considering that such programmes have been carried out in accordance with the Agreement² between the Government of the United States of America and the Government of the Commonwealth of Australia, signed at Canberra on November 26, 1949, as amended, with funds made available to the Government of the United States of America by the Government of the Commonwealth of Australia in settlement of certain obligations;

Considering the mutual benefits derived from such programmes and the desire of the two Governments to co-operate and assist further in the financing and operating of such programmes for the further strengthening of international co-operative relations;

Have agreed as follows :

Article 1

There shall be established a foundation to be known as the Australian-American Educational Foundation (hereinafter designated "the Foundation") to replace the United States Educational Foundation in Australia. The Foundation shall be recognized by the Government of the Commonwealth of Australia and the Government of the United States of America as a bi-national organization created and established to facilitate the administration of the educational and cultural programme to be financed by funds made available to the Foundation for such purpose. Except as provided in Article 3 hereof the Foundation shall be exempt from the domestic and local laws of the United States of

¹ Came into force on 28 August 1964, upon signature, in accordance with article 15.

² United Nations, *Treaty Series*, Vol. 45, p. 133, and Vol. 229, p. 288.

America and of Australia as they relate to the use and expenditure of currencies and credits for currencies and the acquisition of property for the purposes set forth in the present agreement.

The funds made available under the present agreement (including any accruals arising from investments or other use thereof as interest or otherwise), within the conditions and limitations hereinafter set forth, shall be used by the Foundation for the purposes of :

(1) financing studies, research, instruction, and other educational activities of or for (i) citizens and nationals of the United States of America in Australia, and (ii) citizens of Australia in American schools and institutions of learning located in or outside the United States of America;

(2) financing visits and interchanges between the United States of America and Australia of students, trainees and teachers at all educational levels; and

(3) financing such other related educational and cultural programmes and activities as are provided for in budgets approved in accordance with Article 3 hereof.

Article 2

In furtherance of the aforementioned purposes, the Foundation may, subject to the provisions of the present agreement, exercise all powers necessary to the carrying out of the present agreement and may in particular :

(1) Receive funds and deposit them in bank accounts in the name of the Foundation in a depository or depositories approved by the Secretary of State and the Prime Minister, or, to the extent they are not required for current activities, make such investments as may be approved by the Secretary of State and the Prime Minister.

(2) Disburse funds and make grants and advances of funds for the authorized purposes of the Foundation, including payment for transportation, tuition, maintenance and other expenses incident thereto.

(3) Acquire, hold, and dispose of property in the name of the Foundation as the Board of Directors of the Foundation may consider necessary or desirable.

(4) Plan, adopt, and carry out programmes in accordance with the purposes of the present agreement.

(5) Consider recommendations by the appropriate Australian selection agency of persons resident in Australia qualified in the opinion of the Foundation to participate in the programmes, and submit approved recommendations

to the Board of Foreign Scholarships in the United States of America for final approval and, if necessary, placement in the United States of America.

(6) Consider recommendations by the Board of Foreign Scholarships in the United States of America of persons resident in the United States of America qualified in the opinion of the Foundation to participate in the programmes, and submit approved recommendations to the agency, appointed by the Government of the Commonwealth of Australia for the purpose of final approval and, if necessary, placement in Australia.

(7) Recommend to the aforesaid Board of Foreign Scholarships and to the aforesaid Australian selection agency such qualifications for the selection of participants in the programme as it may deem necessary for achieving the purpose and objectives of the Foundation.

(8) Provide for periodic audits of the accounts of the Foundation as directed by auditors approved by the Secretary of State and the Prime Minister.

(9) Engage administrative and clerical staff and fix and pay the salaries and wages thereof, and incur other administrative expenses as may be deemed necessary from funds made available under the agreement.

(10) Administer or assist in administering or otherwise facilitate educational and cultural programmes and activities that further the purposes of the present agreement but are not financed by funds made available under this agreement, provided, however, that such programmes and activities and the Foundation's role therein shall be fully described in annual or special reports made to the Secretary of State and the Prime Minister as provided in Article 7 hereof, and provided that no objection is interposed by either the Secretary of State or the Prime Minister to the Foundation's actual or proposed role therein.

Article 3

All expenditure by the Foundation shall be made pursuant to an annual budget to be approved by the Secretary of State and the Prime Minister. Such budget shall not exceed 180,000 Australian pounds, unless the two Governments agree otherwise.

Article 4

The Foundation shall not enter into any commitment or create any obligation which shall bind the Foundation in excess of the funds actually on hand