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No. 7879

AUSTRALIA
and
FEDERAL REPUBLIC OF GERMANY

**Agreement on assisted migration. Signed at Bonn, on
21 June 1965**

Official texts : English and German.

Registered by Australia on 12 August 1965.

AUSTRALIE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

**Accord relatif à l'assistance à la migration. Signé à Bonn,
le 21 juin 1965**

Textes officiels anglais et allemand.

Enregistré par l'Australie le 12 août 1965.

No. 7879. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON ASSISTED MIGRATION. SIGNED AT BONN, ON 21 JUNE 1965

The Government of the Commonwealth of Australia and the Government of the Federal Republic of Germany,

Noting that the Migration Agreement of 27 August 1958² between the two Governments expired on 28 August 1962,

Recognizing the valuable experience gained from their co-operation in the field of migration,

Desiring to make provision for further co-operation appropriate to current circumstances,

Have agreed as follows :

Article 1

(1) " Migrants " in this Agreement shall mean persons :

- (a) who are Germans under Article 116 of the Basic Law for the Federal Republic of Germany ;
- (b) who have been accepted in the territory of the Federal Republic of Germany and who fall within the scope of the Law concerning the Legal Status of Homeless Aliens in Federal Territory, dated 25 April 1951 (Federal Law Gazette I, p. 269), or of the Law on the Legal Status of Refugees of 28 July 1951 (B. G. B. L. 1953, II, S. 559) ; or
- (c) who are dependants of the persons referred to in sub-paragraphs (a) and (b) above ;

and who migrate to Australia and receive directly or indirectly a contribution to their passage costs from the German Government or from the Australian Government.

¹ Deemed to have come into force on 29 August 1962, in accordance with article 12.

² United Nations, *Treaty Series*, Vol. 320, p. 303.

(2) "Workers" in this Agreement shall mean migrants who migrate to Australia with a view to taking up gainful employment.

(3) "Dependants" in this Agreement shall mean persons who are :

- (a) the spouses or minor children (including step-children, adopted or foster children) of workers ;
- (b) the children (who have attained their majority) or the parents or brothers or sisters of workers or of a worker's spouse provided that they can prove themselves to be dependent upon the support of the worker for reasons of finance or health, or provided that the successful resettlement of the worker in Australia will be dependent upon his being accompanied by such relatives ; or
- (c) the fiancées of workers.

Article 2

(1) The inclusion of persons within the scope of this Agreement or the Supplementary Arrangements thereto, within the meaning of Article 3 of this Agreement, shall require the consent of the German Government.

(2) The acceptance of persons for immigration to Australia shall be the responsibility of the Australian Government.

(3) In accepting persons for immigration to Australia, the Australian Government shall take into account the general undesirability of separating a family.

Article 3

The two Governments shall, from time to time, establish, through Supplementary Arrangements, operational details concerning migration from Germany to Australia, and in particular :

- (a) the number and categories of migrants ;
- (b) the extent to which, and the categories of persons to whom, financial assistance can be granted ;
- (c) the way in which the German Government will give its consent as provided for in paragraph (1) of Article 2 of this Agreement ; and
- (d) the way in which German administrative agencies will co-operate in the implementation of this Agreement.

Article 4

(1) Persons specified in sub-paragraphs (a), (b) or (c) of paragraph (1) of Article 1 of this Agreement may apply for immigration to Australia. Appli-

cations submitted by minors under the age of 18 years desiring to migrate alone shall be approved only if their immigration is for the purpose of family reunion. In considering such applications, the provisions of German law relating to the protection of minors shall be observed.

(2) The German Government shall ensure that any persons interested in migrating to Australia receive the best possible advice and information concerning resettlement prospects in Australia.

(3) The German Government shall render the Australian Government every possible form of assistance and co-operation to enable the Australian Government to make an accurate assessment of the suitability of applicants for immigration to Australia.

(4) The German Government shall facilitate the transportation of migrants and shall help them with their embarkation.

Article 5

(1) The Australian Government shall :

- (a) prior to accepting applicants for immigration to Australia inform them of their essential rights and obligations in Australia by means of a leaflet jointly drawn up by the German and Australian Governments in the German and English languages ;
- (b) inform every migrant, prior to his embarkation for Australia, by means of a written document which relates either to him individually or to the group of which he is a member, of the occupational or professional capacity in which he has been selected, and of the conditions of employment, in particular the minimum wages which he can expect ; and
- (c) admit migrants into Australia for permanent residence and ensure that they receive the same wages and general conditions of employment as apply to Australians engaged in the same type of employment.

(2) Details of the document referred to in sub-paragraph (b) of paragraph (1) of this Article shall be set out in the Supplementary Arrangements provided for in Article 3 of this Agreement.

Article 6

(1) The Australian Government shall be responsible for the reception of migrants upon their arrival in Australia and in that connection shall :

- (a) where necessary, accommodate them temporarily at a Migrant Accommodation Centre, subject to the conditions that —