

No. 7979

**MALTA
and
AUSTRALIA**

**Agreement for assisted migration. Signed at Valletta,
on 28 April 1965**

Official text: English.

Registered by Malta on 23 November 1965.

**MALTE
et
AUSTRALIE**

**Accord d'aide à la migration. Signé à La Valette, le 28 avril
1965**

Texte officiel anglais.

Enregistré par Malte le 23 novembre 1965.

NO. 7979. AGREEMENT¹ BETWEEN THE GOVERNMENT OF
MALTA AND THE GOVERNMENT OF THE COMMON-
WEALTH OF AUSTRALIA FOR ASSISTED MIGRATION.
SIGNED AT VALLETTA, ON 28 APRIL 1965

The Government of the Commonwealth of Australia (in this Agreement called "the Australian Government") and the Government of Malta (in this Agreement called "the Maltese Government"),

Desiring to enter into a new Agreement relating to the assisted migration of persons from Malta to Australia and to the establishment of an assisted passage migration scheme (in this Agreement called "the scheme"),

Have agreed as follows :

GENERAL PROVISIONS

Article 1

As soon as possible after the first day of July in each year, that is to say as soon as possible after the commencement of each Australian financial year, the Australian Government shall in relation to each such financial year :

- (a) inform the Maltese Government of the total number of migrants which it desires to receive under the scheme ;
- (b) inform the Maltese Government of the number and occupational categories of workers which it wishes to recruit for migration under the scheme ; and
- (c) determine, in consultation with the Maltese Government, the classes of persons eligible for nomination as migrants under the scheme by persons or organisations in Australia.

Article 2

Persons normally resident in Malta who come within any of the undermentioned groups shall be eligible for consideration under the scheme :

- (a) unmarried male persons not less than 18 years nor more than 45 years of age ;
- (b) unmarried female persons not less than 18 years nor more than 35 years of age ;

¹ Came into force on 1 July 1965, in accordance with article 23.

- (c) childless married couples each spouse being not more than 45 years of age ;
- (d) family units each spouse being not more than 50 years of age ; or
- (e) parents, irrespective of age, nominated by persons resident in Australia

provided that the two Governments may, in special circumstances, agree to regard as eligible for consideration under the scheme other persons who do not come within any of the above-mentioned groups.

Article 3

The Maltese Government shall permit all persons who desire to migrate from Malta to Australia and who are eligible for consideration under the scheme to apply for selection as migrants under the scheme.

Article 4

The Australian Government may from time to time request the Maltese Government to co-operate with it in the recruitment, for migration to Australia under the scheme, of such numbers of suitable workers in particular occupational categories as it may specify, and the Maltese Government shall, so far as possible, render the Australian Government every assistance in this regard.

Article 5

The Australian Government shall appoint a representative in Malta to implement the scheme.

Article 6

The Australian Government shall provide the Maltese Government with information of a general nature concerning living and working conditions in Australia. No informative material relating to migration under the scheme shall be distributed by either Government without the concurrence of the other.

RECRUITMENT AND SELECTION

Article 7

Nomination forms for the use of persons or organisations in Australia who wish to nominate residents of Malta for migration to Australia under the scheme shall be prepared by the Australian Government in consultation with the Maltese Government and shall be distributed to such persons or organisations by the Australian Government or the Commissioner for Malta in Australia. Completed nomination forms shall be forwarded to the Commissioner for Malta in Australia who shall check

them and supply to the Commonwealth Director of Migration of the State concerned details of checked nominations for submission to the Australian Government representative in Malta.

Article 8

Each person nominated and each worker applying for migration to Australia under the scheme shall complete an application form. Application forms shall be prepared by the Australian Government in consultation with the Maltese Government, which shall distribute them to applicants. The Australian Government representative, appointed in accordance with the provisions of Article 5 of this Agreement, shall also be entitled to distribute application forms to applicants. Completed application forms together with such certificates as to character and conduct as may be required by the Australian Government shall be lodged by applicants with the Maltese Government. If an applicant claims to be a tradesman, evidence of his trade qualifications shall also be lodged by him with the Maltese Government.

Article 9

The procedure for the selection of applicants who have lodged completed application forms shall be as follows :

(a) The Maltese Government shall forward to the Australian Government representative in Malta all application forms and accompanying documents lodged by applicants.

(b) The Australian Government representative shall inform the Maltese Government from time to time of the names of the applicants to be called for selection interview, and the dates upon which the interviews are to take place.

(c) The Maltese Government shall thereupon :

- (i) arrange through the Maltese Government Health Service for a medical examination of each applicant (including a chest x-ray where required), and for the recording of the results on a medical form prescribed by the Australian Government; and
- (ii) prior to each interview, supply to the Australian selection representative the relevant completed medical examination form and, where appropriate, chest x-ray films and Radiologist's report.

(d) The Australian Government shall have the right to have applicants further examined by its own medical officers.

(e) The Australian Government, in collaboration with the Maltese Government, shall arrange, where necessary, for selection representatives to travel to centres in Malta for the purpose of interviewing, examining and finally selecting applicants.

(f) The Maltese Government shall afford every assistance to and co-operate with the Australian Government representative, and shall supply to him such information as will assist him in determining the suitability of applicants for migration to Australia under the scheme.

(g) The Australian Government shall have the final responsibility for deciding the suitability of each applicant and his family for selection as migrants under the scheme, without being under any obligation to disclose the grounds upon which any person is not accepted for migration under the scheme.

(h) The Australian Government representative shall notify the Maltese Government and the applicant of the decision given upon each application, and where workers recruited in accordance with Article 4, are selected the notification shall include a reference to the occupational classification under which selection has been made.

Article 10

Migrants aged 18 years or more shall not be embarked for Australia under the scheme until they have undertaken in writing that in the event of their departure or of the departure of any of their dependants from Australia within two years of arrival there, they will repay to the Commissioner for Malta in Australia, prior to their departure, an amount equal to the contributions made by the two Governments towards the cost of their passage or passages to Australia. Any repayments so received shall be shared between the two Governments in proportion to their respective contributions.

EMBARKATION AND TRANSPORT

Article 11

The Maltese Government shall :

- (a) arrange, in consultation with the Australian Government, the necessary transport for migrants under the scheme according to schedules of departure periodically agreed upon by the two Governments ;
- (b) accept the principle that in arranging such transport the greatest possible use is to be made of Australia's international airline ;
- (c) arrange for the embarkation of migrants under the scheme including the provision of travel documents, free of charge, for the marshalling of such migrants for embarkation ; and
- (d) prepare and deliver to the Australian Government representative in Malta immediately after such migrants have been embarked on any ship or aircraft, a nominal roll of such migrants.