

No. 9457

**AUSTRALIA
and
TURKEY**

**Agreement concerning the residence and employment of
Turkish citizens in Australia. Signed at Canberra on
5 October 1967**

Authentic texts: English and Turkish.

Registered by Australia on 6 march 1969.

**AUSTRALIE
et
TURQUIE**

**Accord concernant la résidence et l'emploi des citoyens turcs
en Australie. Signé à Canberra le 5 octobre 1967**

Textes authentiques: anglais et turc.

Enregistré par l'Australie le 6 mars 1969.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
COMMONWEALTH OF AUSTRALIA AND THE GOV-
ERNMENT OF THE REPUBLIC OF TURKEY CONCERN-
ING THE RESIDENCE AND EMPLOYMENT OF TURK-
ISH CITIZENS IN AUSTRALIA

The Government of the Commonwealth of Australia and the Government of the Republic of Turkey,

Believing that the residence and employment of Turkish workers in Australia shall be beneficial to both countries, and

For the purposes of arranging the selection, transport and employment of Turks and their dependants desiring to proceed to Australia,

Have agreed as follows :

Article 1

For the purpose of this Agreement, unless the context otherwise requires :

“ Australia ” means the territory comprising the States and mainland Territories of the Commonwealth of Australia;

“ Turkish citizen ” means a person possessing Turkish nationality in accordance with the laws in force in Turkey;

“ Turkish worker ” means a Turkish citizen who, with the intention of working, wishes to enter Australia or has entered Australia, for residence, and includes a self-employed person;

“ dependants ” means a Turkish worker’s wife and his unmarried children under 21 years of age;

“ hostel ” means temporary accommodation in Australia in which food is supplied and which is provided by or subsidized by the Australian Government;

“ single men and women ” means persons who are unmarried, divorced or widowed and who have no dependent children.

Article 2

1. The Australian Government shall establish an office in Turkey (hereinafter referred to as “ the Australian Office ”) to carry out the procedures of selection and recruitment of Turkish workers and their dependants.

¹ Came into force on 5 October 1967 by signature, in accordance with article 29 (1).

2. The Australian Government may also send temporary missions to Turkey for this purpose.
3. The Turkish Government shall take the necessary measures to facilitate the activities of the Australian Office which in the conduct of its activities shall co-operate with the Turkish Employment Service (hereinafter referred to as "Kurum"). The expenses of the Australian Office shall be met by the Australian Government.
4. Kurum shall assist officials and employees of the Australian Office in obtaining their residence and labour permits required by any relevant Turkish law.

Article 3

1. The Australian Office shall inform Kurum annually of its requirement of Turkish workers, indicating the industry groups and occupations for which the Turkish workers are needed, their wages, ages and marital status and the requirements of skill and physical fitness.
2. Kurum shall inform the Australian Office in the shortest time possible of the extent to which it can meet this requirement.
3. The types of Turkish workers to be selected shall be the subject of annual consultation between the Australian Office and Kurum to maintain a reasonable balance of skilled, semi-skilled and unskilled workers.

Article 4

1. The age limits of Turkish citizens eligible for selection under this Agreement shall be as follows :
 - (a) Single men and women between the ages of 21 and 35 years inclusive;
 - (b) Married couples, without children, between the ages of 21 and 45 years inclusive;
 - (c) Married couples, with children, who are not older than 50 years of age.
2. In special cases the above age limits may be varied by agreement between Kurum and the Australian Office.

Article 5

The annual requirement for Turkish workers shall normally be notified to Kurum without specifying names. Requests for individual Turkish workers by name to be considered under this Agreement shall be made to Kurum only when the persons concerned already have relatives resident in Australia. Kurum shall decide the conditions for meeting any such special request made by name after appropriate consultation with the Australian Office.

Article 6

The preselection of Turkish workers shall be effected by Kurum taking into account the requirement notified under Article 3. The preselection shall include medical examination of the workers and their dependants, issuance of health certificates and assessment of occupational skill and physical capacity for the employment concerned.

Article 7

1. The final selection of Turkish workers and their dependants preselected by Kurum in accordance with Article 6 shall be made by the Australian Office, to determine whether they meet normal requirements for entry to Australia.
2. The following procedures shall operate in connexion with the final selection :

(a) Kurum shall, together with other necessary documents, supply to the Australian Office medical examination reports and X-ray films concerning pre-selected Turkish workers and their dependants.

(b) The Australian Office shall as soon as possible after receiving the documents concerning a Turkish worker and his dependants from Kurum as indicated in sub-paragraph (a) of this paragraph, notify Kurum whether final selection action is to take place and if so on what date and at what place.

(c) Should the Australian Office require a special check of the occupational skill of a Turkish worker, the costs shall be met by the Australian Office.

(d) Where possible Kurum shall assist the Australian Office in obtaining occupational checks by making available appropriate Turkish facilities.

(e) The Australian Office shall notify Kurum and each applicant concerned, within the shortest time possible, of the decision on each application which has proceeded to final selection. Where the Australian Office has rejected a pre-selected applicant, it shall notify the Director-General of Kurum of the reasons therefor when requested by him to do so.

Article 8

1. A document containing the particulars set out in paragraphs 2 and 3 of this Article shall be completed by the Australian Office and each applicant who has been finally selected.

2. The part of the document to be signed by a responsible officer of the Australian Office shall set out :

(a) That the necessary cost of the applicant's passage from the point of embarkation in Turkey to the locality of his employment in Australia shall be met by the Australian authorities, except for the equivalent of 25 Australian dollars per person to be paid by the applicant before departure for himself and for his wife and his children 19 years of age or over should they travel with him;

- (b) The assistance and facilities to be provided by the Australian authorities for the dependants of the applicant whether they travel with him to Australia or join him there afterwards;
 - (c) That food and accommodation for the applicant and his dependants shall be provided under the conditions specified in paragraph 2 of Article 14 until he enters suitable employment;
 - (d) The nature and the amount of the social and financial assistance in addition to food and accommodation until the applicant enters suitable employment;
 - (e) The type of employment intended for the applicant in Australia according to his occupational capacity and physical aptitude as assessed in the process of selection;
 - (f) The minimum wage the applicant can expect to receive in his likely employment;
 - (g) That the applicant shall enjoy the same social benefits and rights as Australian and other foreign workers working in Australia including unemployment benefit, conditions of employment and industrial safety, health benefits and holidays with pay;
 - (h) That the applicant's dependants resident in Australia shall enjoy the same social benefits as the dependants of Australian and other foreign workers.
3. The part of the document to be signed by the applicant shall set out :
- (a) That the applicant shall contribute the equivalent of 25 Australian dollars per person towards the cost of passages for himself, his wife and his children 19 years of age or over who accompany him to Australia;
 - (b) That, should an applicant or any of his dependants wish to leave Australia within 24 months of their arrival, he shall refund the amount paid by the Australian authorities towards the cost of his passage to Australia or that of his dependants.
4. The document referred to in this Article shall be prepared in three copies both in Turkish and in English. One copy of each shall be given to Kurum, the Australian Office and the applicant.
5. The form of the document shall be agreed by Kurum and the Australian Office.

Article 9

Before the departure of Turkish workers from Turkey the Australian Government shall take all necessary measures for informing them in writing in the Turkish language about working and living conditions in Australia and their likely employment.