

No. 4047

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**NETHERLANDS**  
**and**  
**AUSTRALIA**

**Assisted Migration Agreement. Signed at The Hague, on  
1 August 1956**

*Official texts: Dutch and English.*

*Registered by the Netherlands on 28 October 1957.*

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**PAYS-BAS**  
**et**  
**AUSTRALIE**

**Accord relatif à l'assistance à la migration. Signé à La  
Haye, le 1<sup>er</sup> août 1956**

*Textes officiels néerlandais et anglais.*

*Enregistré par les Pays-Bas le 28 octobre 1957.*

No. 4047. ASSISTED MIGRATION AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA. SIGNED AT THE HAGUE, ON 1 AUGUST 1956

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The Government of the Kingdom of the Netherlands (hereinafter referred to as the Netherlands Government) and

The Government of the Commonwealth of Australia (hereinafter referred to as the Commonwealth Government);

Being willing to co-operate in order to foster the emigration from the Netherlands to Australia of Netherlands nationals in such numbers as may from time to time be mutually agreed upon;

And being prepared to carry out the scheme set out in this Agreement (hereinafter called "the scheme");

Hereby agree as follows :

I

The Netherlands Government shall be responsible for payment of the cost of transporting each migrant who leaves under the scheme but shall be entitled to receive the following contributions thereto, namely

- (a) from the Commonwealth Government a sum equivalent to one hundred United States dollars or such other sum as may be mutually agreed upon from time to time;
- (b) from the migrant a sum upon a basis to be fixed by the Netherlands Government in consultation with the Commonwealth Government;
- (c) from any international or other organisation such sum as that organisation may be prepared to grant and may be approved by both Governments.

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The cost of passages for migrants selected under the scheme shall be kept at the lowest possible figure.

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<sup>1</sup> Came into force on 20 May 1957, the date of receipt by the Government of Australia of a notification from the Government of the Netherlands that the approval constitutionally required in the Netherlands had been obtained, with retroactive effect from 1 April 1956, in accordance with clause 24.

## 3

Neither Government shall charge to the other any portion of the expenses incurred by it in carrying out its obligations under this Agreement.

## 4

The procedure for the selection of migrants under the scheme shall be as follows subject to such variations as may be agreed upon from time to time.

(a) Application forms shall be prepared by the Commonwealth Government, in consultation with the Netherlands Government, and shall be distributed by the Netherlands Emigration Service to prospective migrants.

(b) Such application forms shall be completed in duplicate by applicants and returned to the Netherlands Emigration Service, together with such certificates of trade proficiency and character as may be required by the Commonwealth Government. One copy of each form and certificate shall be delivered to a Commonwealth Government representative appointed pursuant to paragraph (e) hereof.

(c) The Netherlands Emigration Service shall check the application and accompanying certificates and shall arrange for a medical examination of those applicants considered to be eligible pursuant to clause 7 of this Agreement. Such medical examination shall be carried out by a Medical Officer approved by the Commonwealth Government and shall be in accordance with the provisions of a Medical Examination Form approved by the Commonwealth Government. The completed Medical Examination Form shall be delivered to the Commonwealth Government representative. The Commonwealth Government shall have the right to have applicants further examined by its own medical officers before they are finally approved. The cost of medical examination shall be borne by the applicant or by the Netherlands Government, except when it is conducted by a Commonwealth Medical Officer.

(d) The Commonwealth Government in collaboration with the Netherlands Government shall arrange, where necessary, for selection representatives appointed by it to travel to centres in the Netherlands for the purpose of interviewing, examining and finally selecting applicants brought forward by the Netherlands Government. The location of such centres shall be decided by arrangement between the Chief Migration Officer of the Commonwealth Government in the Netherlands and the Netherlands Emigration Service.

(e) The Commonwealth Government shall have the final responsibility for deciding the suitability of each applicant for settlement in Australia and shall appoint its own representative or representatives to undertake the final

selection of applicants and such other duties as are specified in this Agreement. The Netherlands Government shall afford every assistance and co-operation to such Commonwealth Government representatives to enable them to assess the suitability of applicants for settlement in Australia, and shall facilitate and assist them in making the final examination and selection of the applicants.

(f) Having completed the final examination and selection of applicants, the Commonwealth Government representatives shall notify to the Netherlands Emigration Service the names of the applicants who have been selected.

## 5

The following obligations shall be assumed by the Commonwealth Government in regard to the scheme, namely

(a) To select as migrants under the scheme only such persons as shall be brought forward by the Netherlands Government and to admit them into the Commonwealth of Australia.

(b) Upon arrival of selected migrants in Australia

- (i) to accommodate them temporarily at an Immigration Reception and Training Centre during the period while they are awaiting employment; and, where necessary, to provide accommodation without cost to the migrants for a period of seven days after their arrival in Australia; provided, however, that as from the eighth day after arrival, when normally an unemployment or special social service benefit will commence to be payable, there shall be deducted from any such benefit an amount in discharge of the cost of board and lodging for the migrant and his dependants, until such time as suitable employment has been found for him; and that when employment has been offered to the migrant, he shall thereupon become responsible for the payment of his own board and lodging as from the date on which he is due to commence employment and shall also be primarily responsible for the payment of board and lodging for his dependants, at the weekly rates applicable at the time for accommodation provided by the Commonwealth Government in Immigration Holding Centres;
- (ii) in the case of a family unit for whom the breadwinner cannot arrange private accommodation when he has been placed in employment, to accommodate his dependants at an Immigration Holding Centre situated as near to the place of employment as circumstances will permit. The breadwinner shall be primarily responsible for the payment of weekly charges payable for dependants, which charges shall commence from the date on which he is due to start employment and shall be at rates deter-

mined by the Commonwealth Government for the accommodation of dependants in such centres. Notwithstanding the foregoing provisions of this subclause where practicable and subject to accommodation being available for complete family units in Commonwealth Government Workers Hostels, the family units will be placed in such hostels. The accommodation charges payable in respect of such family units shall be those applicable at the time at such hostels;

- (iii) in the event of the migrant and/or his dependants being offered accommodation by an employer, to ensure that the standard of accommodation thus offered and the charges therefor shall be the same as those applying to Australian workers of the same category in the same area;
- (iv) to arrange transport free of cost to migrants
  - (1) from ship's side to an Immigration Reception and Training Centre;
  - (2) from the Immigration Reception and Training Centre to the initial place of employment;
  - (3) for dependants from the Immigration Reception and Training Centre to an Immigration Holding Centre; and
  - (4) for dependants from the Immigration Holding Centre to the first private or other accommodation found by or arranged for the breadwinner, provided that such accommodation is in the State of the Commonwealth in which the breadwinner is initially allocated to employment or in the State in which he is subsequently permitted by the Commonwealth Government to accept employment;
- (v) to arrange free of cost to migrants who are proceeding from ship's side to approved privately-arranged accommodation, transport to such accommodation;
- (vi) to render every assistance through the medium of the Commonwealth Employment Service in placing migrants in employment;
- (vii) to arrange for the payment of normal social service benefits to migrants, such social service benefits to include unemployment and sickness benefit (payable from and including the seventh day after the day on which the migrant becomes unemployed or makes a claim for unemployment benefit or becomes incapacitated) and child endowment, maternity allowance, hospital benefit and pharmaceutical benefit;
- (viii) to provide after-care for migrants, in that the Commonwealth Department of Immigration and associated voluntary welfare and after-care organisations will advise them on and assist them in solving any assimilation

problems which they may have during their initial period of settlement in Australia;

- (ix) to ensure that the amount of personal or household effects that is carried free by the ship on which the migrants travel to Australia or by any subsequent ship as provided for in clause 17 of this Agreement shall be carried at the expense of the Commonwealth Government from the place of disembarkation to the initial place of private accommodation in Australia. Should a migrant bring with him an amount of personal or household effects over and above that carried free by the ship on which he travels, then the migrant shall be responsible for sea freight, storage charges and movement in Australia of all personal and household effects that exceed the amount carried free by the ship.

(c) To communicate to the Netherlands Government as soon as possible before the date of departure of ships or aircraft, the ports or airports of disembarkation referred to in clause 6, paragraph (c) of this Agreement, provided always that where the Commonwealth Government considers that an emergency has arisen, it shall have the right to vary the nominated ports or airports of disembarkation as necessitated by the emergency and to notify the Netherlands Government accordingly.

(d) Upon receipt of accounts from the Netherlands Government pursuant to clause 6, paragraph (g) of this Agreement, to pay to the Netherlands Government or to an account agreed upon by the two Governments the amount due as the contribution of the Commonwealth Government under clause 1 of this Agreement.

## 6

The following obligations shall be assumed by the Netherlands Government in regard to the scheme, namely

(a) To permit any of its nationals who desire to emigrate to Australia to apply for assisted passages under the Agreement.

(b) To attend to initial selection, medical examination and documentation of applicants and provide and operate all necessary establishments and facilities for these purposes, and for final selection by Commonwealth Government representatives, and for the assembly and embarkation of selected migrants.

(c) To procure the necessary transport for migrants and arrange to disembark them at those ports or airports in Australia nominated by the Commonwealth Government, after consultation with the Netherlands Government,

and according to schedules of departures periodically agreed upon by the two Governments.

(*d*) To arrange for selected migrants to be moved from their normal place of residence to embarkation points at dates which will enable them to join the ship on which they will depart for Australia and to maintain them while at the place of assembly, it being agreed that a Commonwealth Government representative shall be notified of the time and place of all embarkations and shall be entitled to be present thereat.

(*e*) Immediately after migrants have been embarked on any ship or aircraft, to arrange for nominal rolls of such migrants to be delivered to a Commonwealth Government representative for transmission to the Secretary, Department of Immigration, Canberra.

(*f*) To attend to payment of the claims of the shipping or airline companies or other transport organisation concerned in respect of the passages of migrants embarked.

(*g*) After having made the payments referred to in paragraph (*f*) of this clause, to render to the Commonwealth Government at Canberra at the end of each period of three months from the commencement of the scheme, or such other period as may be agreed upon, an account of the sums payable by the Commonwealth Government in that period pursuant to clause I of this Agreement.

(*h*) If it should be found necessary to charter transport for the purpose of carrying migrants under the scheme, to consult the Commonwealth Government prior to any such chartering.

7

Persons eligible for selection under the scheme shall be Netherlands nationals resident in the Netherlands who

- (*a*) are able to comply with the medical and other selection criteria required for entry into Australia for indefinite residence, and
- (*b*) come within the following age groups
  - (i) 18 to 45 for single men;
  - (ii) 18 to 35 for single women;
  - (iii) 18 to 45 for childless married couples;
  - (iv) 18 to 50 for married men with wives and children.

In the case of a married man in class (*iv*), his wife and children, irrespective of age, shall also be eligible for assisted passages subject to their complying with the medical and other criteria hereinbefore specified.

In special cases the Commonwealth Government may accept persons under the scheme even though they do not come within the foregoing age groups.

## 8

Assistance under the scheme shall be given only to those selected migrants who actually depart from the Netherlands to Australia during the operation of the scheme.

## 9

All official documents covering travelling formalities, including passports and visas, shall be supplied free of charge or at a nominal charge to migrants selected under the scheme.

## 10

The Commonwealth Government shall provide the Netherlands Government with information concerning conditions generally in Australia, including conditions of and opportunities for employment, for the guidance of all prospective migrants who may desire it. No official pamphlet relating to the scheme shall be issued without the concurrence of the two Governments. The Netherlands Government shall provide the Commonwealth Government with information relating to conditions which might affect emigration from the Netherlands to Australia.

## 11

The Commonwealth Government shall have the right to return to the Netherlands any migrant under the scheme who may become deportable under any law of the Commonwealth of Australia.

## 12

In order to assist the settlement in Australia of selected migrants, the Netherlands Government shall facilitate the transfer of reasonable funds from the Netherlands by them. The Commonwealth Government shall likewise facilitate the transfer to the Netherlands by migrants, of reasonable funds for the support of their dependant relatives.



## 13

Migrants aged 16 years or more shall not be embarked for Australia until they have entered into the following undertakings in writing, namely

- (a) to remain in employment approved by the Commonwealth Government for a period of two years after their arrival in Australia;
- (b) in the event of departure from Australia for any reason within two years from the date of arrival, to repay to the Commonwealth Government prior to such departure, the amount contributed by it pursuant to clause 1 of this Agreement;
- (c) to use every endeavour to learn the English language and to attend regularly the night classes which are conducted for all migrants at the Commonwealth Government's expense for the purpose of teaching them the English language.

## 14

The document containing the undertakings referred to in the last preceding clause shall be drawn up in the English and Netherlands languages, and be signed in duplicate by the migrant and witnessed by a Commonwealth Government representative, who shall retain one copy and hand the other to the migrant; and such document shall set out, for the information of the migrant

- (a) that employment in Australia will be at award wages and upon general conditions such as are enjoyed by Australians engaged in the same type of employment;
- (b) that he will be informed upon allocation to employment in Australia of the rate of wages and general conditions applicable to that employment.

## 15

In order to ensure the efficient operation of the scheme, the Netherlands Government shall render all assistance possible to the Commonwealth Government in securing at reasonable cost suitable office accommodation and equipment and living accommodation for its representatives in the Netherlands engaged upon duties in connection with this Agreement. Where necessary, the Netherlands Government shall make available interpreters and minor clerical assistance for Commonwealth Government representatives engaged in the selection of migrants.

## 16

The Commonwealth Government shall have the right to appoint an officer or officers to accompany each ship carrying migrants from the Netherlands to Australia in order to advise them concerning Australian conditions and generally to attend to their welfare during the voyage. The Netherlands Government shall likewise have the right to appoint an officer who shall co-operate with any such Commonwealth Government officers.

## 17

Any selected migrant not proceeding directly to private accommodation in Australia who wishes to bring with him household effects for the purpose of establishing a home in Australia, shall arrange for such effects to be stored until he obtains private accommodation in Australia. When such private accommodation has been obtained the Netherlands Government shall, if such effects are stored in the Netherlands, arrange with the shipping company by which the migrant travelled, or such other company as may be decided upon by the Netherlands Government, to transport free of charge to the migrant an amount of household effects equal to that which, in addition to the migrant's personal effects, would have been transported free of charge had the household effects accompanied the migrant in the first instance.

## 18

The Netherlands Commissioner for Emigration shall produce to the Secretary, Department of Immigration, Canberra, or his representative and the Secretary, Department of Immigration, Canberra, shall produce to the Netherlands Commissioner for Emigration or his representative, any documents or accounts, whether in the Netherlands or in Australia, relating to cases in which contributions have been made if such documents or accounts are required to be produced to either Government for audit or other purposes.

## 19

The Agreement shall operate for a period of five years commencing upon the 1st day of April, 1956, and may be continued thereafter by mutual arrangement. In the event, however, of conditions arising at any time either in the Netherlands or in Australia which may render it advisable to terminate the Agreement, either party may give to the other six months notice of its intention to terminate the Agreement upon the expiration of which period the Agreement shall cease to operate.

## 20

The present Agreement, which may be referred to as the Netherlands/Australia Migration Agreement, has been drawn up in the English and Netherlands languages, both texts being equally authentic.

## 21

As far as the Netherlands are concerned, this Agreement shall apply to the territory of the Kingdom in Europe only.

## 22

The number of migrants to arrive in Australia under the scheme for the twelve months ending on the 30th of June of each year shall be the subject of negotiation between the two Governments prior to the commencement of such periods of twelve months.

## 23

The Netherlands Minister of Social Affairs and Public Health and the Commonwealth Minister for Immigration or officers authorised by those Ministers may agree upon any arrangements which are necessary for the implementation of this Agreement or are in the interests of migration generally from the Netherlands to Australia.

## 24

After the approval constitutionally required in the Netherlands has been obtained, the present Agreement shall enter into force, with retroactive effect as from the date mentioned in clause 19, on the date of receipt by the Commonwealth Government of a relevant notification from the Netherlands Government.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Agreement.

DONE at The Hague, this first day of August one thousand nine hundred and fifty-six, in two copies, in the Netherlands and English languages.

For the Government of the Kingdom of the Netherlands :

(Signed) J. W. BEYEN

(Signed) J. LUNS

(Signed) J. G. SUURHOFF

For the Government of the Commonwealth of Australia :

(Signed) J. MCEWEN

(Signed) H. A. MCCLURE-SMITH