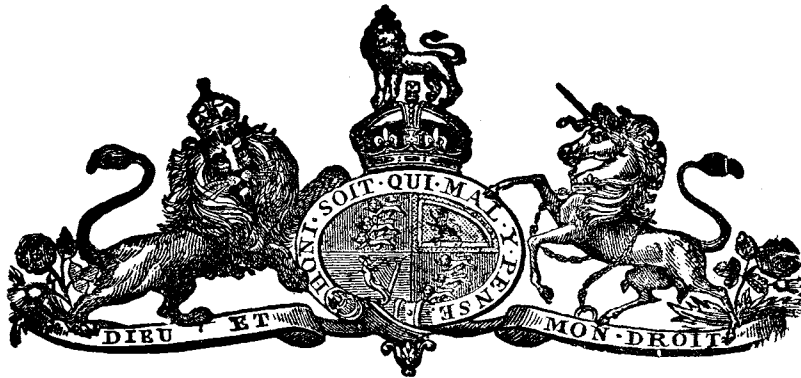


T A S M A N I A.



1 9 2 6.

ANNO SEXTO DECIMO

GEORGII V. REGIS.

No. 88.

ANALYSIS.

1. Short title.
2. Interpretation.
3. Authorisation of Commonwealth and State agreement.
4. Schemes submitted under Commonwealth and State agreement.
5. To be approved by Parliament.

A.D.

AN ACT to authorise the Government of the State to enter into an Agreement with the Government of the Commonwealth with respect to the Migration of Persons from the United Kingdom to the State, and the Borrowing by the State from the Commonwealth of Moneys to be expended by the State in connection with the Settlement of such Persons in the State. [23 April, 1926.]

1926.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “ The Migration Agreement Act, 1926.” Short title.

1s. 2d.]

Migration Agreement.

A. D. 1926
Interpretation.

2 In this Act—

“ The Commonwealth and State agreement ” means the agreement proposed to be entered into between the Commonwealth Government and the State Government, a draft of which is set out in Schedule (1) to this Act :

“ The Commonwealth Government ” means the Government of the Commonwealth :

“ The State Government ” means the Government of the State of Tasmania.

Authorisation of
Commonwealth
and State agree-
ment.

3—(1) It shall be lawful for the State Government to enter into the Commonwealth and State agreement, and for the Premier to execute the same on behalf of the State Government.

(2) A copy of the agreement entered into on the eight day of April, one thousand nine hundred and twenty-five, between His Majesty's Secretary of State for the Colonies and the Commonwealth Government, and which is referred to in the Commonwealth and State agreement, is for the purpose of reference set out in Schedule (2) to this Act.

Schemes sub-
mitted under
Commonwealth
and State agree-
ment.

To be approved
by Parliament.

4 Notwithstanding anything contained in this Act, it shall not be lawful for the State Government to submit to the Commonwealth Government any scheme for an undertaking under or within the meaning of the Commonwealth and State agreement, or involving the borrowing of any moneys by the State Government from the Commonwealth Government under the lastmentioned agreement, unless and until such scheme has been previously approved by Parliament.

*Migration Agreement.***SCHEDULES.**

A.D. 1926.

(1)

AGREEMENT made the _____ day of _____ one thousand nine hundred and _____ between the GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA (hereinafter called "the Commonwealth Government") of the one part and the GOVERNMENT OF THE STATE OF TASMANIA (hereinafter called "the State Government") of the other part:

WHEREAS HIS MAJESTY'S SECRETARY OF STATE FOR THE COLONIES (hereinafter called "the Secretary of State") and the Commonwealth Government and the State Government desire to encourage and facilitate the migration from the United Kingdom and settlement in the State of Tasmania (hereinafter called "the said State") of persons suitable for and desirous of settlement in that State (hereinafter called "assisted migrants"):

AND WHEREAS with a view to making arrangements for the settlement in Australia of an increasing number of assisted migrants the Commonwealth Government on the eighth day of April one thousand nine hundred and twenty-five entered into an Agreement (hereinafter called "the said Agreement") with the Secretary of State to issue loan moneys to the Governments of the States of the Commonwealth of Australia at a low rate of interest to enable suitable areas of land (hereinafter called "settlement areas") to be made available for settlement or to enable such public works to be carried out as would tend to develop and expand the settlement areas and to increase the capacity of already settled areas to carry a greater population:

AND WHEREAS the State Government is desirous of carrying out undertakings approved in pursuance of the said Agreement:

AND WHEREAS for that purpose the State Government is desirous of receiving and the Commonwealth Government is willing to issue moneys on loan:

NOW THEREFORE it is mutually agreed as follows:—

1. The State Government shall submit to the Commonwealth Government full details of any scheme proposed for—

- (a) Making settlement areas available; or
- (b) The construction of such public works as will tend to develop and expand the settlement areas and to increase the capacity of already settled areas to carry a greater population.

2.—(1) The details of any scheme proposed shall include details of the estimated total cost of the scheme and be classified under appropriate headings such as—

- (a) Acquiring or resuming alienated land;
- (b) Clearing land or otherwise preparing it for settlement;
- (c) Construction of roads bridges &c.;
- (d) Construction and equipment of developmental railways tramways &c. directly conducive to new settlement (but not including main trunk railways);
- (e) Construction of hydro-electric and water-conservation or other similar works in and for the purpose of rural areas;
- (f) Construction of sugar mills butter factories and similar enterprises tending to assist in the development and settlement of areas;
- (g) Afforestation;
- (h) Construction of irrigation farms;
- (i) Advances to settlers for the purchase of stock equipment housing materials &c.;
- (j) Advances to farmers or other rural employers for the erection of cottages for employees;
- (k) Settlement of persons upon farms;
- (l) Any other undertaking or expenditure agreed upon.

(2) The details of any such scheme may include details of an arrangement for an authority approved by the State Government to carry out the said scheme wholly or in part for and on behalf of the State Government.

3. The State Government shall afford to representatives of the Secretary of State and of the Commonwealth Government opportunities for the purpose of enabling them to obtain all necessary information in connection with any proposed scheme and to ascertain the progress of each undertaking under this Agreement.

Migration Agreement.

A.D. 1926.

4. If the Commonwealth Government concurs in the proposed scheme and is satisfied that the proposed works are in a settlement area or are such as will directly contribute towards the permanent settlement of suitable assisted migrants the Commonwealth Government shall submit the said scheme to the Secretary of State for approval.

5. If the Secretary of State approves the said scheme it shall thereupon become an undertaking under this Agreement and the Commonwealth Government shall subject to the terms of this Agreement issue on loan to the State Government the moneys necessary to carry out the undertaking.

6.—(1) If the moneys issued to the State Government in pursuance of this Agreement are issued (otherwise than from a loan) in anticipation of the raising of a loan they shall for the purposes of this Agreement but subject to the provisions of Paragraph (a) of Subclause (3) of the next succeeding clause be deemed to have been issued from the loan raised for the purposes of this Agreement by the Commonwealth Government next after the date on which the moneys are issued.

(2) The Commonwealth Government shall be entitled to repay to the Commonwealth Public Account from such loan the moneys issued in anticipation of the raising of a loan.

7.—(1) The State Government shall on or before the date or dates in each year fixed for that purpose by the Commonwealth Government pay to the Commonwealth Government interest on the moneys issued to the State Government in pursuance of this Agreement.

(2) Subject to this Agreement the State Government shall in respect of the moneys issued to the State Government in pursuance of this Agreement pay to the Commonwealth Government interest—

(a) For the first five years at the rate of one per centum per annum;

(b) For the succeeding five years at one-third the rate payable by the Commonwealth Government in respect of the loan from which the moneys are or are deemed to have been issued; and

(c) Thereafter at the rate payable by the Commonwealth Government in respect of the loan from which the moneys are or are deemed to have been issued.

(3) The date from which interest shall be payable by the State Government on moneys issued to the State Government in pursuance of this Agreement shall be—

(a) In the case of moneys issued otherwise than from a loan the date on which the moneys are issued; and

(b) In the case of moneys issued from a loan the date from which interest is payable by the Commonwealth Government in respect of such loan.

(4) A certificate by the Secretary to the Commonwealth Treasury stating the rate of interest payable by the Commonwealth Government and the date from which interest is payable by the Commonwealth Government in respect of a loan and the place where the loan was raised shall be conclusive as to the matters stated.

8. Subject to this Agreement the moneys issued to the State Government in pursuance of this Agreement shall be repaid and the interest thereon shall be paid to the Commonwealth Government as follows:—

(a) If the loan was raised in London repayment of the moneys and payment of the interest to the Commonwealth Government shall be made in London; and

(b) If the loan was raised in Australia repayment of the moneys and payment of the interest to the Commonwealth Government shall be made in Australia.

9.—(1) The moneys issued to the State Government in pursuance of this Agreement shall be repaid to the Commonwealth Government as follows:—

(a) If the moneys are or are deemed to have been issued from a loan not repayable by the Commonwealth Government within ten years after the date upon which the moneys are issued at the opening hour of business on the date on which that loan is repayable by the Commonwealth Government; or

(b) If the moneys are or are deemed to have been issued from a loan repayable by the Commonwealth Government within 10 years after the date upon which the moneys are issued at the opening hour of business on the date on which the new loan is repayable by the Commonwealth Government.

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(2) In this clause the expression "new loan" means a loan raised by the Commonwealth Government to convert or renew the loan from which moneys are or are deemed to have been issued or if no such conversion or renewal loan is raised then the public loan raised by the Commonwealth Government next after the date upon which the loan from which moneys are or are deemed to have been issued is repayable. A.D. 1926.

(3) In each case in which moneys are or are deemed to have been issued from a loan repayable within ten years after the date upon which the moneys are issued the rate of interest payable by the State Government to the Commonwealth Government on the moneys so issued shall be the rate of interest determined in accordance with Clause 7 hereof.

Provided that as from the date from which interest is payable by the Commonwealth Government in respect of the new loan the rate of interest payable by the Commonwealth Government in respect of the loan from which the moneys are or are deemed to have been issued shall be deemed to be the average annual effective rate of interest payable by the Commonwealth Government in respect of the new loan after making allowance for all costs and charges (including exchange) incurred by the Commonwealth Government in raising the new loan and all discounts on the flotation of the new loan.

(4) A certificate by the Secretary to the Commonwealth Treasury stating the average annual effective rate of interest payable by the Commonwealth Government in respect of a new loan and the date from which such interest is payable and the place where the new loan was raised shall be conclusive as to the matters stated.

(5) Amounts payable to the Commonwealth Government by the State Government by way of repayment or as interest in respect of moneys issued as mentioned in Subclause (3) of this clause shall be paid as follows:—

- (a) Until the date from which interest is payable by the Commonwealth Government in respect of the new loan payments of interest to the Commonwealth Government shall be made in London or in Australia (as the case may be) where the loan from which the moneys are or are deemed to have been issued was raised; and
- (b) As from the date from which interest is payable by the Commonwealth Government in respect of the new loan payments to the Commonwealth Government by way of repayment or as interest shall be made in London or in Australia (as the case may be) where the new loan was raised.

(6) In addition to the interest payable under this Agreement the State Government shall in each year during which interest is payable and on the same dates upon which interest is payable pay to the Commonwealth Government in Australia a sinking fund at the rate of Ten Shillings per annum for each One hundred Pounds or portion of One hundred Pounds of the moneys issued to the State Government by the Commonwealth Government until such moneys are repaid to the Commonwealth Government.

(7) Each amount of sinking fund received by the Commonwealth Government under this clause shall be paid into the National Debt Sinking Fund established under "The National Debt Sinking Fund Act 1923-24" or any amendment thereof or to any sinking fund established by the Commonwealth of Australia in lieu thereof and will be deemed to accumulate each year at the average effective rate of interest earned during that year by sinking fund moneys.

(8) A certificate by the body or person for the time being controlling the said sinking fund moneys stating the average effective rate of interest earned during any year by sinking fund moneys shall be conclusive as to the matter stated.

(9) Upon the date upon which any moneys issued by the Commonwealth Government in pursuance of this Agreement are repayable by the State Government the amounts paid to the Commonwealth Government as sinking fund by the State Government and all accumulations thereof in respect of the moneys so issued shall be applied by the Commonwealth Government in part-repayment of the moneys so issued.

(10) If any amount payable in pursuance of this Agreement by the State Government (whether by way of repayment or reimbursement or as interest or as sinking fund) is not paid to the Commonwealth Government on or before the date fixed for payment—

- (a) The Commonwealth Government may deduct that amount or any part thereof from any moneys due by the Commonwealth Government to the State Government or may recover the said amount or any part thereof by action in any court of competent jurisdiction; and
- (b) The State Government shall until the said amount is paid deducted or recovered as aforesaid pay to the Commonwealth Government interest on the sum unpaid at the same rate as that payable on the money in respect of which the said amount is payable.

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A.D. 1926.

11. The moneys issued to the State Government in pursuance of this Agreement shall be deemed to include all costs and charges (including exchange) incurred by the Commonwealth Government in borrowing and issuing moneys and all discounts on flotation of loans but shall not include interest on loans.

12. The State Government shall on or before the date or dates in each year fixed by the Commonwealth Government reimburse the Commonwealth Government the amounts expended by the Commonwealth Government in the payment of stamp duty on transfers of stock or other securities of loans raised for the purpose of this Agreement and the amounts expended by the Commonwealth Government in payment of management charges (including the costs of paying interest) on loans raised for the purposes of this Agreement.

13.—(1) The State Government shall on or before the thirty-first day of March in each financial year give to the Treasurer of the Commonwealth of Australia notice of—

- (a) The estimated total amount of money required for undertakings proposed to be carried out during the next financial year:
- (b) The approximate amount of such money which will be required during each quarter of the said next financial year: and
- (c) The approximate amount of such money proposed to be expended in London and in Australia respectively.

(2) The Commonwealth Government may at any time after the said thirty-first day of March raise a loan or loans from which to issue the amount required by the State Government.

14. Notwithstanding anything contained in this Agreement the Commonwealth Government shall not be liable at any one time to issue to the State Government in respect of any undertaking any moneys in excess of the approximate amount specified in the notice given in the last preceding clause as being required by the State Government for the period ending on the last day of the quarter succeeding the date on which the moneys are issued.

Provided that nothing in this clause shall be deemed to preclude the Commonwealth Government if it thinks fit from issuing to the State Government moneys in excess of the estimated total amount of money required for any financial year or the approximate amount required for any quarter of any financial year.

15. The places at which and the terms on which loans for the purposes of this Agreement shall be raised shall be determined by the Commonwealth Government.

16. Except in the case of an undertaking for the settlement of persons on farms for every principal sum of Seventy-five Pounds issued to the State Government in pursuance of this Agreement the State Government shall arrange that within ten years after the eighth day of April one thousand nine hundred and twenty-five an assisted migrant shall sail direct from the United Kingdom to the said State and be received into and satisfactorily established in the said State.

17. The assisted migrants received into and satisfactorily established in the said State in pursuance of the last preceding clause shall include members of assisted migrant families without capital in the proportion of 3750 members of such families to every 10,000 such assisted migrants.

18. In the case of an undertaking for the settlement of persons on farms for every principal sum of One thousand Pounds issued to the State Government in pursuance of this Agreement the State Government shall—

- (a) Provide one new farm:
- (b) Arrange that within twelve months after the issue of the principal sum one assisted migrant family consisting on the average of five persons without capital shall sail direct from the United Kingdom to the said State and be received into and satisfactorily settled in the said State: and
- (c) Allocate at least one-half of the new farms provided in pursuance of this Agreement to assisted migrants who have sailed from the United Kingdom since the first day of June one thousand nine hundred and twenty-two and have not been resident in Australia for more than five years at the date of allocation.

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19.—(1) The Commonwealth Government shall pay two-thirds of any loss which the Commonwealth Government is satisfied has been incurred by the State Government in connection with any advances made by the State Government for purchase of stock and equipment to any assisted migrant settled on a farm in accordance with Paragraph (c) of the last preceding clause. A.D. 1926.

Provided that the amount payable by the Commonwealth Government under this clause shall not exceed the sum of Two hundred Pounds in respect of any one assisted migrant.

Provided further that where the migrant has made any repayment in respect of any such advance the amount payable by the Commonwealth Government under this clause shall not exceed two-thirds of the amount by which the sum of Three hundred Pounds exceeds the amount repaid.

(2) The State Government shall bear the balance of any loss so incurred by the State Government.

20.—(1) If in pursuance of Paragraph (iii) of Clause 5 or Paragraph (e) of Clause 6 of the said Agreement a proportionate part of any contribution of the Secretary of State is repaid with interest by way of interim adjustment the State Government shall in manner to be agreed reimburse the Commonwealth Government—

(a) The amount (including interest) so repaid to the Secretary of State: and

(b) A proportionate part of the interest contributed by the Commonwealth Government in respect of the moneys to which the repayment to the Secretary of State relates such proportionate part to be calculated and to be payable with interest in accordance with the principle governing the repayment to the Secretary of State.

(2) If any final adjustment of the amount of the contribution of the Secretary of State is made in pursuance of Paragraph (iii) of Clause 5 or Paragraph (e) of Clause 6 of the said Agreement a corresponding adjustment shall be made of the amount of the interest contributed by the Commonwealth Government and of the amount of interest paid by the State Government in respect of the moneys to which the contribution of the Secretary of State relates.

21. The number of assisted migrants to be received into and settled in the said State in accordance with Clause 18 of this Agreement shall be separately computed from the number of assisted migrants to be received into and established in the said State in accordance with Clause 16 of this Agreement.

22. The State Government shall where necessary establish in some country district of the said State a reception depot at which assisted migrants can be received and at which if required they will be given training facilities and shall establish an adequate after-care organisation in the said State.

23. The Commonwealth Government declares its readiness to modify or cancel any existing agreement concerning land settlement made with the State Government should the State Government so desire so that—

(a) Schemes arranged under any such agreement may become undertakings under this Agreement: and

(b) The State Government may in respect of any such undertaking enjoy the benefit of Paragraph (vi) of Clause 5 of the said Agreement.

24. The State Government shall in consultation with the Commonwealth Government reorganise where necessary the methods at present employed by the State Government in the reception absorption training settlement after-care and housing of assisted migrants in the said State.

25. In addition to the payments which the Secretary of State undertakes to make in pursuance of Clause 8 of the said Agreement the Commonwealth Government undertakes to pay during the currency of this Agreement—

(a) One-third of the capital cost—

(i) Of establishing and equipping the new reception-depot (if any) referred to in Clause 22 of this Agreement or any reception-depot established in the said State since the date of the existing land settlement Agreement (if any) with the said State; or

(ii) Of improving any existing reception-depot in the said State: and

(b) One-third of the approved annual maintenance expenditure certified in manner to be agreed to have been incurred at the said reception-depots in connection with the reception training and after-care of assisted migrants.

Migration Agreement.

A.D. 1926.

Provided that—

- (i) Estimates of capital cost and annual estimates of maintenance in relation to new depots and improvements to existing depots are submitted in advance for the convenience of the Commonwealth Government;
- (ii) Only such items whether on capital or maintenance account as are approved by the Commonwealth Government in manner to be agreed from time to time are included in the accounts of expenditure;
- (iii) A flow of assisted migration from the United Kingdom to the said State is maintained to the satisfaction of the Commonwealth Government during any year in respect of which a contribution on account of maintenance is due under this clause.

26. The State Government shall—

- (a) Treat assisted migrants fairly in all respects;
- (b) Give assisted migrants equal treatment with Australians in the said State in the acquisition of farms and in all reasonable advances for the purchase of such farms together with stock equipment seed fertilisers housing materials fencing implements and other necessities;
- (c) Organise a suitable movement whether official or otherwise having for its special object the settlement of assisted migrants under this Agreement upon farms under favourable auspices after such assisted migrants have proved their capacity and adaptability;
- (d) Allow assisted migrants the same consideration as is given to Australians in the said State in the extension of any period for the payment of any amount that may be due by them to the said State;
- (e) Arrange that assisted migrants who desire to become farmers shall be given advice and supervision in the management and development of their farms by experienced superintendents and that they shall be assisted through local agricultural financial institutions or otherwise to finance their operations upon similar terms and conditions to Australians receiving such assistance in the said State;
- (f) Find assisted migrants (other than nominated migrants) suitable employment in the said State at the same rate of wages as Australians of similar experience; and
- (g) Where an assisted migrant who has been provided with a farm under an undertaking dies or for any reason is dispossessed of his farm ensure that the farm where possible shall be transferred to another suitable assisted migrant from the United Kingdom.

27. The State Government shall furnish to the Commonwealth Government—

- (a) Within one month after the date of this Agreement a return showing the number of assisted migrants who have sailed from the United Kingdom on or after the eighth day of April one thousand nine hundred and twenty-five and have arrived in the said State up to the thirty-first day of May one thousand nine hundred and twenty-five and thereafter on the first day of each month a return in respect of the last preceding month showing the number of assisted migrants received into the said State each such return to specify—
 - (i) Children under 12 years of age;
 - (ii) Juveniles of 12 and under 17 years of age;
 - (iii) Juveniles of 17 and under 19 years of age;
 - (iv) Domestic;
 - (v) Families (including aggregate number of assisted migrants included therein);
 - (vi) Other assisted migrants; and
 - (vii) The total number of assisted migrants received;
- (b) Full information in regard to assisted migrants settled on farms in such form and at such times as the Commonwealth Government reasonably requires;
- (c) Annual returns in regard to the general progress made under each undertaking; and
- (d) Such information and explanations (if any) as are necessary to enable the Commonwealth Government to comply with the requirements of Clause 14 of the said Agreement.

28. If it appears to the Commonwealth Government that any undertaking under this Agreement has not within three years after the date of approval of the said undertaking by the Secretary of State resulted directly or indirectly in the satisfactory settlement of assisted migrants from the United Kingdom the Commonwealth Government may refuse to incur any new and additional liability in respect of the said undertaking and may withhold its concurrence in any further undertaking of the type of the said undertaking or in the locality concerned.

Migration Agreement.

IN WITNESS whereof the Prime Minister of the Commonwealth of Australia for and on behalf of the Government of the Commonwealth of Australia and the Premier of the State of Tasmania for and on behalf of the Government of the said State have hereunto set their respective hands and seals the day and year first above written. A.D. 1926.

Signed sealed and delivered by the RIGHT HONORABLE STANLEY MELBOURNE BRUCE the Prime Minister of the Commonwealth of Australia for and on behalf of the Government of the Commonwealth of Australia in the presence of—

Signed sealed and delivered by the HONORABLE JOSEPH ALOYSIUS LYONS the Premier of the State of Tasmania for and on behalf of the Government of the said State in the presence of—

(2)

AN AGREEMENT made the twenty-fifth day of April one thousand nine hundred and twenty-five between HIS MAJESTY'S SECRETARY OF STATE FOR THE COLONIES (hereinafter called "the Secretary of State") of the one part and the GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA (hereinafter called "the Commonwealth Government") of the other part.

WHEREAS under the Empire Settlement Act 1922 the Secretary of State may co-operate with the Government of any part of His Majesty's Dominions in formulating and carrying out schemes for affording joint assistance to suitable persons in the United Kingdom who intend to settle in any part of His Majesty's Overseas Dominions:

AND WHEREAS the Commonwealth Government have entered into an Agreement with the Secretary of State under the said Act for providing joint assistance in respect of passages to suitable persons (hereinafter called "assisted migrants") from the United Kingdom who wish to proceed to Australia for the purpose of permanent settlement:

AND WHEREAS the Secretary of State and the Commonwealth Government are anxious to facilitate further the settlement of such persons in Australia:

AND WHEREAS the Commonwealth Government are desirous of making arrangements for the settlement in Australia of an increasing number of assisted migrants and are willing to issue loan moneys to the Governments of the States of the Commonwealth of Australia (hereinafter called "the State Governments") at a low rate of interest for that purpose:

AND WHEREAS the Treasury have agreed to the terms of this Agreement:

NOW THEREFORE it is agreed as follows:—

1. The Commonwealth Government shall endeavour to make arrangements with the State Governments—

- (1) For suitable areas of land (hereinafter referred to as "settlement areas") to be made available for settlement and/or:
- (2) For such public works to be carried out as will tend to develop and expand the settlement areas and to increase the capacity of already settled areas to carry a greater population.

To this end the State Governments will be invited by the Commonwealth Government to submit to them full details of any schemes proposed (including details of the estimated total cost of each scheme) classified under appropriate headings such as—

- (a) Acquiring or resuming alienated land:
- (b) Clearing land or otherwise preparing it for settlement:

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- (c) Construction of roads bridges &c.:
- (d) Construction and equipment of developmental railways tramways &c. directly conducive to new settlement (but not including main trunk railways):
- (e) Construction of hydro-electric and water-conservation or other similar works in and for the purpose of rural areas:
- (f) Construction of sugar mills butter factories and similar enterprises tending to assist in the development and settlement of areas:
- (g) Afforestation:
- (h) Construction of irrigation farms:
- (i) Advances to settlers for the purchase of stock equipment housing materials &c.:
- (j) Advances to farmers or other rural employers for the erection of cottages for employees:
- (k) Settlement of persons upon farms:
- (l) Any other undertaking or expenditure agreed upon.

The details of any proposed scheme submitted to the Commonwealth Government by a State Government in pursuance of this clause may include details of an arrangement for an authority approved by the State Government to carry out the said scheme wholly or in part for and on behalf of the State Government.

2. If the Commonwealth Government concur in the proposed schemes and are satisfied that the proposed works are in a settlement area or are such as will directly contribute towards the permanent settlement of suitable assisted migrants they shall submit the said schemes to the Secretary of State for approval by him or on his behalf in such manner as he may determine. In the event of the said schemes being approved by the Secretary of State and by the Commonwealth Government they shall be certified in manner from time to time to be arranged as underakings under this Agreement.

3. The Commonwealth Government agree that the Secretary of State may appoint a representative to act with them in connection with all undertakings proposed under this Agreement to ascertain progress of each agreed undertaking and to furnish the Secretary of State from time to time with all necessary information and all facilities shall be given to such representative for this purpose.

4. The Commonwealth Government undertake to raise all necessary loans required by the State Governments in connection with the undertakings and to issue the proceeds of such loans to the State Governments as required at a rate of interest not exceeding two per cent. for the first five years and two and a half per cent. for the succeeding five years.

5. The Secretary of State undertakes to make payment to or to the account of the Commonwealth Government during the currency of the Empire Settlement Act (12-13 Geo. V. Cap. 13) and within the limitations thereof of sums in the proportion of One hundred and thirty thousand Pounds for every principal sum of Seven hundred and fifty thousand Pounds certified in manner to be agreed to have been expended in Australia on undertakings.

Provided that—

- (i) If the principal sum shall have been raised at a rate other than five per cent. the contributions of the Secretary of State shall be determined from time to time in accordance with the general principle of this clause but at the net rate not exceeding six per cent. actually payable by the Commonwealth Government on loans from which the said principal sum has been issued such net rate to be deemed to be the percentage yielded to investors at the price of public issue:
- (ii) For every principal sum of Seventy-five Pounds issued to a State Government in accordance with this Agreement and subject to the terms and conditions thereof an assisted migrant shall within ten years after the date of this Agreement sail direct from the United Kingdom to the State concerned and be received into and satisfactorily settled in that State and within ten years after the date of this Agreement there shall have been included in every 10,000 assisted migrants received into and satisfactorily settled in the State concerned such a number of assisted migrant families without capital as consist in the aggregate of 3750 persons.
- (iii) If at the expiration of the third and sixth year respectively from the date of the issue to State Governments of any loan in accordance with Clause 4 hereof the number of migrants is not deemed adequate in accordance with provisos (ii) and (iv) hereof and in accordance with the annual scale to be determined by or on behalf of the Secretary of State the proportionate parts of the contribution of the Secretary

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of State shall be repaid by way of interim adjustment by the Commonwealth Government with interest at a rate to be determined in accordance with proviso (i) hereof without prejudice to a final adjustment to be made at the end of the tenth year in accordance with proviso (ii) hereof: A.D. 1926.

- (iv) If the amount expended by any State Government in connection with any undertaking is greater or less than the principal sum of Seven hundred and fifty thousand Pounds a proportionate modification shall be made both in the contribution of the Secretary of State and in the number of assisted migrants to be settled under any such scheme:
- (v) Before any payment by the Secretary of State is made a reception depot shall where necessary have been established in some country district of the State concerned at which assisted migrants can be received and at which if required they will be given training facilities and an adequate after-care organisation shall have been established in the said State:
- (vi) No portion of capital cost or maintenance cost of new or existing depots shall be included in the principal sum on which the contribution of the Secretary of State is calculated: and
- (vii) The Secretary of State shall not be required to pay any contributions in respect of principal sum if such sum exceeds in the aggregate an amount of Twenty million Pounds except that the Secretary of State may contribute on amounts in excess of that sum in respect of any of the settlement schemes provided for under existing agreements with retrospective effect to the commencing dates of such agreements in connection with land settlement in New South Wales Victoria and Western Australia in the event of arrangements being concluded under Clause 12 hereof.

6. Any undertaking under Clause 1 Subsection (k) shall be subject to the following provisions viz. :—

- (a) For every principal sum of One thousand Pounds issued to State Governments in connection with agreed undertakings for settlement of persons upon farms the State Governments shall provide one new farm:
- (b) Within 12 months of issue of said principal sum to the State concerned one assisted migrant family consisting on the average of five persons without capital shall sail direct from the United Kingdom to the State concerned and shall be received into and satisfactorily settled in that State:
- (c) At least one-half of the new farms provided by the State Government in such agreed undertaking shall be allocated to assisted migrants who have sailed from the United Kingdom since the first of June one thousand nine hundred and twenty-two and have not been resident in Australia for more than five years at date of allocation:
- (d) The number of assisted migrants to be settled in accordance with proviso (b) of this clause shall be separately computed from the number of assisted migrants to be settled in accordance with Clause 5 hereof:
- (e) If it appears to the Secretary of State that the number of assisted migrants settled on farms is not in accordance with proviso (c) of this clause then a proportionate part of any contribution paid by the Secretary of State in respect of a land settlement agreed undertaking shall be repaid by way of interim adjustment by the Commonwealth Government in accordance with the general principle of Clause 5 (4) hereof at the end of the third and sixth years respectively from the date of issue to the State Government of the principal sum under this clause without prejudice to a final adjustment which the Secretary of State and the Commonwealth Government undertake to make at the end of the tenth year.

In addition to his contribution under Clause 5 hereof the Secretary of State undertakes to pay one-third of any loss certified by the Commonwealth Government to have been incurred by a State Government in connection with any advances made by that Government for purchase of stock and equipment to any assisted migrant settled on a farm in accordance with proviso (c) of this clause provided the amount of loss which the Secretary of State may be called upon to bear shall in no case exceed—

- (1) The sum of One hundred Pounds in respect of any one assisted migrant: or
- (2) One-third of the difference between the total sum repaid by a migrant on account of stock and equipment and Three hundred Pounds and the Commonwealth Government undertake to pay the contribution of the Secretary of State together with a contribution of a like amount from their own funds to the State Government.

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7. The Secretary of State further undertakes to make payments to the account of the Commonwealth Government on account of liability accepted by him under Clause 5 hereof of a sum or sums equivalent to the contribution or contributions provided for in Clause 5 such payment to be made at the expiration of twelve calendar months from the date on which the principal sum referred to in Clause 5 hereof shall have been issued by the Commonwealth Government to the State Governments in accordance with Clause 4 hereof.

8. The Secretary of State undertakes to pay during the currency of the Empire Settlement Act 1922 and within the limitations thereof—

- (a) One-third of the capital cost of providing and equipping the new reception depots referred to in Clause 5 (v) hereof of such depots established in the three States concerned since the date of signing of existing land settlement agreements or of improving existing reception depots: and
- (b) One-third of the approved annual maintenance expenditure certified in manner to be agreed to have been incurred at the said reception depots in connection with the reception training and after-care of assisted migrants provided that—
 - (i) Estimates of capital cost and annual estimates of maintenance in relation to new depots and improvements to existing depots are submitted in advance for the concurrence of the Secretary of State;
 - (ii) Only such items whether on capital or maintenance account as are approved by the Secretary of State in manner to be agreed from time to time shall be included in the accounts of expenditure; and
 - (iii) A flow of assisted migration from the United Kingdom to the State concerned is maintained to the satisfaction of the Secretary of State during any year in respect of which a contribution on account of maintenance is due under this clause.

9. The Commonwealth Government undertakes—

- (a) To make arrangements to ensure that the methods at present employed in the reception absorption training settlement after-care and housing of assisted migrants in Australia shall be reorganised where necessary under Government supervision:
- (b) To use their best endeavours to ensure the success of undertakings:
- (c) To arrange that assisted migrants shall be treated fairly in all respects:
- (d) That assisted migrants shall have equal treatment with Australians in the State concerned in the acquisition of farms and in all reasonable advances for the purchase of such farms together with stock equipment seed fertilisers housing materials fencing implements and other necessaries and that they shall be allowed the same consideration as is given to Australians in the extension of any period for the payment of any amount that may be due by them to the State:
- (e) To organise a suitable movement whether official or otherwise having for its special object the settlement of assisted migrants under this Agreement upon farms under favourable auspices after such assisted migrants have proved their capacity and adaptability:
- (f) That assisted migrants who desire to become farmers shall be given advice and supervision in the management and development of their farms by experienced superintendents and that they shall be assisted through local agricultural financial institutions or otherwise to finance their operations upon similar terms and conditions to Australians receiving such assistance:
- (g) That in any case assisted migrants shall be found suitable employment in Australia at the same rate of wages as Australians of similar experience provided that in the case of nominated migrants this condition shall be met by the guarantee of the nominator: and
- (h) That where an assisted migrant who has been provided with a farm under an undertaking dies or for any reason is dispossessed of his farm arrangements will be made to ensure that such farm shall where possible be transferred to another suitable assisted migrant from the United Kingdom.

10. If it appears to the Secretary of State that any agreed undertaking under this Agreement has not within three years of the date of approval of such undertaking resulted directly or indirectly in the satisfactory settlement of assisted migrants from the United Kingdom the Secretary of State reserves the right to refuse to accept any new and additional liability in respect of the undertaking in question and to withhold his approval to any further undertaking of the type or in the locality concerned.

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11. The total contribution of all descriptions paid by the Secretary of State under this Agreement shall in no case exceed the sum of £7,083,000. A.D. 1926.

12. The Secretary of State and the Commonwealth Government declare their readiness to modify or cancel any existing agreements concerning land settlement made with the State Governments should the respective Governments so desire so that schemes arranged under those agreements may become undertakings under this Agreement.

13. The Commonwealth Government undertake to furnish the Secretary of State or any person duly authorised in his behalf with full information—

- (a) In regard to the raising and issue to the State Governments of loans under this Agreement and of the expenditure therefrom: and
- (b) In regard to assisted migrants settled on farms in such forms and at such times as he may reasonably require and in any case to furnish regular annual returns in regard to the general progress made under each undertaking.

14. The Commonwealth Government undertake to make arrangements to furnish on the request of the Secretary of State or any person duly authorised in his behalf such information or explanations if any as may be required by His Majesty's Comptroller and Auditor-General for the purpose of his audit of the Imperial accounts.

15. The Secretary of State and the Commonwealth Government shall each bear their own expenses of administering this Agreement.

