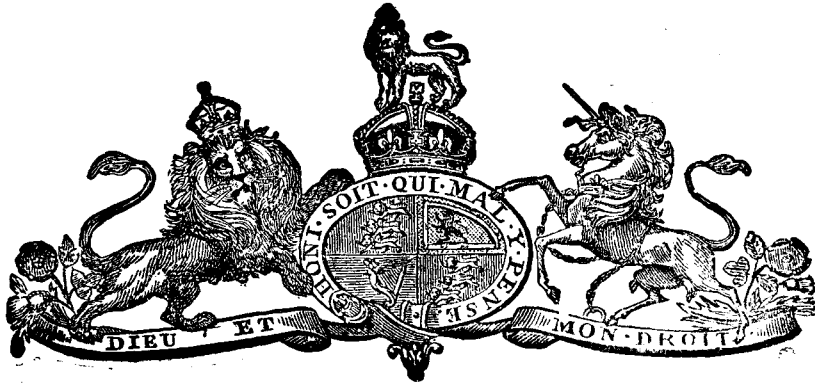


TASMANIA.



1929.

ANNO VICESIMO

GEORGII V. REGIS.

No. 6.

ANALYSIS.

- 1. Short title.
- 2. Ratification of Agreement in schedule.

AN ACT to amend the Migration Agreement Act, 1926, and to ratify an Agreement Supplemental to the Commonwealth and State Agreement Authorised thereby.

A.D. 1929.

[25 July, 1929.]

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, 1929." Short title.

2—(1) The Agreement set forth in the schedule to this Act and entered into between the Commonwealth Government and the State Government on the fifth day of November, one thousand nine hundred and twenty-eight, and executed by the Premier on behalf of the State Government, supplemental to, and for the purpose of amending, the Commonwealth and State Agreement, is hereby ratified and confirmed.

Ratification of Agreement in schedule.

Migration Agreement.

A.D. 1929.

16 Geo.V.No. 88.

(2) The Commonwealth and State Agreement, as set out in Schedule (1) to the Migration Agreement Act, 1926, shall be read and construed subject to, and as amended by, the Agreement hereby ratified.

SCHEDULE.

AGREEMENT made the fifth day of November One thousand nine hundred and twenty-eight 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 the Agreement made on the eighth day of April One thousand nine hundred and twenty-five between His Majesty's Secretary of State for the Colonies and the Commonwealth Government (hereinafter referred to as "the Principal Agreement") has been amended by an Agreement made on the twenty-seventh day of March One thousand nine hundred and twenty-eight between His Majesty's Secretary of State for Dominion Affairs (hereinafter referred to as "The Secretary of State") and the Commonwealth Government.

AND WHEREAS the Secretary of State has undertaken to make payment to the Commonwealth Government during the currency of the Principal Agreement of additional contributions in the proportion of £20,000 for every principal sum of £750,000 certified in a manner to be agreed to have been expended from time to time in Australia on agreed undertakings under the Principal Agreement.

AND WHEREAS it has therefore been found desirable to amend the Agreement made on the twenty-fourth day of April One thousand nine hundred and twenty-six between the Commonwealth Government and the State Government (hereinafter referred to as "the State Agreement").

NOW THEREFORE it is agreed as follows:—

1. Clause 9 of the State Agreement is amended by adding at the end thereof the following subclause—

"(10) Nothing in the last four preceding subclauses shall apply or be deemed to have applied during or in respect of any period during or in respect of which the provisions relating to sinking funds contained in Part II. or Part III. of the Agreement made on the twelfth day of December One thousand nine hundred and twenty-seven between the Commonwealth of Australia and the several States and set out in the schedule to the Financial Agreement Act 1928 are in force and those provisions shall during and in respect of that period apply in respect of moneys issued to the State Government by the Commonwealth Government in pursuance of this Agreement."

2. Clause 17 of the State Agreement is amended by deleting the number "3750" and inserting in its stead the number "3000."

Migration Agreement.

3. Clause 18 of the State Agreement is amended:—

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- (a) By deleting the amount “£1000” and inserting in its stead the amount “£1500”; and
 (b) By deleting from Paragraph (b) the word “five” and inserting in its stead the word “four.”

4. Clause 19 of the State Agreement is deleted and the following clauses inserted in its stead:—

“19.—(1) In addition to issuing moneys on loan to the State Government the Commonwealth Government will make payment to the State Government in accordance with the provisions of the schedule to this Agreement in respect of farms provided and allocated to assisted migrants in accordance with the last preceding clause (hereinafter called ‘migrant farms’).

(2) The provisions of Clause 20 of this Agreement shall apply as well in respect of moneys paid in pursuance of this clause as in respect of moneys issued on loan in pursuance of this Agreement.

19A. For the purposes of the last two preceding clauses ‘assisted migrant’ includes a non-assisted migrant who sailed for Australia after the first day of June One thousand nine hundred and twenty-two provided he has complied in all respects with the conditions laid down in respect of assisted migrants under the Passage Agreement for the time being in force.

Provided that for the purpose of calculating the number of persons settled under Clause 18 of this Agreement ‘assisted migrant’ shall not include any such non-assisted migrant unless he sailed for Australia subsequent to the eighth day of April One thousand nine hundred and twenty-five.”

5. At the end of the State Agreement the following schedule is added:—

“THE SCHEDULE.

1. It is calculated that the sum which will accrue to the Commonwealth Government by the acceptance of the offer of the Secretary of State of an additional contribution of £20,000 for every principal sum of £750,000 certified in a manner to be agreed to have been expended from time to time in Australia on agreed undertakings under the Agreement of 8th April 1925 between the Secretary of State and the Commonwealth Government will be approximately £906,666 subject to the absorption by the State Governments of the full amount of £34,000,000 contemplated under that Agreement it is anticipated that this will permit of the distribution to the State Governments of at least £125 per migrant farm established (this calculation being based on an estimated maximum of 7,250 migrant farms) but the final sum per migrant farm to be paid by the Commonwealth Government to the State Governments will depend on the number of migrant farms actually established and settled in Australia as a whole pursuant to land settlement schemes arranged under Clause 18 of this Agreement and the corresponding clauses in similar Agreements made between the Commonwealth Government and other State Governments.

2. The amount of £125 per migrant farm will be paid to each State Government after the close of each Commonwealth financial year subject to satisfactory evidence being submitted to the Commonwealth Government as to the number of migrant farms established and settled under Clause 18 of this Agreement or the said corresponding clauses during that year.

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3. Any such payment will however be based on the total amount borrowed by the State Government concerned under the agreement between the Commonwealth Government and the State Government and the aggregate of such payments will not be in a greater proportion than that represented by £20,000 on every £750,000 of the amount borrowed by that State Government.

4. Should the amount to which a State Government is entitled under Paragraph 2 of this schedule during any Commonwealth financial year be greater than the amount available under the last preceding paragraph credit may be given to such State Government for any such excess sum in a subsequent Commonwealth financial year to the extent of the amount available under the last preceding paragraph.

5. All moneys received by a State Government under this arrangement shall be held in trust and applied towards the reduction of any losses which the State Government may incur in respect of migrant farms established and settled under land settlement activities undertaken pursuant to the Agreement between the Commonwealth Government and the State Government.

6. In the event of the amount received by the Commonwealth Government in respect of the Secretary of State's additional contribution described in Paragraph 1 hereof being greater than that which the State Governments are entitled to claim under the arrangement set out herein the Commonwealth Government will hold the balance in trust until the expiration of the said Agreement of the eighth day of April One thousand nine hundred and twenty-five. As soon as convenient thereafter, the Commonwealth Government will after the discharge of all liabilities under Paragraph 4 hereof divide such balance amongst the State Governments in proportion to the number of migrant farms which have been certified as having been established and settled under land settlement schemes arranged under Clause 18 of this agreement or the said corresponding clauses.

7. In the event of the aggregate number of migrant farms in respect of which the amount of £125 is payable under Paragraph 2 of this schedule bearing a greater proportion to the aggregate amount in pounds sterling borrowed by the State Governments than 7,250 bears to 34,000,000 such amount of £125 shall at the expiration of the said Agreement on the eighth day of April One thousand nine hundred and twenty-five be reduced to enable an equal amount to be paid in respect of each such migrant farm and the necessary adjustments shall be made with regard to the amounts paid to the State Government in respect of such migrant farms."

6.—(1) The amendments made to the State Agreement by this Agreement except the amendment made by Paragraph (a) of Clause 3 of this Agreement shall take effect as from the date of the State Agreement.

(2) The amendment made to the State Agreement by Paragraph (a) of Clause 3 of this Agreement shall take effect in respect of undertakings approved by the Secretary of State and the Commonwealth Government after the first day of January One thousand nine hundred and twenty-seven and in respect of other undertakings to which the Secretary of State and the Commonwealth Government agree that the amendments shall apply.

Migration Agreement.

IN WITNESS whereof the Honourable Charles William Clanan Marr D.S.O. M.C. V.D. a member of the Federal Executive Council 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. 1929.

Signed sealed and delivered by the Honourable Charles William Clanan Marr D.S.O. M.C. V.D. a member of the Federal Executive Council for and on behalf of the Government of the Commonwealth of Australia in the presence of— C. W. C. MARR.

T. STRAHAN.

Signed sealed and delivered by the Premier of the State of Tasmania for and on behalf of the Government of the said State in the presence of— J. C. MCPHEE.

E. PARKES.

