

## AUSTRALIAN CAPITAL TERRITORY

### AUSTRALIAN-AMERICAN EDUCATIONAL FOUNDATION ORDINANCE 1966

#### EXPLANATORY MEMORANDUM

No. 16 of 1966

The purpose of this Ordinance is to make the abovementioned foundation a corporate body and so facilitate the operations of the Foundation.

Until recently, the Fulbright programme, which aims to promote mutual understanding between the people of the United States and other countries through educational contacts, was administered in Australia by an organization known as the United States Educational Foundation in Australia. The programme was carried out in accordance with an agreement made on 26 November 1949 between the United States and Australia, and was facilitated by an Ordinance of the Australian Capital Territory (United States Educational Foundation in Australia Ordinance 1950). The Ordinance enabled the Foundation to acquire and deal with property. The funds for the programme were made available to the United States by Australia in settlement of certain obligations. By 1964 the funds used to carry out the programme were exhausted.

In order to continue the programme, the Governments of the United States and Australia entered into a new agreement on 28 August 1964. Under this new agreement, funds are made available in equal shares by the Governments of the United States and Australia for the purpose of :

- (a) financing studies, research, instruction and educational activities of or for (i) citizens and nationals of the United States of America in Australia; and (ii) citizens of Australia in American Schools and institutions of learning located in or outside the United States of America;
- (b) financing visits and interchanges between the United States of America and Australia of students, trainees and teachers at all educational levels; and
- (c) financing other related educational and cultural programmes and activities.

To administer the funds and to replace the United States Educational Foundation in Australia, an organization known as the Australian – American Educational Foundation was established by the agreement of 28 August 1964. The

affairs of this organization are managed by a Board of Directors consisting of two honorary chairmen, viz., the Prime Minister of Australia and the principal officer in charge of the diplomatic mission of the United States, and four directors who are citizens of Australia.

The Board of Directors has recommended to the Australian and American Governments that the Foundation be incorporated under a special Ordinance of the Australian Capital Territory. The intention is that the Foundation be constituted as a corporate body with perpetual succession and an official seal; that it have the right to acquire, hold and dispose of real and personal property; and that it be capable of suing and being sued in its corporate name.

The United States Educational Foundation in Australia Ordinance 1950 is repealed by the new Ordinance, but provision is made enabling the new Foundation to dispose of property still remaining in the name of its predecessor.