

QUESTIONS ON NOTICE
DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

*Agreement between the Government of Australia and the Government of the Italian Republic
regarding the undertaking of work by cohabiting family members of diplomatic, consular and
technical and administrative staff*

Joint Standing Committee on Treaties
Public Hearing 1 April 2019

QUESTION ON NOTICE

37T 1 – Joint Standing Committee on Treaties

Topic: *Agreement between the Government of Australia and the Government of the Italian Republic regarding the undertaking of work by cohabiting family members of diplomatic, consular and technical and administrative staff*

Question

The chair asked ‘how many family members of Australian diplomatic and consular personnel serving overseas are employed as a result of agreements of this sort’

Answer

- We do not keep records of dependants at post who take up employment under a bilateral work arrangement of this sort;
- Currently there are a total of 219 Partners and 84 children over the age of 16 accompanying Australian posted officers overseas.

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QUESTION ON NOTICE

37T 2 – Joint Standing Committee on Treaties

Topic: *Agreement between the Government of Australia and the Government of the Italian Republic regarding the undertaking of work by cohabiting family members of diplomatic, consular and technical and administrative staff*

Question

The Chair requested ‘examples of sending states waiving immunities contrary to their interests’

Answer

- No waivers of immunity in relation to the employment of a dependant of a diplomatic or consular officer being either sought or provided has been recorded, either in Australia or overseas.
- It is unlikely that we (Australia) would waive immunity of dependants overseas if it is contrary to their interests.
- In relation to immunities regarding employment, if there is a bilateral employment treaty in place, immunities in relation to work are removed. If there is no bilateral treaty, the dependant may be required to give up their immunities entirely if they wished to work overseas.

Joint Standing Committee on Treaties
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QUESTION ON NOTICE

37T 3 – Joint Standing Committee on Treaties

Topic: *Agreement between the Government of Australia and the Government of the Italian Republic regarding the undertaking of work by cohabiting family members of diplomatic, consular and technical and administrative staff*

Question

Mr Wilson asked for clarification on ‘the reasons for the delay times between signature and the treaty action coming before the committee’.

Answer

- The timing of tabling in Parliament for treaties signed by Australia is a matter for the Government
- The Government progresses the tabling of treaties consistent with the policy objectives of the treaty and within the context of the Government’s broader priorities.