

AUSFTA
Submission No: ...168.....

RECEIVED
29 APR 2004

29 Billan Street
CARINA QLD 4152
23 April 2004

BY:.....

The Secretary
Joint Standing Committee on Treaties
R1-109
Parliament House,
CANBERRA ACT 2600

Dear Sir/Madam

Submission Re: USFTA

Firstly, I apologise for the lateness of this submission and request that you still accept it even though the closing date has passed.

I would like to thank the Australian Government for providing this opportunity for Australian citizens to provide input into the matter of the proposed free trade agreement with the US.

I am very concerned about several serious ramifications on the welfare of Australians of this Agreement should it and enabling legislation be passed:

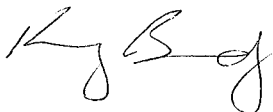
- This Agreement is an assault on democracy:
 - The dispute resolution process ultimately rests with a panel of unelected individuals who may decide, in hearings that may not be open to the public and may exclude submissions from NGOs, that an Australian law or an Australian government policy is illegal. These people would have the ability to override our democratic system.
 - New Australian regulations can be challenged by the US as being trade restrictive or too burdensome for business (for instance new environmental, labour or safety standards that become desirable from time to time as new technologies and circumstances emerge). This is a serious restriction on democracy and clearly is not in the interests of Australian citizens.
- This Agreement allows drug companies to charge more for medicines. It allows them to influence the PBS about the listing of drugs, to challenge decisions to not list drugs, and to apply for price increases after listing. This means that Australians will be paying more for medicines, either through higher PBS prices, or through increased taxes needed to fund the PBS.
- The Agreement automatically controls all services and trade except those that are expressly exempted. This means that all laws and policies on investment and services at all levels of government are affected by the agreement unless listed as reservations. Even these reservations are unsatisfactory in that they fail to adequately allow for updates to regulations to keep pace with developments.

- The ability of the Australian Government to limit or place conditions (like use of local products or labour, or technology transfer) on foreign investment is reduced. The few areas that have been exempted from this reduction are subject to 'standstill', with the result that even these areas are wide open as inevitable technological and other changes alter the way they operate.
- This agreement provides a mechanism for corporations to complain about Australian government regulations, with the possibility of Australia being liable for alleged loss of profits or potential profits.
- The USFTA would significantly weaken the ability of Australian governments at various levels to regulate essential services like water, energy, environmental, postal and health services. As many such services are provided by commercial providers in Australia, these services would not be exempted from coverage by the Agreement.
- The Agreement would undermine our essential quarantine and GE crop regulation and food labelling laws, to the detriment of primary producers and consumers, i.e. all Australians.
- The USFTA would also contribute to the erosion of our Australian culture and our conversion to pseudo Americans via the restrictions on Australian content rules in new media.
- Tarrif cuts and changes to government purchasing rules dictated by the Agreement would result in lost Australian jobs.

It is unclear whether there is any economic benefit to Australia from this agreement at all, since the original assessment predicted a gain of only 0.3% after 10 years and with the restrictions in agriculture trade negotiated by the US the gain would be much less than this, if there is any gain at all. This outcome certainly does not seem worth the costs outlined above. For the sake of the future of Australians, I request that you decline to support this Agreement.

Thank you for considering my views, and for providing this opportunity to present them.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kerry Brady', written in a cursive style.

Kerry Brady (Ms)