

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of the following treaty actions tabled on 1 November 2012.
- ⇒ *Exchange of Notes, done at Tokyo on [TBA] 2012, constituting an Agreement to further amend the Schedule to the Agreement between the Commonwealth of Australia and Japan for Air Services, done at Tokyo on 19 January 1956, as amended*
 - ⇒ *Agreement between the Government of Australia and the Government of the Republic of Kenya relating to Air Services*
 - ⇒ *Agreement between the Government of Australia and the Government of the Republic of Palau relating to Air Services*
 - ⇒ *Agreement between the Government of Australia and the Democratic Socialist Republic of Sri Lanka relating to Air Services*
 - ⇒ *Air Transport Agreement between the Government of Australia and the Government of the United States of America (Washington D.C., 31 March 2008)*
 - ⇒ *Exchange of notes amending the Air Transport Agreement between the Government of Australia and the Government of the United States of America*
 - ⇒ *Convention on International Interests in Mobile Equipment, (Cape Town, 16 November 2001)*
 - ⇒ *Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, (Cape Town, 16 November 2001)*

- 1.2 In addition, the Report contains the Committee's views on the following Minor Treaty Actions:
- ⇒ *Amendment of Australia's Schedule annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994*
 - ⇒ *Amendment to Annex 3 of the 2007 Agreement on Operational and Strategic Cooperation between Australia and the European Police Office*
- 1.3 The Committee's resolution of appointment empowers it to inquire into any treaty to which Australia has become signatory, on the treaty being tabled in Parliament.
- 1.4 The treaties, and matters arising from them, are evaluated to ensure that ratification is in the national interest, and that unintended or negative effects on Australians will not arise.
- 1.5 Prior to tabling, major treaty actions are subject to a *National Interest Analysis* (NIA), prepared by Government. This document considers arguments for and against the treaty, outlines the treaty obligations and any regulatory or financial implications, and reports the results of consultations undertaken with State and Territory Governments, Federal and State and Territory agencies, and with industry or non-government organisations.
- 1.6 A Regulation Impact Statement (RIS) may accompany the NIA. The RIS provides an account of the regulatory impact of the treaty action where adoption of the treaty will involve a change in the regulatory environment for Australian business. An RIS has been tabled with the *Convention on International Interests in Mobile Equipment*, (Cape Town, 16 November 2001) and *Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment*, (Cape Town, 16 November 2001). The remaining treaties do not require an RIS.
- 1.7 The Committee takes account of these documents in its examination of the treaty text, in addition to other evidence taken during the inquiry program.
- 1.8 Copies of each treaty and its associated documentation may be obtained from the Committee Secretariat or accessed through the Committee's website at:
http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/1november2012/tor.htm

Conduct of the Committee's review

- 1.9 The treaty actions reviewed in this report were advertised on the Committee's website from the date of tabling. Submissions for the treaties were requested by Friday, 23 November 2012 with extensions available on request.
- 1.10 Invitations were made to all State Premiers, Territory Chief Ministers and to the Presiding Officers of each Parliament to lodge submissions. The Committee also invited submissions from individuals and organisations with an interest in the particular treaty under review.
- 1.11 The Committee held a public hearing into these treaties in Canberra on Monday, 4 February 2013.
- 1.12 The transcript of evidence from the public hearing may be obtained from the Committee Secretariat or accessed through the Committee's website under the treaty's tabling date, being:
- **1 November 2012**
<http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/1november/hearings.htm>
- 1.13 A list of submissions received and their authors is at Appendix A
- 1.14 A list of witnesses who appeared at the public hearing is at Appendix B.

