

Report 107

Treaties tabled on 20 August (2) and 15 September 2009

Convention between Australia and New Zealand for the Avoidance of Double Taxation with Respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion

Agreement between the Government of Australia and the Government of Jersey for the Exchange of Information with Respect to Taxes

Agreement between the Government of Australia and the Government of Jersey for the Allocation of Taxing Rights with Respect to Certain Income of Individuals and to Establish a Mutual Agreement Procedure in Respect of Transfer Pricing Adjustments

Second Protocol Amending the Agreement between Australia and the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income

Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Enhance Voice and Participation in the International Monetary Fund

Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund

Proposed amendment of the Articles of Agreement of the International Bank for Reconstruction and Development to Enhance Voice and Participation in the International Bank for Reconstruction and Development

Agreement to amend the Agreement between the Government of Australia and the Government of the United States of America concerning Certain Mutual Defense Commitments

Agreement between the Government of Australia and the Government of the Republic of Singapore Concerning the Use of Shoalwater Bay Training Area and the Use of Associated Facilities in Australia

Amendment to Annex III of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

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Membership of the Committee

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Resolution of Appointment

The Resolution of Appointment of the Joint Standing Committee on Treaties allows it to inquire into and report on:

- a) matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements presented or deemed to be presented to the Parliament;
- b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and

such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.



List of abbreviations

ADF	Australian Defence Force
ATO	Australian Taxation Office
AUSTRAC	Australian Transaction Reports and Analysis Centre
EOI	Exchange of Information
IMF	International Monetary Fund
JSCOT	Joint Standing Committee on Treaties
NIA	National Interest Analysis
OECD	Organisation for Economic Co-operation and Development
TIEA	Tax Information Exchange Agreement
TRA	Taxing Rights Agreement



List of recommendations

2 Taxation Agreement with New Zealand

Recommendation 1

The Committee supports the *Convention between Australia and New Zealand for the Avoidance of Double Taxation with Respect to Taxes on Income and Fringe Benefits and the prevention of Fiscal Evasion* and recommends that binding treaty action be taken.

3 Taxation Agreements with Jersey

Recommendation 2

The Committee supports the *Agreement between the Government of Australia and the Government of Jersey for the Exchange of Information with Respect to Taxes* and recommends that binding treaty action be taken.

Recommendation 3

The Committee supports the *Agreement between the Government of Australia and the Government of Jersey for the Allocation of Taxing Rights with Respect to Certain Income of Individuals and to Establish a Mutual Agreement Procedure in Respect of Transfer Pricing Adjustments* and recommends that binding treaty action be taken.

4 Taxation Agreement with Belgium

Recommendation 4

The Committee supports the *Second Protocol amending the Agreement between the Kingdom of Belgium and Australia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income* and recommends that binding treaty action be taken.

5 Three treaties for the reform of the IMF and the World Bank

Recommendation 5

The Committee recommends that the Australian Government use the good will it has gained by agreeing to the IMF Voice and Participation Amendment prior to the G20 meeting to progress improvements in the balance of voting power and the confidence and legitimacy of the IMF's decision making process.

Recommendation 6

The Committee recommends that, consistent with the IMF's goals of international economic stability and fostering growth and economic development, the Australian Government advocate that the IMF not invest in:

- high risk investments;
- the manufacture of arms or military equipment; and
- environmentally damaging industries.

Recommendation 7

The Committee recommends that the Australian Government support the proposal of the Development Committee of the World Bank to increase the quota of votes allocated to developing countries to at least 47 per cent.

6 Amended Chapeau Defence Agreement

Recommendation 8

The Committee recommends that the Australian Government explore mechanisms to ensure that Australian personnel convicted of crimes for which the penalty is death while serving in the United States are not subject to the death penalty.

Recommendation 9

The Committee supports the *Agreement to amend the Agreement between the Government of Australia and the Government of the United States of America concerning Certain Mutual Defense Commitments* and recommends that binding treaty action be taken.

7 Agreement between the Government of Australia and the Government of the Republic of Singapore Concerning the Use of Shoalwater Bay Training Area and the Use of Associated Facilities in Australia

Recommendation 10

The Committee supports the *Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the use of Shoalwater Bay Training Area and the use of associated facilities in Australia* and recommends that binding treaty action be taken.

