

## Introduction

### **Purpose of the report**

- 1.1 This report contains the review by the Joint Standing Committee on Treaties of the *Anti-Counterfeiting Trade Agreement (ACTA)* done at Tokyo on 1 October 2011 and tabled in Parliament on 21 November 2011.
- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 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. The treaty examined in this report did not require an RIS, according to the Department of Foreign Affairs and Trade.

- 1.6 The Committee takes account of these documents in its examination of the treaty text, in addition to other evidence taken during the inquiry program.
- 1.7 Copies of the treaty and its associated documentation may be obtained from the Committee Secretariat or accessed through the Committee's website at:
- <[www.aph.gov.au/house/committee/jsct](http://www.aph.gov.au/house/committee/jsct)>

## **Conduct of the Committee's review**

- 1.8 The inquiry into ACTA was advertised on the Committee's website from the date of tabling. Submissions for the treaty were requested by 27 January 2012 with extensions available on request.
- 1.9 Invitations were made to all State Premiers, 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.
- 1.10 Submissions received and their authors are listed at Appendix A.
- 1.11 The Committee examined the witnesses at public hearings held in Canberra on 19 March, 23 March, and 7 May 2012.
- 1.12 Transcripts of evidence from these public hearings 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/21november2011/hearings.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/21november2011/hearings.htm)
- 1.13 A list of witnesses who appeared at the public hearings is at Appendix B.