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**GOVERNMENT RESPONSE TO REPORT 57
OF
THE JOINT STANDING COMMITTEE ON TREATIES**

Government response to Report 57 of the Joint Standing Committee on Treaties

The Australian Government would like to thank the Joint Standing Committee on Treaties (JSCOT) for their consideration of the amendments to the Safety of Life at Sea, 1974, Convention and the International Ship and Port Facility Security (ISPS) Code in hearings and in its Report 57.

The Australian Government responds as follows to the two recommendations in the Report:

Recommendation 1

The Committee recommends that a review of the *Maritime Transport Security Act 2003* be conducted 12 months after its implementation, so that any operational concerns with regard to the Act or its regulations can be raised by interested parties, with a view to improving the legislative provisions (paragraphs 4.7 and 4.8 refer).

On 21 March 2004 the Deputy Prime Minister and Minister for Transport and Regional Services, the Hon John Anderson MP, announced that Australia's maritime security framework would be assessed by the Secretaries' Committee on National Security (SCNS) as part of the Australian Government's continuous review of Australia's security arrangements.

Among others, the purpose of the assessment is to identify gaps in the legislative framework established by the *Maritime Transport Security Act 2003* (the MTSA) and its Regulations and prioritise measures to fill these gaps. The assessment includes consultation with key industry stakeholders.

The Australian Government believes that this process gives industry a significant opportunity to raise any operational concerns with regard the MTSA or its regulations with senior government officials. The context of the maritime assessment lends itself to discussions regarding amendments to the legislative framework and identification of further policy development work to be undertaken by the Australian Government in consultation with industry.

Given the current assessment process, the Australian Government does not consider it necessary to instigate a review of the MTSA 12 months after its implementation.

Recommendation 2

The Committee recommends that a briefing be provided to it by representatives of the Department of Transport and Regional Services after 1 July 2004 on the possible effects to the Australian maritime industry, including a status report on the amendments to the SOLAS Convention and the ISPS Code (paragraphs 4.9 to 4.12 refer).

The Australian Government agrees that the Department of Transport and Regional Services brief the Committee after 1 July 2004 on how the Australian maritime industry is adapting to the maritime security regime.