

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Program 1.2

Question No. 27

Senator Boyce asked the following question at the hearing on 25 May 2011:

Senator BOYCE: I have a few questions. Mr Wilkins, could you confirm that the Attorney-General's Department is a member of the Interdepartmental Committee on the Framework Convention on Tobacco Control Illicit Trade Protocol?

Mr Wilkins: We are on so many IDCs; can I just check. We do not know the answer to that.

Senator BOYCE: I have an answer to a question on notice from the Department of Health and Ageing in E11-053 that says you are—

Mr Wilkins: Does it tell me who is actually a member?

Senator BOYCE: No, it does not mention who the person is. But my next question was going to be: what is your role on that committee? So I may have problems getting an answer to that as well.

Mr Wilkins: I would imagine it is to give legal advice around issues of constitutional and international law.

Senator BOYCE: The constitutional aspect in terms of interstate trade and the like? Is that what you are saying? **Mr Wilkins:** I would say issues arising around questions of law; that would be a logical thing for the Attorney-General's Department to be on such a committee about. But I can confirm that.

Senator BOYCE: If you could. And perhaps give me some more detail on the role that the Attorney-General has played on that committee.

The answer to the honourable senator's question is as follows:

The Attorney-General's Department participates in the Interdepartmental Committee ('the Committee') established by the Department of Health and Ageing to consider and discuss issues relating to the Draft Protocol to Eliminate Illicit Trade in Tobacco Products ('the Draft Protocol'). The Draft Protocol is being negotiated by Parties to the World Health Organisation's *Framework Convention on Tobacco Control* ('the Framework Convention') and is intended to build upon and complement Article 15 of the Framework Convention, which addresses illicit trade in tobacco products.

The Attorney-General's Department has participated in the Committee since its first meeting in December 2007 and continues to use this forum to provide ongoing policy advice to the Department of Health and Ageing, and other participating departments and agencies, on the proposed criminal justice and international crime cooperation provisions of the Draft Protocol.