

## The inquiry process

### The Senate Select Committee

On 11 February 2004, the Senate established a Select Committee on the Free Trade Agreement between Australia and the United States of America, to report to the Senate within three months of the text of the agreement becoming publicly available, or on such later date as determined by the Committee.<sup>1</sup> The Select Committee agreed to table the final report on or before the 12 August 2004. The Select Committee was asked to:

- determine whether the Agreement as a whole is in Australia's national interest; and
- examine its impact on Australia's economic, trade, investment, social and environment policies.

The government made the draft text of the AUSFTA publicly available on 4 March 2004, under the provision that it still needed to be 'legally scrubbed'. The Senate Select Committee held its first meeting on the 11 March 2004. At this meeting, Senator Peter Cook was elected chair, and Senator George Brandis as deputy chair. The other Committee members are: Senators Conroy, Ferris, O'Brien, Boswell, Ridgeway and Harris.

The Committee wrote to over 200 key stakeholders, organisations and industry bodies inviting submissions, and advertised in the press. The Committee received 548 submissions. A list of submissions is at Appendix 1.

The Committee held 13 public hearings from 4 May to 6 July 2004.<sup>2</sup> The Committee heard from a cross section of witnesses, 178 in all. A list of hearing dates, locations and witnesses is at Appendix 2.

The Committee also held several round table discussions on key aspects of the Agreement. These roundtable discussions brought together leading economists and trade specialists,<sup>3</sup> experts in intellectual property and copyright issues,<sup>4</sup> as well as organisations and specialists with a keen interest in the AUSFTA's possible ramifications for the Pharmaceutical Benefits Scheme.<sup>5</sup>

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1 *Journals of the Senate* no.126, 11 February 2004

2 Although the Committee Chair proposed numerous hearing dates in the month of April while the Senate was not sitting, agreement could not be reached to hold hearings on those days as a number of senators were not available.

3 See *Transcript of Evidence*, 5 May 2004, pp.18 - 67

4 See *Transcript of Evidence*, 17 May 2004, pp. 1-42

5 See *Transcript of Evidence*, 21 June 2004, pp. 1-73

As well, the Committee engaged a private consultant, Dr Philippa Dee, to assist in its assessment of the AUSFTA. The Committee has released Dr Dee's report, which has informed the Committee's judgement on the overall impact of the AUSFTA. Dr Dee's report is contained in the volume of additional material that accompanies this report.

It should be noted that while the Senate was holding its inquiry, the Joint Standing Committee on Treaties was also tasked with assessing the AUSFTA. This Committee's AUSFTA report was tabled on 23 June 2004. The Select Committee tabled an *Interim Report* on the AUSFTA on 21 June 2004.

The Committee would like to thank all those who supported its work by making submissions and giving evidence at public hearings.