

**AUSTRALIAN SERVICES UNION**

Senator Peter Cook
The Chair of the Australian Senate

4 May 2004

Dear Senator

Re: Select Committee on the Free Trade Agreement between Australia and the United State of America

I write to you as the Executive President of the ASU in NSW and the ACT. We have considerable concerns of the possible impact of the proposed *USA - Australia Free Trade Agreement* on the industries and organisations our members work in - non-government community services, Sydney Water, Hunter Water and the Rail industry.

We are specifically concerned at the restrictions the Agreement places on the government's ability to regulate in the future. For example, if a future government needs to introduce new laws or policies on water services to ensure they are affordable, or to conserve scarce resources, the US government has the options of challenging them as "too burdensome". The same applies to rail services. We believe that decisions made by governments for such essential services need to be made on the basis of what is in the interests of the community and the environment, and these decisions should not be limited or restricted because of an Agreement with the United States of America. We believe it is dangerous, and not in the interests of Australia to be bound by such limitations. We also believe it is fundamentally undemocratic.

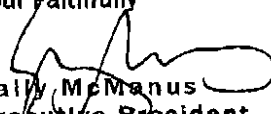
Whilst most community services should be listed as exempted from this requirement to the extent that they are run "for a public purpose", we are concerned that where they are run in competition with private providers, as many community services now are, such as the job network, this will not apply.

Finally, our members are greatly concerned about the loss of Australian content in our media and we are not at all convinced that the Pharmaceutical Benefits Scheme will not be greatly undermined.

We ask that the Senate Select Committee on the Free Trade Agreement between Australia and the United States of America, fully investigate and review the USA-Australia FTA, and establish a process of renewed negotiations of the DRAFT Agreement that is acceptable to the broad Australian Society, and recommence negotiations in a manner that is before the fact rather than after the fact.

I ask the Senate Committee to reject the Agreement in its present form.

Your Faithfully


Sally McManus
Executive President

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