

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of a treaty action tabled on 16 August 2011.
- 1.2 The treaty in question is the *Agreement between the Government of Australia and the Government of the United States of America Relating to the Operation of and Access to an Australian Naval Communication Station at North West Cape in Western Australia, done at Washington on 16 July 2008*.
- 1.3 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.
- 1.4 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 be entailed.
- 1.5 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.
- 1.6 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. This treaty did not require an RIS.

1.7 The Committee takes account of these documents in its examination of the treaty text, in addition to other evidence taken during the inquiry program.

1.8 Copies of each 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>

Conduct of the Committee's review

1.9 The treaty action reviewed in this report was advertised on the Committee's website from the date of tabling. Submissions were invited by Friday 9 September 2011 with extensions available on request.

1.10 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 treaty.

1.11 Submissions received and their authors are listed at Appendix A.

1.12 The Committee examined Government witnesses at a public hearing held in Canberra on 19 September 2011.

1.13 Transcripts of evidence from the public hearing may be obtained from the Committee Secretariat or accessed through the Committee's website under the treaty's tabling date, being:

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<<http://www.aph.gov.au/house/committee/jsct/16august2011/hearings.htm>>

1.14 A list of witnesses who appeared at the public hearings is at Appendix B.