

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of two treaty actions tabled on 23 March and 11 May 2011.
- 1.2 These treaty actions are proposed for ratification and are examined in the order of tabling:
 - **Tabled 23 March 2011**
 - ⇒ *Resolution MEPC.189(60), Adopted on 26 March 2010 Amendments to the Annex of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973 (London, 17 July 2009)*
 - **Tabled 11 May 2011**
 - ⇒ *Protocol on Investment to the Australia - New Zealand Closer Economic Relations Trade Agreement (Wellington, 16 February 2011)*
- 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 The 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. A RIS has been tabled with the *Protocol on Investment to the Australia - New Zealand Closer Economic Relations Trade Agreement* (Wellington, 16 February 2011).
- 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 actions reviewed in this report were advertised on the Committee's website from the date of tabling and in the national press on 11 May and 8 June 2011. Submissions were invited by 10 June 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 particular treaty under review.
- 1.11 Submissions received and their authors are listed at Appendix A.
- 1.12 The Committee examined the witnesses on each treaty at public hearings held in Canberra on 20 June 2011 and on 4 July 2011.

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

■ **23 March 2011**

<<http://www.aph.gov.au/house/committee/jsct/23march2011/hearings/index.htm>>

■ **11 May 2011**

<<http://www.aph.gov.au/house/committee/jsct/11may2011/hearings/index.htm>>

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

