

**National Interest Analysis [2014] ATNIA 7
with attachments**

Agreement between Australia and Japan for an Economic Partnership

(Canberra, 8 July 2014)

[2014] ATNIF 14

Attachments:

Attachment I	Consultation
Attachment II	Regulation Impact Statement
Attachment III	JAEPA Fact Sheets and Quick Guides: Outcomes at a Glance; Implementation Timeline; JAEPA Chapter Summaries; Agriculture and Processed Food; Resources, Energy and Manufacturing; Key Services and Investment Outcomes.

NATIONAL INTEREST ANALYSIS: CATEGORY 1 TREATY

SUMMARY PAGE

Agreement between Australia and Japan for an Economic Partnership (Canberra, 8 July 2014) [2014] ATNIF 14

Nature and timing of proposed treaty action

1. The proposed treaty action is to bring into force the *Agreement between Australia and Japan for an Economic Partnership* (JAEPA) and its Implementing Agreement, which were signed by the Governments of Australia and Japan on 8 July 2014.
2. Article 20.4 provides that JAEPA will enter into force 30 days after the date the Parties exchange diplomatic notes certifying that they have completed their respective legal procedures. It is proposed that Australia provide such notification as soon as practicable following consideration by the Joint Standing Committee on Treaties and passage of legislative amendments. The Governments of Australia and Japan are working towards entry into force of JAEPA in early 2015, in order to maximise the business gains for both Parties.

Overview and national interest summary

3. JAEPA will substantially liberalise Australia's trade with Japan, Australia's second-largest export market and second-largest overall trading partner. JAEPA will give Australian exporters significantly improved market access in goods and services, eliminating or significantly reducing tariffs on a wide range of Australian goods exports, including beef, natural cheese, wine, horticulture and energy and resource products. It will guarantee market access equivalent to or better than Japan has provided other trading partners in key areas of commercial interest to Australian service providers, including education, financial, legal, telecommunications, engineering and other professional services. Australian consumers will enjoy cheaper Japanese imports, notably cars and household and electronic consumer goods. Tariffs on some of Australia's most sensitive products, notably in the manufacturing sector, will be phased out over 3 to 8 years to give industry time to adjust.
4. Australia is the first major agricultural exporter to conclude an Economic Partnership Agreement with Japan, giving Australian exporters a real competitive advantage. Increased bilateral trade under JAEPA will benefit the Australian economy. Improved market access for Australian exports and lower import prices will support Australia's terms of trade, increase capital accumulation, and improve productivity and utilisation of resources. Broad most-favoured-nation (MFN) provisions ensure that in most service sectors liberalisation provided to competitors in future agreements will automatically flow to Australian service providers.
5. JAEPA will deliver market access gains and cuts to tariffs quicker than multilateral and plurilateral negotiations currently underway such as the World Trade Organization (WTO) Doha Round, the Regional Comprehensive Economic Partnership (RCEP) and the Trans-Pacific Partnership Agreement (TPP). Further, JAEPA will likely provide momentum in the Japanese system for further liberalisation within the context of the TPP negotiations,

while safeguarding Australia's position through renegotiation clauses should Japan provide better access to competitors.

Reasons for Australia to take the proposed treaty action

6. A broad economic partnership agreement with Japan will further enhance the bilateral relationship, promoting closer economic integration and highlighting the strategic importance of the relationship. JAEPA will support an already significant, complementary and lucrative bilateral economic relationship. Australia's trade surplus with Japan, at \$28.3 billion in 2013, is second only to China. JAEPA will benefit Australian exporters, importers and consumers by opening markets and freeing trade and investment between Australia and Japan. With one in five Australian jobs linked to trade, JAEPA will provide an important boost to the Australian economy.

7. While the Australia-Japan relationship is extremely strong, JAEPA would take the economic and bilateral relationship into a new phase by setting the legal framework for our bilateral trade and investment for the years to come. Through JAEPA, Japan will bind its regulatory regime in a wider range of service sectors, and liberalise more broadly within sectors, than it has done in the WTO. This will provide greater certainty of treatment for Australian service providers and investors. JAEPA also provides a framework to support industry initiatives to advance mutual recognition of professional qualifications.

8. JAEPA will create immediate market access opportunities for many sectors of the Australian economy. On entry into force, 92.8 per cent of Australia's trade to Japan will have tariffs set at zero and on the full implementation of JAEPA, 97.5 per cent of trade will receive preferential access or enter duty-free. The key outcomes are set out in further detail in Attachments II and III (Regulation Impact Statement, fact sheets and quick guides) and include:

Agriculture: Japan is Australia's second-largest agricultural market, with an estimated total value of \$4.0 billion (or 10 per cent of Australia's agricultural exports) in 2013. However Japan's current tariff barriers are particularly high in agriculture. Under JAEPA, agricultural tariffs of up to 219 per cent will be eliminated or significantly reduced on many Australian agricultural exports, including:

- *Beef*: tariffs reduced from 38.5 per cent to 19.5 per cent for frozen beef and 23.5 per cent for fresh and chilled beef over 18 and 15 years respectively, with the cuts heavily front-loaded to provide greater earlier benefit. A discretionary safeguard will be set above current trade levels, but Australia will be permanently exempt from Japan's global "snapback" safeguard (whereby Japan has the right to increase the tariffs to 50% should beef imports from all sources exceed a volume limit). There is also improved access for offal, preserved meat and live cattle.
- *Dairy*: tariff elimination on casein, lactose, albumen and milk-based proteins on entry into force, and duty-free quotas for some cheeses and improved access for ice cream and frozen yoghurt.
- *Grains/oils*: large duty-free quota for unroasted malt on entry into force, and tariff elimination on barley for feed and wheat for feed on entry into force that removes the need for Australia's exports to access Japan's complicated quota system. There are also streamlined tendering processes for some wheat varieties. Tariffs will be eliminated on wheat gluten and key vegetable oils.
- *Sugar*: tariff elimination and a reduced levy for international standard raw sugar.

- *Seafood*: tariff elimination on entry into force for crustaceans, shellfish and some fish, and phased tariff elimination on Australia's largest seafood export, Southern Bluefin Tuna.
- *Wine and beer*: tariff elimination on entry into force for bulk wine (containers over 150 litres), with a tariff phase-out over seven years for bottled and sparkling wine and wine in containers between two and 150 litres; tariffs on beer will be bound at zero.
- *Horticulture*: rapid tariff elimination on the vast majority of Australian horticulture exports (fruit, vegetables, nuts and juice) to Japan.

A limited number of products identified by Japan as most sensitive, including rice, milk powder, butter, shiitake mushrooms, sake, "low polarity" raw sugar, and certain fur skin products, receive no tariff concessions. These sensitive products accounted for 2.5 per cent of Japan's 2013 imports from Australia. Japan has excluded all these sensitive products from their previous EPAs, meaning Australian exporters will not be disadvantaged in relation to their competitors by the exclusion of these products from JAEPA.

Energy, Minerals and Manufacturing: Australia's mineral and fuel resources exports to Japan were worth over \$42 billion in 2013, accounting for over 80 per cent of total merchandise exports. Under JAEPA, all tariffs on Australia's energy and mineral exports will be eliminated within ten years, most on entry into force. Japan will also provide certainty to traders by binding tariffs at zero for certain petroleum oil products which are currently "unbound" in the WTO, meaning there is no ceiling to the possible MFN¹ tariff levels Japan could apply. All of Australia's manufacturing exports will benefit from duty-free entry on full implementation of JAEPA.

Services: JAEPA guarantees access for Australian service providers and investors equivalent to, or better than, the highest levels of market access Japan has provided to any other trading partner. It guarantees, with only limited exceptions, that if Japan gives more favourable commitments to other trade partners in the future, it will also extend them to Australia.

JAEPA includes commitments with respect to:

- *Legal services*: Japan has bound its existing regime, including a commitment to allow Australian law firms to form legal professional corporations (which goes beyond its WTO GATS² commitments) and confirmed expedited registration procedures will be available for Australian lawyers under JAEPA.
- *Education services*: Japan has agreed that Japanese students seeking to study at higher education providers listed on the Australian National Register of Higher Education Providers by Australia's Tertiary Education Quality and Standards Agency will be eligible for scholarship programs administered by the Japan Student Services Organization (JASSO), established under Japan's Ministry of Education, Culture, Sports, Science and Technology.
- *Telecommunications*: Japan has bound outcomes beyond its WTO obligations on access to key services (facilities, interconnection, submarine cable systems, leased circuit services, resale services, number portability and dialling parity) necessary to connect to existing Japanese infrastructure and operate effectively in Japan.
- *Financial services*: Japan has bound current regulatory arrangements, locking in existing access for Australian service providers and ensuring that barriers cannot be

¹ MFN (most-favoured-nation) tariff levels are the tariff levels Japan applies to WTO Member countries with which it does not have a preferential trade agreement.

² The *General Agreement on Trade in Services* (GATS) is annexed to the *Marrakesh Agreement Establishing the World Trade Organization*, [1995] ATS 8.

put in place which would impede future opportunities. Japan has, for the first time, locked in cross-border access for Australian fund managers to supply portfolio management and advisory services to the Japanese institutional market from their Australian-based operations.

Investment: JAEPA provides improved access and protection for Australian investors and investments in Japan as well as for Japanese investors in Australia, promoting investor confidence and certainty in both countries. Australian investors, subject to limited exceptions, are to be treated no less favourably than Japanese investors in the establishment, expansion, acquisition, operation and sale of their investments in Japan. Japanese private investors in non-sensitive sectors will be subject to a foreign investment screening threshold equivalent to that currently provided to investors from New Zealand and the United States, as well as the Republic of Korea (and Chile by virtue of MFN provisions in the Australia-Chile FTA) once the Korea-Australia Free Trade Agreement enters into force, thereby facilitating an increase in the flow of Japanese investment into Australia. Under JAEPA, the Australian Government has retained the ability to screen at lower levels for sensitive sectors, including media, telecommunications and defence related industries, and has reserved policy space on screening proposals for foreign investment in agricultural land and agribusinesses at lower levels. JAEPA does not include an investor-state dispute settlement (ISDS) mechanism but does include a review clause which provides for future consideration of an ISDS mechanism.

Other: JAEPA also includes commitments on:

- *intellectual property*: Australia and Japan have confirmed their shared commitment to providing an environment that supports innovators and the creative industries;
- *government procurement*: for Australia, this will provide, subject to agreed exceptions, national treatment for Australian goods, services and suppliers in the Japanese market for government procurements above agreed value thresholds; and
- *electronic commerce*: JAEPA contains provisions that safeguard electronic commerce, prevent the imposition of customs duties on electronic transmissions and maintain best practice regulation in this field.

9. Consistent with Australia's other bilateral trade agreements, Australia will remove its remaining tariffs on Japanese goods. Tariffs on 82.7 per cent of Australia's merchandise imports from Japan will be eliminated on entry into force of JAEPA, with the remaining tariffs on Australia's sensitive products phased out within eight years. As these outcomes will make Japanese goods more competitive than goods from countries that do not have free trade agreements with Australia, it can reasonably be expected that Japanese exports to Australia will increase. This will benefit both Australian consumers and Australian businesses that rely on Japanese imports. The potential reduction in price from tariff elimination will be particularly relevant in the two largest product import categories from Japan: motor vehicles and automotive parts. Consumers will also benefit through cheaper electrical and white goods.

Obligations

10. JAEPA consists of 20 chapters, with associated annexes and schedules, and an Implementing Agreement. A detailed chapter-by-chapter summary of key obligations is provided at Attachment III (*JAEPA Chapter Summaries*).

11. JAEPA is a broad agreement that will liberalise and facilitate trade and investment between Australia and Japan. Upon entry into force, or over time, each Party will eliminate or reduce specified tariffs on imports of goods from the other Party (Chapter 2) that meet the agreed rules of origin³ criteria (Chapter 3). The Parties' schedules of tariff commitments are set out at Annex 1 as well as country specific tariff rate quotas⁴ (TRQs) for certain Australian agricultural exports to Japan. A review clause (Chapter 2) stipulates a requirement to review market access treatment for certain priority agriculture products such as wheat, sugar, dairy and beef in the fifth year of JAEPA and also ensures that, should Japan provide better treatment for such goods to another party, a review will be automatically triggered with a view to providing equivalent treatment to Australian products.

12. Each Party will grant market access and non-discriminatory treatment (known as national treatment⁵ and MFN treatment⁶) to services and investments from the other Party under the Trade in Services and Investment chapters (Chapters 9 and 14 respectively), except where specific measures or individual sectors are specifically reserved in the non-conforming measures annexures to JAEPA (Annexes 6 and 7). The Parties also commit to additional sector-specific disciplines affecting financial service providers and investors from each Party (Chapter 11), in addition to those above in the Trade in Services and Investment chapters.

13. Chapters 7 (Food Supply) and 8 (Energy and Mineral Resources) seek to strengthen the relationship between Australia and Japan in these sectors and provide for consultation between them in the event of a severe and sustained disruption to the supply of specified food items (Annex 4) or energy and mineral resources (Annex 5).

14. JAEPA also contains commitments and disciplines on customs procedures (Chapter 4), sanitary and phytosanitary (SPS) measures⁷ (Chapter 5), technical regulations, standards and conformity assessment procedures (Chapter 6), telecommunications (Chapter 10), the temporary entry of skilled persons (Chapter 12), electronic commerce (Chapter 13), competition policy (Chapter 15), intellectual property rights (Chapter 16) and government procurement (Chapter 17). There is a binding State-to-State dispute settlement mechanism modelled on previous free trade agreements and the WTO system (Chapter 19). Most substantive obligations in JAEPA will be subject to this mechanism, except those found in chapters on Technical Regulations, Standards and Conformity Assessment Procedures, SPS Measures, Competition Policy and some aspects of the Movement of Natural Persons chapters.

15. Chapter 1 (General Provisions) sets out several WTO-style general and security exceptions which apply to a number of chapters of JAEPA (Articles 1.9 and 1.10). Such exceptions ensure FTA obligations do not unreasonably restrict government action in key

³ "Rules of origin" (ROO) establish the criteria for determining whether goods will qualify for preferential tariff treatment under JAEPA (that is, whether a good 'originates' in Australia or Japan).

⁴ Under JAEPA, a "tariff rate quota" (TRQ) represents the maximum quantity of a product permitted to enter Japan on a preferential basis in a particular year.

⁵ "National treatment" means Australia must treat Japanese investors and (goods and) service providers no less favourably than it treats Australian investors and (goods and) service providers in like circumstances, and vice versa.

⁶ "Most-favoured-nation" (MFN) treatment means Australia must treat Japanese investors and service providers no less favourably than it treats investors and service providers of third countries in like circumstances, and vice versa.

⁷ "Sanitary and phytosanitary" (SPS) measures are measures, such as quarantine, to protect human, animal or plant life or health from pests and diseases.

policy areas, including action to protect essential security interests, the environment and health. Chapter 1 also carves out application of JAEPA to a Party's taxation measures except in certain circumstances (Article 1.8), and provides for the protection of confidential information (Article 1.7). Chapter 1 also establishes a Joint Committee to oversee JAEPA's implementation (Article 1.13).

16. The Implementing Agreement sets forth details and procedures for implementing JAEPA, notably with respect to rules of origin and customs procedures.

17. JAEPA is consistent with Australia's international obligations, including those under the *Marrakesh Agreement Establishing the World Trade Organization*.

Implementation

18. To implement JAEPA in Australia, amendments need to be made to the *Customs Act 1901*, the *Customs Tariff Act 1995* and relevant customs regulations such as the *Customs Regulations 1926*. New customs regulations need to be enacted for the product specific rules of origin set out in Annex 2 of JAEPA. The *Foreign Acquisition and Takeovers Regulations 1989* will also require amendment to incorporate the new threshold for screening investment proposals by Japanese investors at \$1,078 million (subject to lower thresholds for sensitive sectors). The *Life Insurance Regulations 1995* will require amendment in order to implement the agreement reached in respect of life insurance, whereby Japanese life insurers will be able to operate in Australia through branches rather than subsidiaries.

19. The remainder of Australia's obligations under JAEPA do not require any legislative or regulatory amendments. The impact of JAEPA on States and Territories is outlined at Attachment 1 (*Consultation*).

Costs

20. The estimated loss of tariff revenue resulting from JAEPA is approximately \$110 million in 2014-15 and \$1.59 billion over the forward estimates period. This estimate assumes that JAEPA will enter into force in early 2015. The costing does not include any second-round impacts arising from increased bilateral trade. Accordingly, the estimates do not take into account additional lost tariff revenue if imports from Japan displace imports from other countries. On the other hand, the estimates do not take into account the potential domestic economic growth that JAEPA could generate and any additional taxation revenue resulting from this growth. Overall, given the scale of the bilateral trade and investment relationship, Japan's high tariffs on Australia's main agricultural exports to Japan and the strong support for JAEPA from the business community, it is assessed that JAEPA represents a net gain to the Australian economy.

Regulation Impact Statement

21. A Regulation Impact Statement is attached (Attachment II).

Future treaty action

22. Article 20.3 provides that the Parties may agree in writing to amend JAEPA. Any amendment would be subject to Australia's domestic treaty process and enter into force thereafter on a date agreed between the Parties.

Withdrawal or denunciation

23. Under Article 20.6, either Party may terminate JAEPA by giving the other Party one year's advance notice in writing. Termination of JAEPA would be subject to Australia's treaty process.

Contact details

Free Trade Agreement Division
Department of Foreign Affairs and Trade

ATTACHMENT I - CONSULTATION

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CONSULTATION

State and Territory consultations

24. The proposed treaty action will have an impact on the States and Territories. The obligations in Chapter 9 (Trade in Services), Chapter 11 (Financial Services) and Chapter 14 (Investment) apply to State and Territory measures. Where States and Territories wish to maintain measures that are inconsistent with these obligations, they must list them in the annexes of non-conforming measures to these chapters. Australia has included several non-conforming measures relating to regional government in its annexes. Chapter 12 (Movement of Natural Persons) and Chapter 17 (Government Procurement) will also affect State and Territory governments.

25. State and Territory governments were consulted through the Ministerial Council on International Trade and regular Senior State and Territory Trade Officials' Group (STOG) and Commonwealth-State-Territory Standing Committee on Treaties (SCOT) meetings. State and Territory departments were contacted and invited to make public submissions at the outset of negotiations. The Governments of Victoria, South Australia and Queensland lodged submissions, all of which were supportive of a bilateral free trade agreement with Japan.

26. Throughout the JAEPA negotiations the Department of Foreign Affairs and Trade (DFAT) has worked closely with State and Territory governments to finalise the schedules of non-conforming measures at a regional level. In March 2008 the then Trade Minister wrote to the Premiers and Chief Ministers seeking their formal endorsement of Australia's initial offer to Japan regarding services and investment. In January 2013 the then Trade Minister wrote to State and Territory leaders regarding the finalisation of the services and investment aspects of JAEPA, advising that JAEPA would list non-conforming measures (NCMs) at the regional level and foreshadowing that DFAT would prepare draft lists of State and Territory NCMs based on the FTA negotiations with the Republic of Korea for their review. Following a period for comment, these NCMs were revised and provided to States and Territories in May 2013, before being revised again, due to outcomes in the Korea FTA negotiations, and provided to States and Territories in February 2014 for further comment. State and Territory government officials were also kept informed through teleconferences and regular meetings in state and territory capitals with DFAT officials.

Public consultations

27. DFAT commenced stakeholder consultations in December 2006, with a call for public submissions as part of a feasibility study into the pros and cons of an FTA between Australia and Japan. Following the launch of negotiations in April 2007, another call for submissions was made. Throughout negotiations DFAT has continued to welcome submissions from individuals and groups on issues relevant to the negotiations. As part of this process DFAT

received more than 90 submissions (some confidential), predominantly from individual companies and peak industry groups. The list of public submissions received is set out below.

28. In addition to seeking submissions from interested parties, DFAT, in conjunction with relevant Commonwealth agencies, has conducted an extensive program of direct consultations and discussions with stakeholders since early 2007, to ensure that their views informed development of the Government's negotiating strategy. DFAT officials have had ongoing consultations with industry, including through a large number of one-to-one, small group meetings and industry roundtables. There were also a number of large roundtable meetings held with peak organisations representing industry, professional bodies and other interested groups. These consultations helped identify commercially significant impediments to increasing Australia's exports to, and investment in, Japan. Following each negotiating round, DFAT also provided regular updates on its website on the progress of the negotiations. A full list of consultations is provided below.

29. Overall, consultations were broadly supportive of an FTA with Japan. Most businesses and industry groups, as well as State and Territory governments, argued that an FTA could help address obstacles that are impeding their access to the Japanese market. Some sectors, especially the agricultural and investment sectors, viewed an FTA as important to enhancing Australia's existing competitiveness in the Japanese domestic market and were keen to see it create new export opportunities and enhance existing trade. The resources sector expressed strong support for JAEPA, considering that it would provide greater certainty of security of supply and market access. A limited number of groups identified defensive interests (most notably the automotive sector but also those with an interest in ISDS and general labour and environment provisions). Prior to the announcement by Toyota, Ford and Holden to end manufacturing in Australia, automotive companies were concerned that JAEPA not undermine the ongoing viability of the Australian passenger motor vehicle industry. Such concerns have been met through staged elimination of Australia's tariffs on certain motor vehicles and automotive parts over three to five years.

Commonwealth consultations

30. Commonwealth Government departments were extensively consulted throughout the negotiations via regular inter-departmental committee meetings and participation of relevant agencies in Australia's negotiating teams.

31. The following is a list of submissions received and stakeholders consulted during the course of JAEPA negotiations:

LIST OF SUBMISSIONS RECEIVED

1. Association of Consulting Engineers Australia
2. AstraZeneca
3. AUSTAL Ships Pty Ltd
4. Australasian Performing Rights Association Ltd and Australasian Mechanical Copyright Owners Society Ltd
5. Australia Japan Business Cooperation Committee
6. Australian College of Natural Medicine
7. Australian Dairy Industry Council Inc

8. Australian Electrical and Electronic Manufacturers Association
9. Australian Fair Trade and Investment Network
10. Australian Film Commission
11. Australian Horticultural Exporters Association
12. Australian Mushroom Growers Association Ltd
13. Australian Nursing and Midwifery Council Inc
14. Australian Nursing Federation
15. Australian Nut Industry Council
16. Australian Oilseeds Federation
17. Australian Pork Ltd
18. Australian Recording Industry Association
19. Australian Sugar Milling Council
20. Australian Vice Chancellors' Committee
21. Australian Wine and Brandy Corporation and the Winemakers' Federation of Australia
22. Baker & McKenzie
23. Cattle Council of Australia
24. CBH Group
25. Chamber of Minerals and Energy of Western Australia
26. Cochlear Ltd
27. Commerce Queensland
28. Commonwealth Fisheries Association
29. Communications Alliance Ltd
30. Confectionery Manufacturers of Australasia Ltd
31. Copyright Agency Ltd
32. Council of Textile and Fashion Industries of Australia Ltd
33. CSR Ltd
34. Department of Premier and Cabinet (Queensland Government)
35. Department of Primary Industries (Victorian Government)
36. Department of the Chief Minister (NT Government)
37. Distilled Spirits Industry Council of Australia Inc
38. Engineered Wood Products Association of Australasia
39. Engineers Australia
40. Federation of Automotive Products Manufacturers
41. Ford Motor Company of Australia Ltd
42. Gas Industry Alliance
43. GrainCorp Operations Ltd
44. Henry Ko (response to DFAT AJFTA Negotiations Questionnaire)
45. Howard Lee Regner
46. ICET Pty Ltd (response to DFAT AJFTA Negotiations Questionnaire)
47. Insurance Australian Group Ltd
48. Investment and Financial Services Association Ltd
49. JAL Express Co Ltd
50. Kellogg (Japan)
51. Law Council of Australia
52. Law Institute of Victoria
53. Macquarie Airports Management Ltd
54. Magic Millions Sales Pty Ltd
55. Marcus McLeod, Sunshine International Ltd
56. Meat and Livestock Australia Ltd

57. Media Entertainment and Arts Alliance
58. Minerals Council of Australia
59. Monash University
60. Ms F Waddington
61. National Association of Forest Industries
62. National Institute of Accountants
63. Newfishing Australia Pty Ltd
64. Ohtani & Co Pty Ltd
65. Philip Morris Ltd
66. Qantas Airways Ltd
67. Queensland Sugar Ltd
68. Ricegrowers' Association of Australia Inc
69. Rio Tinto
70. Screen Producers Association of Australia
71. Screenrights
72. Seafood Access Forum
73. Seafood Services Australia
74. SEARCH Foundation
75. South Australian Government
76. Stanbroke Pastoral Company Pty Ltd
77. Sugar Australia
78. Sun Masamune Pty Ltd
79. Sunraysia Natural Beverage Company
80. Telstra Corporation
81. The Royal Australian Institute of Architects
82. Thoroughbred Breeders Australia
83. Tourism Australia
84. Victorian Government
85. Viscopy Ltd
86. Woodside

LIST OF STAKEHOLDERS CONSULTED

1. A Raptis and Sons Ltd
2. AACE Pty Ltd
3. ABB Grain Ltd
4. Accelerated Language Learning Centre
5. Accor
6. Agenda
7. AGR Matthey
8. Air Freight Council of Queensland
9. Air Services Australia
10. AISIN Australia Pty Ltd
11. Allco Equity Partners
12. Allen and Overy
13. Allen Consulting Group
14. Allens Arthur Robinson
15. American Chamber of Commerce in Australia
16. Amethon Solutions
17. AMP Capital Investors

18. AMPS Agribusiness Group
19. AMPY Email Metering
20. Angus Society
21. ANZ
22. Appen Pty Ltd
23. Apple and Pear Australia Ltd
24. Architects Accreditation Council of Australia
25. Aristocrat Leisure
26. Ashurst Lawyers
27. Asia Society
28. Association of Consulting Architects of Australia
29. Association of Consulting Engineers Australia
30. Astra-Zeneca
31. Atdec
32. Atex
33. Atlassian
34. Aurox Resources
35. AusBiotech
36. Austgrains Pty Ltd
37. AustralAsia Centre
38. Austral Bricks
39. Australasian Performing Rights Association / Australasian Mechanical Copyright Owners Society
40. Australia and New Zealand Chamber of Commerce in Japan
41. Australia Japan Business Cooperation Committee
42. Australia Japan Business Council
43. Australia Japan Society
44. Australia Japan Society of NSW Inc
45. Australia Japan Society of Victoria
46. Australia Meat Holdings
47. Australia-Arab Chamber of Commerce and Industry
48. Australia-China Business Council
49. Australian Acupuncture and Chinese Medicine Association
50. Australian Aluminium Council
51. Australian Automotive Aftermarket Association
52. Australian Bankers' Association
53. Australian Business Council of Sustainable Energy
54. Australian Certified Practising Accountants
55. Australian Chamber of Commerce and Industry
56. Australian Chicken Meat Federation
57. Australian Communications Alliance
58. Australian Competition and Consumer Commission
59. Australian Computer Society
60. Australian Construction Industry Forum
61. Australian Copyright Council
62. Australian Council for Overseas Development
63. Australian Council for Private Education and Training
64. Australian Council of Trade Unions
65. Australian Council of Wool Exporters
66. Australian Dairy Corporation

67. Australian Dairy Farmers Ltd
68. Australian Dairy Industry Council
69. Australian Dairy Products Federation
70. Australian Digital Alliance
71. Australian Electrical and Electronic Manufacturers' Association
72. Australian Export Grains Innovation Centre
73. Australian Fair Trade and Investment Network
74. Australian Financial Markets Association Ltd
75. Australian Food and Grocery Council
76. Australian Forest Products Association
77. Australian Glass and Glazing Association
78. Australian Grain Exporters Association
79. Australian Hardware Journal
80. Australian Horse Industry Council
81. Australian Horticultural Exporters Association
82. Australian Hotels Association
83. Australian Industry Group
84. Australian Information Industries Association
85. Australian Institute of Architects
86. Australian Institute of Export (Fed) Ltd
87. Australian Institute of Sport
88. Australian International Marine Export Group
89. Australian Japan Business Cooperation Committee
90. Australian Local Government Association
91. Australian Logistics Council
92. Australian Lot Feeders Association
93. Australian Manufacturers' Patents, Industrial Designs, Copyright and Trade Mark Association
94. Australian Manufacturing Technology Institute
95. Australian Manufacturing Workers Union
96. Australian Meat Industry Council
97. Australian Mobile Telecommunications Association
98. Australian National University
99. Australian Nursing Federation
100. Australian Nursing and Midwifery Council
101. Australian Nut Industry Council
102. Australian Oilseeds Federation
103. Australian Petroleum Production and Exploration Association
104. Australian Pipeline Industry Association
105. Australian Plantation Products and Paper Industry Council
106. Australian Pork Ltd
107. Australian Procurement and Construction Council
108. Australian Recording Industry Association
109. Australian Screen Directors Association
110. Australian Securities and Investment Commission
111. Australian Securities Exchange
112. Australian Services Roundtable
113. Australian Services Union
114. Australian Stock Exchange
115. Australian Subscription Television and Radio Association

116. Australian Sugar Industry Alliance
117. Australian Sugar Milling Council
118. Australian Telecommunications Users Group
119. Australian Tourism Export Council
120. Australian Toy Association
121. Australian Vegetable and Potato Growers Association
122. Australian Vice-Chancellors' Committee
123. Australian Visual Software Distributors Association Ltd
124. Australian Window Association
125. Australian Wine and Brandy Corporation
126. Australian Wool Exchange
127. Australian Wool Industries Secretariat
128. Australian Wool Innovation Ltd
129. Australian Wool Processors Council
130. Australian Workers Union
131. AWB Ltd
132. Babcock and Brown
133. Bacton Pty Ltd
134. Bank of Queensland
135. Bank of Tokyo, Mitsubishi
136. Barley Australia
137. Bega Cheese
138. BHP Billiton
139. Bindwell Plastics
140. BITANZ
141. Blake Dawson
142. Blaze
143. BLP Training and Services Ltd
144. Blue Mountains International Hotel Management School
145. Bluescope Steel
146. Bombardier
147. Bovis Lend Lease
148. Bright Software Pty Ltd
149. Brisbane North Institute of TAFE
150. Bristol Squibb Myer
151. Broadcaster Media Pty Ltd
152. Bruck Textiles
153. B-safe Australia
154. Building Products Innovation Council
155. Burra Foods Australia
156. Bush's Pet Foods Pty Ltd
157. Business Council of Australia
158. Business Focus International
159. Business Intelligence Technologies
160. Canegrowers Council of Australia
161. Cargill
162. Carpet Institute of Australia Ltd
163. Cattle and Beef Management Services
164. Cattle Council of Australia
165. CBH Group

166. Central Queensland University
167. Certified Practising Accountants Australia
168. Challenger Financial Group
169. CHASS
170. Cheetham Salt
171. Chevron Australia
172. Chevron Texaco
173. Citrus Australia
174. City of Melbourne
175. Claypave
176. Clayton Utz
177. Commerce Queensland
178. Commonwealth Bank of Australia
179. Communications Alliance Ltd
180. Compunetix Pty Ltd
181. Concept Amenities
182. Confectionary Manufacturers of Australasia Ltd
183. Connell Wagner Pty Ltd
184. Conoco Phillips
185. Consulate General of Japan
186. Consult Australia
187. Cooper Grace Ward Lawyers
188. Copyright Agency Ltd
189. Corrs Chambers Westgarth
190. Cotton Australia
191. Council for International Trade and Commerce in South Australia
192. Council for Multicultural Australia
193. Council of Textiles and Fashion Industries of Australia Ltd
194. Country Fresh Australasia Pty Ltd
195. Cox Architects
196. Cox Group
197. CPSU-SPSF Group
198. Cricket Australia
199. Crone Partners
200. CSL
201. CSR
202. Curtin University
203. Customs Brokers and Forwarders of Australia
204. Dairy Trade Reference Group
205. Dairy Australia
206. Davlei Corporation
207. DCM Architects
208. Deacons
209. Decision Japan Co
210. Decoramics Pty Ltd
211. Deloitte
212. Delphi Automotive Systems Australia Ltd
213. DelvTech International Pty Ltd
214. DengonNet
215. Design Institute of Australia

216. Distilled Spirits Industry Council of Australia Inc
217. Diversified Construction Corporation
218. Domgas Alliance
219. Drum Grab Australia
220. DTS Australia
221. Easy Peasy Australian Language School
222. EGR
223. Elders Ltd
224. Endeavour Industries Pty Ltd
225. Energy Network Association
226. Energy Resources of Australia Ltd
227. Engaged Technology
228. Engineered Wood Products Association A'asia
229. Engineers Australia
230. Ensign International Energy Services
231. Environment Business Australia
232. Ernst and Young
233. Federal Chamber of Automotive Industries
234. Federation of Automotive Products Manufacturers
235. Financial Services Council
236. Fisher Adams Kelly
237. Fisheries, Research and Development Corporation
238. Flinders University
239. Fonterra Australia
240. Food Advantage
241. Ford Motor Company of Australia
242. Footwear Manufacturers of Australia
243. Frog Rock Wines
244. Frog Tech
245. G T Angus Bar and Grill
246. Gavin Anderson and Company
247. Gilbert George Associates
248. Global Intelligence Pty Ltd
249. Gloria Jean's Coffees
250. GM Holden
251. Golden Circle
252. Golden Orb Technologies
253. Gorgon Projects
254. Government of the Australian Capital Territory
255. Government of the Northern Territory
256. Government of NSW
257. Government of Queensland
258. Government of South Australia
259. Government of Tasmania
260. Government of Victoria
261. Government of Western Australia
262. Grain Growers Association
263. Grain Producers Australia
264. Grains Council of Australia
265. Grains Industry Market Access Forum

266. Grains Industry Roundtable
267. Grains Policy Institute
268. Hammersley Iron
269. Hassell
270. Head Records
271. Herbert Smith
272. Heritage Seeds
273. Horticulture Australia Ltd
274. Hospira
275. Hunt and Hunt Lawyers
276. Hunter Phillip Japan Ltd
277. Hyne and Son
278. Hyro
279. Hysport
280. IBA Health
281. IBC Pacific (Australia) Pty Ltd
282. IBM Australia/New Zealand
283. ICET Pty Ltd
284. IFRA Pty Ltd
285. Information Tools Pty Ltd
286. INPEX Corporation
287. Institute of Actuaries Australia
288. Institute of Arbitrators and Mediators Australia
289. Institute of Certified Accountants
290. Institute of Chartered Accountants of Australia
291. Institute of Management Consultants
292. Institute of Public Accountants
293. Insurance Australia Group Ltd
294. Insurance Council of Australia
295. Integeo
296. Intermix Australia
297. International Federation of Intellectual Property Attorneys / Institute of Patent and Trademark Attorneys of Australia
298. International Education Services Ltd
299. International Institute of Trade
300. International Investment and Financial Services Association
301. International Legal Services Advisory Council
302. International Livestock Resource and Information Centre
303. International Women's Federation of Commerce and Industry
304. Internet and Telecommunications Australia
305. Investment and Financial Services Association
306. IOOF
307. IP Consultative Group
308. Japan Assist
309. Japan Australia Business Council
310. Japan Chamber of Commerce and Industry
311. Japan Exchange and Teaching Programme
312. Jellinbah Resources
313. JETRO Melbourne
314. JETRO Sydney

315. Joe White Maltings Pty Ltd
316. JRB Engineering Pty Ltd
317. Kann Finch
318. Kintetsu World Express
319. KPMG
320. Kraft
321. Laureate International
322. Law Council of Australia
323. Law Council of Victoria
324. Leighton Holdings
325. Lester Franks Survey and Geographic Pty Ltd
326. Level 11 Consulting
327. Linc Media
328. Linden Group
329. Lion
330. Live Exports Council
331. Lovells
332. Lowy Institute
333. Lucid Translations
334. MacCormack Associates Consultants
335. Macadamia Nut Society
336. Macquarie Bank Ltd
337. Macquarie Capital Advisers
338. Macquarie Group Ltd
339. Macquarie Office Management Ltd
340. Macquarie Telecom
341. Magnets'r'Us
342. MahawaDesign
343. Marubeni Australia Pty Ltd
344. Meat and Livestock Australia Ltd
345. Media, Entertainment and Arts Alliance
346. Medicines Australia
347. Melba Industries
348. Micromine Pty Ltd
349. Minerals Council of Australia
350. Mining and Energy Service Reference Group
351. Minter Ellison
352. Mitsubishi Corporation
353. Mitsubishi Motors Australia Ltd
354. Mitsui and Co (Australia) Ltd
355. Mitsui Sumitomo
356. Mizuho Corporate Bank Ltd
357. Monash University English Language Centre
358. Mr Gary Pfeiler
359. Mr Gregor Howie
360. Mr James Richardson
361. Mr Paul McAllister
362. Mr Peter Kaufmann
363. Mr Stephen Peterson
364. Ms Cheryl Dengate

365. Ms Myrna Montague
366. Murray Goulburn Cooperative Ltd
367. Music Council of Australia
368. MYstaff Pty Ltd
369. National Australia Bank
370. National Association of Forest Industries
371. National Farmers' Federation
372. National Institute of Accountants
373. National Tourism Alliance
374. Natural Health International
375. Nestle Purina Pet Care
376. Netc Asia Pacific Pty Ltd
377. New Train
378. Nippon Steel Australia
379. Nissan
380. NNA Australia
381. Nordic Enterprises Pty Ltd
382. Norman G Clark
383. North West Shelf Australia LNG Pty Ltd
384. Northnet
385. NSW Business Chamber
386. NSW Farmers' Association
387. NSW Farmers' District Council
388. NSW Law Society
389. NT Resources Council
390. NTT Technology Working Group
391. Oasis Systems Pty Ltd
392. Odyssey Travel
393. Office Information Australia
394. Office of Horticulture Market Access
395. Opti Grow Pty Ltd
396. OSI International Foods
397. OZ Minerals Ltd
398. Pacific Bridge Pty Ltd
399. Pastoralists and Graziers Association of WA
400. PC Tools
401. Perth Education City
402. Pet Food Industry Association of Australia
403. Philip Morris Ltd
404. Planning Institute of Australia
405. Plastics and Chemicals Industries Association
406. Potato Growers Association of WA
407. Premium International Pty Ltd
408. Price Waterhouse Coopers
409. Professions Australia
410. PTW (Architectural Firm)
411. Public Health Association of Australia
412. Pulse Australia
413. Qantas
414. Qcoal

415. Queensland Government Trade and Investment Office, Tokyo
416. Queensland Japan Chamber
417. Queensland Law Society
418. Queensland Nursing Council
419. Queensland Sugar Ltd
420. RBC Sport Pty Ltd
421. Red Panda
422. Real Estate Institute of Australia
423. Red Meat Access Committee
424. Red Meat Advisory Council
425. Reefer 90's
426. Regal Cream Products Pty Ltd
427. Restaurant and Caterers Association
428. Ricegrowers' Association of Australia
429. Rio Tinto Coal
430. Rio Tinto Iron Ore
431. Riverina
432. RMIT University – International Services
433. Robe River Mining Company
434. Rope Access WA
435. Rothschild Australia Ltd
436. Roymark Television
437. Russell Taylor Consulting
438. Ryarc Media Systems
439. SAGE Group Holdings
440. Santos Ltd
441. Scott Wilson Nairn Pty Ltd
442. Screen Australia
443. Screen Producers Association of Australia
444. Screenrights
445. Seafood Services Australia
446. Secretariat for the Renewable Energy and Energy Efficiency Partnership
447. Sensis
448. Servcorp
449. Service Skills Australia
450. Sheep Council of Australia
451. Shipley Asia Pacific
452. Sinclair Thomas
453. Singapore Airlines
454. SingTel Optus Pty Ltd
455. Smart Ventures
456. Snowy Mountains Engineering Corporation
457. Sonoma Coal
458. SOPRANO Design Pty Ltd
459. South Australian Services Exporters Steering Group
460. Southern Innovation
461. SRA Information Technology
462. Starlink Media
463. Stockbrokers Association of Australia
464. Strandbury

465. Strategic Bovine Services
466. Sugar Australia
467. Sugar Milling Council
468. Sumitomo Australia Pty Ltd
469. Sun Masamune Pty Ltd
470. Swinburne University
471. TAFE Directors Australia
472. Tanda International Pty Ltd
473. Tapex Pty Ltd
474. Tatura
475. Team Management Systems
476. Technical Textiles and Nonwoven Association
477. Telstra Asia
478. Telstra Corporation Ltd
479. Templeton Galt
480. Textile Clothing and Footwear Association of Australia
481. Textile, Clothing and Footwear Union of Australia
482. Teys Bros
483. TFS Corporation
484. Thales Australia
485. The Almond Board of Australia
486. The Australian Fashion Council
487. The Bright Group Pty Ltd
488. The Linden Group
489. The Paige Group
490. The Stafford Group
491. The University of Adelaide
492. The University of Melbourne
493. THINK Education
494. Thomson Playford
495. Tier-3 Pty Ltd
496. TIO Ltd
497. Top Trading KK
498. Torrens University
499. Tourism and Transport Forum of Australia
500. Toyo Ink Australia
501. Toyota Boshoku Australia Pty Ltd
502. Toyota Motor Corporation Australia Ltd
503. TradeStart
504. Trust Company
505. Twin Technologies Australia
506. UBS AG
507. UniQuest Pty Ltd
508. Universities Australia
509. University of South Australia
510. V2V Pty Ltd
511. Vegetables WA
512. Victorian TAFE International
513. Visual Arts Copyright Collecting Agency (Viscopy Ltd)
514. Wall Street Associates

- 515. Warrnambool Cheese and Butter
- 516. Webster Fresh
- 517. Western Australia Chamber of Minerals and Energy
- 518. Western Australia Department of Agriculture and Food
- 519. Western Australia Institute for Medical Research
- 520. Western Rocklobster Development Association
- 521. William Buck
- 522. Wine Australia
- 523. Wine Australia Japan
- 524. Winemakers' Federation of Australia
- 525. Woodheads Architects
- 526. Woodsbagot
- 527. Woodside Petroleum
- 528. World Federation of Engineers
- 529. Worley Parsons
- 530. Xavier Investments
- 531. XLprint Pty Ltd
- 532. Xtralis Pty Ltd
- 533. Yeahpoint