



10 September 2018

Committee Secretariat
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

By Email: legcon.sen@aph.gov.au

Dear Secretariat

Re: Customs Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation) Bill 2018 [Provisions], Customs Tariff Amendment (Comprehensive Agreement for Trans-Pacific Partnership Implementation) Bill 2018 [Provisions] inquiry

The ANMF welcomes the opportunity to provide a brief statement in relation to the Committee's inquiry into the above Bills to enable the implementation of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (TPP-11).

The ANMF is Australia's largest national union and professional nursing and midwifery organisation. In collaboration with the ANMF's eight state and territory branches, we represent the professional, industrial and political interests of almost 275,000 nurses, midwives and carers across the country. Our members work in the public and private health, aged care and disability sectors across a wide variety of urban, rural and remote locations. Through our work with members we aim to strengthen the contribution of nursing and midwifery to improving Australia's health and aged care systems, and the health of our national and global communities.

The ANMF supports the April and August 2018 submissions of the Australian Fair Trade and Investment Network (AFTINET) and the broad conclusion that the costs of the TPP-11 outweigh the claimed benefits. To this end, the ANMF does not support the Bills to implement the TPP-11.

We are concerned that there has been no independent review or studies conducted on the impact of TPP-11 and welcome the Senate Inquiry that can address whether the implementing legislation should be passed. The debate around the enabling legislation is the only opportunity for Parliament to vote on TPP-11. There are a number of concerns about TPP-11 which have been raised in detail in AFTINET's submissions.

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Key among them are the lack of transparency with the process of negotiating the TPP-11 and the outcomes that work against our democratic rights. For example, the special rights afforded to foreign investors via access to ISDS, to sue governments over changes to domestic laws and restrictions on the ability of governments to regulate in the public interest, particularly in regard to essential services like health, education, social services and energy.

We are also very concerned that the temporary labour provisions open the door to further exploitation of temporary migrant workers and are not subject to labour market testing to establish whether there are Australian workers available. Of particular concern is that some of the worst clauses on stronger monopolies for biologic medicines and copyright monopolies have only been suspended pending the US re-joining the deal, rather than deleted altogether.

We urge the Inquiry to give full consideration to the AFTINET submissions and again recommend against the implementing legislation.

Yours sincerely

Lori-Anne Sharp
Acting Federal Secretary