

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of treaty actions tabled on 13 October 2011 and 2, 22 and 24 November 2011.
- 1.2 These treaty actions are proposed for ratification and are examined in the order of tabling:

- **Tabled 13 October 2011**

- ⇒ *Resolution MEPC.200(62): Amendments to the Annex of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973 (Special Area Provisions and the Designation of the Baltic Sea as a Special Area under MARPOL Annex IV) Adopted at London on 15 July 2011.*

- **Tabled 2 November 2011**

- ⇒ *Agreement between the Government of Australia and the European Space Agency for a Co operative Space Vehicle Tracking Program done at Cape Town on 5 October 2011*
- ⇒ *Revised MARPOL Annex V: Regulations for the Prevention of Pollution by Garbage from Ships (Resolution MEPC.201(62)) adopted at London on 15 July 2011*
- ⇒ *Agreement between the Government of Australia and the Government of the Principality of Liechtenstein on the Exchange of Information on Taxes done at Vaduz on 21 June 2011;*

- ⇒ *Agreement between the Government of Australia and the Government of Costa Rica on the Exchange of Information with Respect to Taxes done at Mexico City on 1 July 2011;*
- ⇒ *Agreement between the Government of Australia and the Government of the Macao Special Administrative Region of the People's Republic of China for the Exchange of Information Relating to Taxes done at Macao on 12 July 2011; and*
- ⇒ *Agreement between the Government of Australia and the Government of Liberia on the Exchange of Information with Respect to Taxes done at Monrovia on 11 August 2011.*

■ **Tabled 22 November 2011**

- ⇒ *Agreement between Australia and the Republic of Latvia on Social Security done at Riga on 7 September 2011.*

■ **Tabled 24 November 2011**

- ⇒ *Exchange of Notes constituting an Agreement to extend the Agreement between the Government of Australia and the Government of the United States of America concerning the Conduct of Scientific Balloon Flights for Civil Research Purposes of 16 February 2006.*

- 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 arise.
- 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. The treaties examined in this report do 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 actions reviewed in this report were advertised on the Committee's website from the date of tabling. Submissions for the treaties were requested by 11 November 2011 for the treaty tabled on 13 October 2011, 16 December 2011 for those treaties tabled 2 November 2011, and on 27 January 2012 for those treaties tabled on 22 and 24 November 2012 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 21 November 2011, and 6 February 2012.
- 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:
- **21 November 2011**
- <<http://www.aph.gov.au/house/committee/jsct/21november2011/hearings.htm>>
- **6 February 2012**
- <<http://www.aph.gov.au/house/committee/jsct/6february2012/hearings.htm>>
- 1.14 A list of witnesses who appeared at the public hearings is at Appendix B.

Minor treaty action

- 1.15 Minor treaty actions are generally technical amendments to existing treaties, which do not impact significantly on the national interest.
- 1.16 The Joint Standing Committee on Treaties has the discretion to formally inquire into these treaty actions or indicate its acceptance of them without a formal inquiry and report.
- 1.17 One minor treaty action is considered in this Report: *International Convention Against Doping in Sport- Annex I – Prohibited List – International Standard* which was tabled in Parliament on 16 January 2012.
- 1.18 The Committee's views on this treaty action are contained at Appendix C.