

Introduction

Purpose of the report

- 1.1 This report contains advice to Parliament on the review by the Joint Standing Committee on Treaties of ten treaty actions tabled in Parliament on 10 May¹, 5² and 6 September 2006.³ These treaty actions are:

10 May 2006

- *Treaty between the Government of Australia and the Government of Malaysia on Extradition (Putrajaya, 15 November 2005) and an Exchange of Notes between the Government of Australia and the Government of Malaysia on the Treaty on Extradition (Kuala Lumpur, 7 December 2005)*
- *Treaty between the Government of Australia and the Government of Malaysia on Mutual Assistance in Criminal Matters (Putrajaya, 15 November 2005) and an Exchange of Notes between the Government of Australia and the Government of Malaysia on the Treaty on Mutual Assistance in Criminal Matters (Kuala Lumpur, 7 December 2005)*

1 Australia, House of Representatives 2004-05-06, *Votes and Proceedings*, No. 95, p. 1080; Senate 2004-06, *Journal*, No. 81, p. 2139.

2 Australia, House of Representatives 2004-05-06, *Votes and Proceedings*, No. 120, p. 1359; Senate 2004-06, *Journal*, No. 99, p. 2574.

3 Australia, House of Representatives 2004-05-06, *Votes and Proceedings*, No. 121, p. 1376; Senate 2004-06, *Journal*, No. 100, p. 2591.

5 September 2006

- *Convention between the Government of Australia and the Government of the French Republic for the Avoidance of Double Taxation with respect to Taxes on Income and the Prevention of Fiscal Evasion and Protocol (Paris, 20 June 2006)*
- *Convention between the Government of Australia and the Government of the Kingdom of Norway for the Avoidance of Double Taxation with respect to Taxes on Income and the Prevention of Fiscal Evasion (Canberra, 8 August 2006)*
- *Amendments, agreed in Shanghai on 26 May 2006, to the Annex to the Agreement between the Government of Australia and the Government of the People's Republic of China for the Protection of Migratory Birds and their Environment, done at Canberra on 20 October 1986*
- *Amendments, agreed in Shanghai on 25 May 2006, to the Annex to the Agreement between the Government of Australia and the Government of Japan for the Protection of Migratory Birds and Birds in Danger of Extinction and their Environment, done at Tokyo on 6 February 1974*
- *Agreement between the Government of Australia and the Government of the People's Republic of China relating to Air Services (Canberra, 23 March 2004)*
- *Agreement between the Government of Australia and the Government of India relating to Air Services (New Delhi, 6 March 2006)*
- *Protocol on Explosive Remnants of War (Protocol V) to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects (Geneva, 28 November 2003)*

6 September 2006

- *Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the United States of America to amend Annex 2-B (Tariff Schedule of Australia), Annex 4-A and Annex 5-A of the Australia-United States Free Trade Agreement (AUSFTA) to ensure compliance with changes to the Harmonized Commodity Description and Coding System*

Briefing documents

- 1.2 The advice in this Report refers to the National Interest Analyses (NIAs) prepared for the proposed treaty actions. These documents are prepared by the Government agency (or agencies) responsible for the administration of Australia's responsibilities under each treaty. Copies of the NIAs may be obtained from the Committee Secretariat or accessed through the Committee's website at:

www.aph.gov.au/house/committee/jsct/10may2006/tor.htm

www.aph.gov.au/house/committee/jsct/5_6_september2006/tor.htm

- 1.3 Copies of treaty actions and NIAs may also be obtained from the Australian Treaties Library maintained on the internet by the Department of Foreign Affairs and Trade. The Australian Treaties Library is accessible through the Committee's website or directly at:

www.austlii.edu.au/au/other/dfat/

Conduct of the Committee's review

- 1.4 The review contained in this report was advertised in the national press and on the Committee's website.⁴ Invitations to lodge submissions were also sent to all State Premiers, Chief Ministers, Presiding Members of Parliament, stakeholder organisations and to individuals who have expressed an interest in being kept informed of proposed treaty actions. Submissions received and their authors are listed at Appendix A. Exhibits received are listed at Appendix B.

- 1.5 The Committee received evidence at public hearings held on 19 June, 4 and 11 September 2006. A list of witnesses who appeared before the Committee at public hearings is at Appendix B. Transcripts of evidence from public hearings may be obtained from the Committee Secretariat or accessed through the Committee's website at:

www.aph.gov.au/house/committee/jsct/10may2006/hearings.htm

www.aph.gov.au/house/committee/jsct/5_6_september2006/hearings.htm

4 The Committee's review of the proposed treaty actions was advertised in *The Australian* on 17 May and 20 September 2006. Members of the public were advised on how to obtain relevant information and invited to submit their views to the Committee, both in the advertisement and via the Committee's website.

