

Premier of Queensland
Minister for Trade

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Ms Julie Bishop MP
Committee Chair
Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600

Dear Ms Bishop

Thank you for your letter of 18 June 2003 concerning the treaties being reviewed by the Joint Standing Committee on Treaties (JSCOT) that were tabled in Parliament on 17 June 2003.

The Queensland Government supports legally binding action being taken on these treaties. However, I draw your attention to issues relating to Commonwealth/State consultation and implementation for several of the treaties tabled.

Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances

This Protocol, while supported, has significant implications for the Queensland Government with regard to implementation. The national interest analysis (paragraph 20) states that "there are no significant costs associated with Australia's accession to the Protocol". This assessment is disputed on the basis that the implementation of the Protocol will involve additional administrative costs associated with State officers' involvement in the joint planning forum, training costs associated with conducting exercises and costs of the purchase and maintenance of response equipment.

The Commonwealth is relying on its Agreement with States and the Northern Territory on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances to provide the basis for implementing the Protocol. While this intergovernmental agreement sets out roles and responsibilities and respective funding obligations of the Commonwealth and States/Territory in regard to the National Plan, the Protocol is expected to add significant new costs for preparing for noxious and hazardous substances other than oil. The Queensland Government considers that a full cost assessment of implementing the Protocol should be undertaken by the Commonwealth prior to taking binding action.

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Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention)

The Offshore Constitutional Settlement sets out the arrangements between the Commonwealth and States for the management of highly migratory fish stocks. It gives responsibility for management of the particular fish species covered by the Convention to the Commonwealth. While the Commonwealth has jurisdictional responsibility for implementing the obligations imposed by the Convention, the application of conservation and management measures required under Article 5 may overlap with State responsibilities.

There are unresolved issues associated with the management of the recreational fishing catch which are under consideration by the Australian Fisheries Management Forum and the Marine and Coastal Committee, a sub-committee of the Primary Industries Ministerial Council. Quotas for the take of species covered by the Convention will require allocation between commercial and recreational fishing sectors. As State Governments have responsibility for the recreational fishing sector, fishing quota allocations need to be resolved through the Ministerial Council forum.

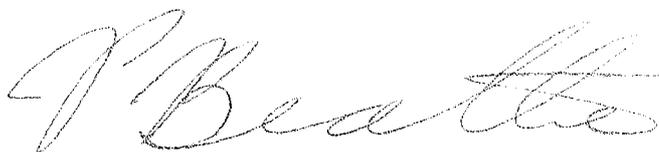
Agreement on Medical Treatment for Temporary Visitors between the Governments of Australia and Norway

This Agreement alone is unlikely to result in significant additional costs for the Queensland Government in its provision of health care services. However, the increasing number of reciprocal health care agreements, finalised or under negotiation by the Commonwealth, warrants a broader assessment of cost implications. Any associated shift in demand on health resources arising from these agreements needs to be considered within the context of Commonwealth/State funding arrangements.

Currently the Queensland Government has insufficient data to accurately determine the full cost of providing necessary medical treatment to visitors from Norway. Queensland Health is investigating changes to its data collection system to overcome this deficit. However, any new agreement of this type imposes additional administrative costs associated with dissemination of information to relevant hospital staff, and updating policies, procedures and training materials. The Queensland Government is concerned about the accumulative cost effect of reciprocal health agreements on State resources and recommends that a cost benefit analysis be undertaken by the Commonwealth.

Thank you for providing an opportunity to consider, and comment on, the proposed treaty actions.

Yours sincerely



PETER BEATTIE MP
PREMIER AND MINISTER FOR TRADE