

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Joint Standing Committee on Treaties

Report 19

**The Fifth Protocol to the General Agreement on
Trade in Services and
Five Treaties Tabled on 30 June 1998**

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CONCLUSIONS AND RECOMMENDATIONS

Fifth Protocol to the General Agreement on Trade in Services

The Committee supports the *Fifth Protocol to the General Agreement on Trade in Services* and recommends that binding treaty action be taken (paragraph 2.37).

International Telecommunications Union Final Acts of the World Radiocommunications Conference – Partial Revision of the Radio Regulations

The Committee:

- (a) supports the partial revision of the International Telecommunications Union's Radio Regulations;
- (b) agrees that Australia should formally consent to be bound by the revised Radio Regulations; and
- (c) supports the maintenance of the reservation expressed in November 1995 (paragraph 3.18).

Implementing Arrangement with the European Atomic Energy Community concerning Plutonium Transfers

The Committee supports the *Implementing Arrangement between the Government of Australia and the European Atomic Energy Community concerning Plutonium Transfers* and recommends that binding treaty action be taken (paragraph 3.34).

Treaty with the Government of Poland on Extradition

The Committee supports the *Treaty between Australia and the Republic of Poland on Extradition* and recommends that binding treaty action be taken (paragraph 3.49).

Amendments to the Schedule to the International Convention for the Regulation of Whaling

The Committee supports the *Amendments to the Schedule to the International Convention for the Regulation of Whaling* (paragraph 3.59).

Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand

The Committee supports the *Agreement on Medical Treatment for Temporary Visitors between the Government of Australia and the Government of New Zealand* and recommends that binding treaty action be taken (paragraph 3.74).

CHAPTER 1

INTRODUCTION

Purpose of the report

4.1 This report contains advice to Parliament on the review by the Joint Standing Committee on Treaties (the Committee) of the following treaties:

Treaty tabled on 12 May 1998

- the *Fifth Protocol to the General Agreement on Trade in Services*;

Treaties tabled on 30 June 1998

- the *International Telecommunications Union Final Acts of the World Radiocommunication Conference - Partial Revision of the Radio Regulations*;
- an *Implementing Arrangement between the Government of Australia and the European Atomic Energy Community concerning Plutonium Transfers*;
- a *Treaty between Australia and the Republic of Poland on Extradition*;
- *Amendments to the Schedule to the International Convention for the Regulation of Whaling*; and
- an *Agreement on Medical Treatment for Temporary Visitors between the Government of Australia and the Government of New Zealand*.

4.2 The consideration in this report of the *Fifth Protocol to the General Agreement on Trade in Services* represents the Committee's final comment on a matter that was also considered in the Committee's *Fifteenth Report* (June 1998).

4.3 There were two additional treaties tabled on 30 June 1998 that are not considered in this report: an *Agreement with the Government of the United States of America to further extend the Agreement Relating to the Joint Defence Facility at Pine Gap*; and a *Protocol concerning the Peace Monitoring Group for Bougainville*. At the time of writing, the Committee's consideration of these treaties was incomplete. Our comments on these treaties will be contained in a subsequent report.

Structure of the report

4.4 The report is in two parts: the first dealing with the *Fifth Protocol to the General Agreement on Trade in Services* and the second dealing with the five treaties tabled on 30 June 1998.

4.5 The report refers to, and should be read in conjunction with, the National Interest Analysis prepared for each treaty. These Analyses are prepared by the government agency responsible for the administration of the treaty and are tabled in Parliament as aids to parliamentarians in considering the proposed treaty action.

4.6 Copies of each of the treaties considered in this report, and the National Interest Analysis prepared for each treaty, can be obtained from the Treaties Database maintained on the Internet by the Department of Foreign Affairs and Trade (www.austlii.edu.au/au/other/dfat/) or from the Committee secretariat.

Conduct of the Committee's reviews

4.7 The Committee's reviews of each of the treaties considered in this report were advertised in the national press and on the our Internet web site (www.aph.gov.au/house/committee/jsct).¹ A number of submissions were received in response to the invitations to comment contained in these advertisements. A list of the submissions received is at Appendix 2.

4.8 The Committee also gathered evidence at a series of public hearings. Appendix 3 contains a list of the witnesses who gave evidence at these hearings. Transcripts of the evidence taken at these hearings can be obtained from a database maintained on the Internet by the Department of the Parliamentary Reporting Staff (www.aph.gov.au/hansard/joint/commtee/comjoint.htm) or from the Committee secretariat.

4.9 In the normal course of events the Committee considers and reports on each treaty within 15 sitting days of the treaty being tabled in Parliament. On this occasion, our decision to present interim findings on the treaty tabled on 12 May 1998, combined with the dissolution of Parliament for the October 1998 general election, prevented us from reporting to Parliament within the 15 sitting day period.

1 The Committee's reviews were advertised as follows:

- the *Fifth Protocol on the General Agreement on Trade in Services* (in *The Weekend Australian* on 16-17 May 1998); and
- the treaties tabled on 30 June 1998 (in *The Weekend Australian* on 4-5 July 1998).

CHAPTER 2

FIFTH PROTOCOL TO THE GENERAL AGREEMENT ON TRADE IN SERVICES

Background

4.1 The Fifth Protocol to the General Agreements on Trade in Services (the Fifth Protocol) proposes to give effect to new or improved commitments to liberalise trade in financial services. When the General Agreement on Trade in Services (GATS) came into effect on 1 January 1995, it was recognised by member countries that further negotiations were required to improve the Agreement's coverage of the financial services sector – specifically, the insurance and banking sectors. The Fifth Protocol represents the results of these negotiations.

Proposed treaty action

4.2 The Fifth Protocol seeks to bind, at international law, the range of trade liberalisation measures set out in individual country schedules to the Protocol. The measures are intended to reduce barriers to trade and investment in financial services and, by exposing individual country commitments to the enforcement and dispute settlement procedures of the World Trade Organisation, bring an enhanced level of predictability to trade in financial services. The Fifth Protocol also provides a basis to press for further improvements in market access.¹

Obligations imposed by the proposed treaty action

4.3 The Fifth Protocol does not impose any new obligations or costs on the Australian community.

4.4 While the Protocol proposes a new schedule of commitments for Australia, it will not be necessary to introduce any new domestic policy or legislation to fulfil the commitments. The schedule simply describes the changes that have been made by successive governments to the Australian financial system since 1995, when GATS was first established. In particular, the schedule reflects changes implemented following the report of the Wallis Committee of Inquiry into the Australian Financial System.

1 National Interest Analysis for the *Fifth Protocol to the General Agreement on Trade in Services*, p. 1.

4.5 As Australia's commitments under GATS are already in place, acceptance by the Government of the Fifth Protocol would amount to a 'standstill' offer.²

Proposed date for binding treaty action

4.6 The Fifth Protocol was originally open for acceptance until 29 January 1999 and is proposed to enter into force on 1 March 1999. As at 29 January, 53 member countries had accepted the Fifth Protocol. Australia is one of the 18 member countries that have yet to accept the Fifth Protocol.³ The 53 signatory countries have recently met and decided to extend the period of acceptance until 15 June 1999.

Evidence on the Fifth Protocol

4.7 We received 16 written submissions commenting on the Fifth Protocol. A list of the submissions received is at Appendix 2. In addition, a number of the submissions received as part of our review of the draft Multilateral Agreement on Investment made reference to the Fifth Protocol. The draft Multilateral Agreement on Investment is a separate proposed treaty and is the subject of two separate reports from the Committee.⁴

4.8 We also took evidence on the matter from Department of Foreign Affairs and Trade (DFAT) and the Department of the Treasury (the Treasury) at public hearings held in Canberra on 25 May 1998 and 21 December 1998.

4.9 There were five main issues of concern raised in submissions:

- that the full financial impacts of the policy measures underpinning the Protocol were unclear;
- that the provisions of the Protocol which remove the prohibition on foreign takeovers of Australian banks and allow other banks to acquire shares in the Commonwealth Bank of Australia are not in Australia's national interest;

2 National Interest Analysis for the *Fifth Protocol to the General Agreement on Trade in Services*, p. 2. See also Department of Foreign Affairs and Trade, *Submission No. 16*, pp. 1-2

3 The Committee was advised by the Minister for Foreign Affairs (the Hon Alexander Downer MP), in a letter dated 21 January 1999 that he wanted to 'have an opportunity to examine the committee's final report before proceeding with Executive Council action on the Fifth Protocol.'

4 JSCT, *Multilateral Agreement on Investment: Interim Report* (May 1998) and JSCT, *Report 18: Multilateral Agreement on Investment Final Report* (March 1999)

- that accepting the Protocol would diminish Australia's national sovereignty; and
- that the community has not had sufficient opportunity to debate and consider the provisions of the Protocol.

Uncertainty about the full impact of the Protocol

4.10 In summary, the concerns expressed in submissions about the overall impact of the Fifth Protocol were that:

- there is little information on the value of financial services imported and exported to and from Australia, and on the impact of the presumed trade imbalance on the Current Account Deficit;⁵
- a cost/benefit analysis should have been undertaken to assess the full financial impact of this Agreement;⁶ and
- the deregulation of financial markets and trade liberalisation have had a damaging effect on Australia's net foreign indebtedness.⁷

4.11 In response, the Department of Foreign Affairs and Trade (DFAT) argued that the net benefits for Australia of the Protocol would be substantial, including a reduction in the barriers faced by Australian companies seeking to trade and invest overseas.

The Agreement will guarantee substantial free market access and national treatment conditions for foreign financial institutions for an overwhelming portion of worldwide financial services trade ... The volume of equity trading covered by liberalisation commitments of WTO partners in the securities sector represented US\$14.8 trillion in 1996, or 96.3 per cent of total equity trading in WTO Members. Total banking assets in WTO countries offering a generally open banking market amounted to US\$41.2 trillion in 1995 or 95.9 per cent of total banking assets of WTO Members. Total insurance premiums for which WTO commitments will offer open market access amounted to US\$2.1 trillion in 1995 or 97.1 per cent of WTO Members' total premiums.⁸

4.12 DFAT argued that the sort of measures described in the Fifth Protocol will make Australia's financial sector more efficient and competitive, both domestically and internationally.⁹ In addition, the

5 Richard Sanders, *Submission No. 1*, p. 1

6 Richard Sanders, *Submission No. 1*, p. 1; Edwards, *Submission No. 5*, p. 6

7 William Edwards, *Submission No. 5*, p. 5

8 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 1

9 Jean Dunn, *Transcript of Evidence*, 25 May 1998, p. 18

reduction in trade and investment barriers will allow Australian financial service providers to invest more easily, and with more security, in the Asia-Pacific region and worldwide.¹⁰

4.13 While the Fifth Protocol is a 'standstill' document from Australia's point of view, there is considerable benefit to be derived from the fact that all of the WTO members whose economies are of major interest to Australia propose to commit themselves to the Protocol. DFAT has advised that countries such as Hong Kong, Indonesia, India, Japan, Malaysia, the Philippines, the Republic of Korea, Singapore and Thailand have made commitments of commercial importance to Australia.¹¹ All of these countries, except the Philippines, signed acceptances prior to the 29 January 1999 deadline.

4.14 As an example of the advantages to Australian businesses of international trade liberalisation, DFAT described two recent decisions taken by the Governments of Malaysia and Indonesia.

A move by Malaysia to allow overseas investors to hold up to 51 per cent shareholding in domestic companies would guarantee continuing investment by Australian companies such as QBE, which last year recorded a 36 per cent improvement to \$40 million in gross earned premium from its Malaysian operations. In Indonesia, where AMP and ANZ are major investors, companies now have guarantees to respect current conditions of ownership, and permission to take up to 100 per cent equity in publicly listed insurance and other non-bank financial institutions.¹²

4.15 DFAT stated that Australian financial services exports in 1996 were valued at \$1 billion, having doubled over the previous five years.¹³ This figure does not include the value of large-scale offshore investments made by Australian banks and insurance companies.

4.16 DFAT concluded that, if Australia did not accept the Fifth Protocol, the market access obtained by Australian businesses operating overseas would be jeopardised.

... not accepting the agreement would damage Australia's credibility in future trade negotiations in the WTO, including the forthcoming year 2000 services negotiations. We could not credibly argue for the reopening and extension of financial services negotiations if we had

10 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 1

11 Jean Dunn, *Transcript of Evidence*, 25 May 1998, p. 15; Department of Foreign Affairs and Trade, *Submission No. 16*, p. 1

12 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 1

13 Jean Dunn, *Transcript of Evidence*, 25 May 1998, p. 15

ourselves failed to sign on to the first result. Nor would we want to be responsible, individually or as part of a group, for delaying the entry into force of the Fifth Protocol. It is particularly important during this period of economic instability in the region to encourage our Asian trading partners to accept the Agreement, which is consistent with good governance and good prudential management.¹⁴

Concerns about foreign ownership of Australian banks

4.17 A number of submissions were concerned that Australia's schedule of commitments provided for the removal of:

- the prohibition on banks (both resident and non-resident banks) from holding shares in the Commonwealth Bank of Australia; and
- the blanket prohibition on foreign takeovers of Australia's four major banks.

4.18 It was argued that it was not in the national interest to allow international investors to control either the Commonwealth Bank or any of the other major banks trading in Australia.

4.19 Particular concern was expressed that, while the Fifth Protocol would enable foreign banks to takeover Australian banks, the Government's 'four pillars' policy, combined with the National Competition Policy, would prevent any of the Australian banks from merging to achieve world scale.¹⁵ It was suggested that there were potentially greater cost savings and benefits to be derived from mergers within the market, than from allowing foreign takeovers.¹⁶

4.20 In response, the Treasury noted that in relation to both concerns, that the Fifth Protocol simply reflects current Government policy.

4.21 In relation to the removal of the blanket prohibition on foreign ownership, the Treasury explained that any application for foreign ownership of Australian banks would be subject to a national interest assessment process - involving consideration by the Foreign Investment Review Board, the Australian Prudential Regulation Authority, the Australian Competition and Consumer Commission, and, ultimately, by

14 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 2

15 William Edwards, *Submission No. 5*, p. 3

16 William Edwards, *Submission No. 5*, p. 3

the Commonwealth Treasurer.¹⁷ This process will be unchanged by accepting the Fifth Protocol.¹⁸

4.22 DFAT drew attention to the fact that the Government's policy position on foreign ownership of banks was announced by the Treasurer in April 1997:

As the Treasurer stated when announcing the removal of the blanket ban in April 1997, any proposed foreign takeover or acquisition would need to be assessed, like any other proposed foreign takeover or acquisition, on a case-by-case basis on its merits, in accordance with the *Foreign Acquisitions and Takeovers Act 1975*. The Treasurer noted that in making these assessments, the Government would apply the principle (as endorsed by the Wallis Inquiry [into the Australian Financial System]) that any large-scale transfer of Australian ownership of the financial system to foreign hands would be contrary to the national interest.¹⁹

4.23 The provision allowing other banks to own shares in the Commonwealth Bank was likewise described as representing current Government policy. Following the completion of the sale of the Commonwealth Bank in July 1996 the Government decided that Commonwealth Bank shareholding rules should be the same as those for the other major banks.²⁰

4.24 This means that the Commonwealth Bank, like the other major banks, is subject to restrictions designed to maintain a broad shareholding base and to ensure, for prudential reasons, that there is no one dominant shareholder.²¹ As described above, any foreign shareholdings in the Commonwealth Bank are subject to the same foreign investment rules as apply to the other banks.²²

4.25 In relation to the impact of the Fifth Protocol on the Government's 'four pillars' bank policy, DFAT remarked that there was nothing in the Protocol which threatened or undermined the current policy position.

The Government has imposed a blanket ban on mergers or takeovers between the four major banks. The Treasurer has stated that the "four pillars" policy will be reviewed when the Government is satisfied that

17 Raymond Jones, *Transcript of Evidence*, 21 December 1998, p. 5

18 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 2

19 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 2

20 Paul Tilley, *Transcript of Evidence*, 25 May 1998, p. 16

21 Olaf Schuermann, *Transcript of Evidence*, 25 May 1998, p. 16

22 Paul Tilley, *Transcript of Evidence*, 25 May 1998, p. 17

competition from new and established participants in the financial industry, particularly in respect of small business lending, has increased sufficiently to allow such mergers to be considered.²³

Concerns about the impact of the Protocol on national sovereignty

4.26 A number of submissions expressed the view that entering into international agreements diminished Australia's national sovereignty.²⁴ Most of these views were put in general terms and did not highlight specific problems with the provisions of the Fifth Protocol.²⁵

4.27 In response, DFAT acknowledged these views but argued that nation states derive considerable benefits from international agreements – for example, where the resulting joint action yields greater benefits to the nation than could be obtained by individual states.²⁶ Moreover, national governments always retain the ability to regulate the behaviour of all participants in national economies and the freedom to denounce treaties if it is the national interest to do so.²⁷ DFAT noted that in the field of trade and investment agreements:

While the overall trend has been towards investment liberalisation, sovereignty issues remain a continuing factor and are reflected in a range of restrictions maintained by some countries. These restrictions can include some or all of the following: screening mechanisms, restrictions on particular sectors (e.g. real estate, media, defence, transport), capital controls, particular conditions on expatriate employees and special conditions for foreign investors as regards to land tenure, performance requirements, competition policy and intellectual property. This indicative list is by no means exhaustive.²⁸

4.28 In relation to GATS specifically, DFAT noted that:

... Australia had not weakened prudential measures as a result of the negotiations. Under the so-called "prudential carveout" of the GATS,

23 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 3

24 P Keogh, *Submission No. 7*, p. 1; Connolly, *Submission No. 9*, p. 1; Morris, *Submission No. 11*, p. 1

25 Similar concerns were put to the Committee during its review of the draft Multilateral Agreement on Investment. They are considered more fully in the Committee's report on that inquiry.

26 Department of Foreign Affairs and Trade, *Submission No. 560* to the Inquiry into the Multilateral Agreement on Investment, p. 1277

27 Department of Foreign Affairs and Trade, *Submission No. 560* to the Inquiry into the Multilateral Agreement on Investment, pp. 1276-7

28 Department of Foreign Affairs and Trade, *Submission No. 560* to the Inquiry into the Multilateral Agreement on Investment, p. 1277

Members are permitted to maintain prudential measures aimed at ensuring the integrity and stability of their financial systems.²⁹

4.29 In addition, Article XXI of the Fifth Protocol allows any member country to modify or withdraw any commitment after a period of three years, following negotiations with other members whose interests are affected.³⁰

Concerns about the extent of consultation

4.30 A number of submissions expressed concern about the adequacy of public consultations in the development of Australia's position on the Fifth Protocol.³¹

4.31 The Committee was advised that during negotiations on the Protocol, DFAT and the Treasury consulted with State and Territory governments, relevant government agencies and representatives of the Australian financial services sector.³²

4.32 The Committee was also advised that the measures described in the Protocol were canvassed extensively during the course of the Wallis Committee of Inquiry into the Australian Financial System; in the final report of that inquiry; and the public debate which led up to, and followed, the announcement of the Government's response to that report.

Other concerns and responses

4.33 Some of the other concerns raised in submissions, and DFAT's responses are listed below:

Concern and DFAT response

- that Australia's national interest is not well served by the fact that eight out of ten stockbroking firms operating in Australia are foreign owned;³³
- all GATS member countries, including Australia, retain the capacity to regulate the behaviour of all corporations, locally

29 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 2

30 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 3

31 Richard Sanders, *Submission No. 1*, p. 1; Edwards, *Submission No. 5*, p. 1; Keogh, *Submission No. 7*, p. 1; McRobert, *Submission No. 13*, p. 1; Bowdler, *Submission No. 14*, p. 1

32 Jean Dunn, *Transcript of Evidence*, 25 May 1998, p. 15

33 Peter Howard, *Submission No. 4*, p. 1

owned or foreign owned, that operate within their national borders;³⁴

Concern and DFAT response

- that to legally bind future Australian governments to policies of deregulation and liberalisation would inhibit their capacity to alter policies if and when necessary;³⁵
- all GATS member countries, including Australia, retain the capacity to modify, or withdraw from, any commitment after a period of three years, or to withdraw from the WTO after giving six months notice;³⁶

Concern and DFAT response

- that the Fifth Protocol would enable greater levels of tax avoidance, particularly among foreign corporations operating in Australia;³⁷
- there is nothing in the Fifth Protocol which could be said to facilitate tax avoidance - the application of Australia's tax system to foreign corporations is a matter well beyond the scope of the Protocol;³⁸

Concern and DFAT response

- that the deregulation of Australia's financial system will result in a loss of jobs;³⁹
- employment in the finance and insurance sector is growing steadily (from 323 100 people employed in 1997, an increase of 4.17 per cent from 1995) and the Wallis Inquiry concluded that

34 Department of Foreign Affairs and Trade, *Submission No. 560* to the Inquiry into the Multilateral Agreement on Investment, p. 1276

35 Richard Sanders, *Submission No. 1*, p. 2

36 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 3

37 John Massam, *Submission No. 3*, p. 1; Milne, *Submission No. 15*, p. 1

38 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 3

39 Richard Sanders, *Submission No. 1*, p. 1; Gordon Grant, *Submission No. 2*, p. 1

deregulation in the finance sector would have no greater impact on unemployment than any other policy approach;⁴⁰

Concern and DFAT response

- that increased competition in the banking sector, with foreign banks vying for business with local banks, will encourage local banks to make up for lost revenue by increasing fees and charges for smaller account customers;⁴¹ and
- there is nothing in the Fifth Protocol which would allow or encourage banks to increase fees and charges. While the Wallis Inquiry did make some recommendations on bank service provision, these issues are beyond the scope of the Fifth Protocol.⁴²

Committee comments

4.34 We have considered the concerns expressed in submissions to the review of the Fifth Protocol and understand many of them to be deeply felt. However, most of the comments are about the policy positions taken by successive Australian governments, or about the impact of the rapidly developing global economy, rather than being realistic reflections on the terms of the Protocol. Some submissions reflected an overly conspiratorial concern about international trends towards financial sector deregulation.

4.35 We were told that wide international acceptance of the Fifth Protocol would result in substantial benefits for the Australian financial sector and that the negotiations leading up to the conclusion of the Agreement have already enabled Australian businesses to access some markets that were not previously open to them. Most of the ASEAN countries whose economies are of importance to Australia have already lodged their acceptance of the Fifth Protocol. We also note that Australia will retain the capacity to control the behaviour of foreign corporations trading in Australia through the implementation of prudential measures.

4.36 As the Protocol simply reflects measures previously adopted by Australian governments (including measures adopted following the Wallis Committee of Inquiry into the Australian Financial System), and

40 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 1 and p. 3

41 Gordon Grant, *Submission No. 2*, p. 2

42 Department of Foreign Affairs and Trade, *Submission No. 16*, p. 3

does not impose any new costs or obligations on Australia, we support the terms and intent of the Protocol.

4.37 The Joint Standing Committee on Treaties supports the *Fifth Protocol to the General Agreement on Trade in Services* and recommends that binding treaty action be taken.

CHAPTER 3

TREATIES TABLED ON 30 JUNE 1998

International Telecommunications Union Final Acts of the World Radiocommunications Conference – Partial Revision of the Radio Regulations

Background

4.1 The International Telecommunications Union (ITU) is a specialised United Nations agency charged with ensuring international cooperation in the use of the radio frequency spectrum and in telecommunications. The ITU proposes treaty-level agreements and recommends world standards for telecommunications and radiocommunications services.

4.2 The ITU's Radio Regulations are designed to ensure rational, efficient and equitable use of the radio-frequency spectrum, including those in satellite orbit.¹

4.3 The Radio Regulations were last reviewed at the World Radiocommunications Conference held in November 1995.

Proposed treaty action

4.4 The 1995 Conference proposed that the Radio Regulations be revised to:

- (a) make additional radio-frequency spectrum available for mobile satellite services;
- (b) set power limits for earth stations in certain frequencies; and
- (c) open additional spectrum for high frequency broadcasting.²

4.5 The National Interest Analysis states that the revision will:

1 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 4

2 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 3

Ensure that the radio spectrum (which is a limited natural resource) is best used to prevent harmful interference to services, and [so] that distress calls and messages can be freely conveyed.³

4.6 The National Interest Analysis also states that the revisions, in particular the expansion of the spectrum available to mobile satellite services, will be of particular benefit to users of such services in rural and remote areas.⁴

Obligations imposed by the proposed treaty action

4.7 The Australian Government is obliged, as a member of the ITU, to ensure that its radio spectrum management practices are consistent with the terms of the revised Radio Regulations. This requires amendments to the *Australian Radiofrequency Spectrum Plan* (which is administered by the Australian Communications Authority) and changes to some of the Authority's internal operating procedures.

4.8 There are no foreseeable direct costs to the Australian Government as a result of the revised Radio Regulations. However, there may be some costs to companies operating in the telecommunications industry because of the need to move to different areas of the radio spectrum, or the need to change some components in manufactured goods that use the radio spectrum.

4.9 Most of the key telecommunications industry stakeholders were involved in the negotiations leading up to the World Radiocommunications Conference and in subsequent discussions about the impact of the revisions.⁵

3 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 4

4 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 3

5 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 5

Proposed date for binding treaty action

Provisional application

4.10 In accordance with the ITU Constitution, the revised Radio Regulations have applied provisionally from 1 June 1998 (except for some revisions relating to the application of conditions to existing frequency allocations, which have applied provisionally from 1 January 1997).

4.11 As a result, the Australian Communications Authority has already published an updated edition of the *Australian Radiofrequency Spectrum Plan* (in January 1997) and made consequent amendments to its internal operating procedures.

Preference for binding action

4.12 The National Interest Analysis proposes that the Australian Government should take action to formally consent to be bound to the revised Radio Regulations, with one reservation.

4.13 The National Interest Analysis argues that:

To now decline to be bound by the revisions would be inconsistent with Australia having signed. Further, it could place Australia's administration of the Radio Spectrum at odds with other members, causing interference where spectrum has common usage ...

Taking action to formally consent to be bound is the [preferred] option, as it continues Australia's good standing in the ITU and would place Australia's administration of the Radio Spectrum in line with the rest of the world.⁶

Proposed reservation

4.14 In agreeing to the revised Radio Regulations at the World Radiocommunications Conference in November 1995, the Australian Government expressed its reservation about the claim made by countries along the equator to exercise sovereign rights over segments of the geostationary satellite orbit.

6 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 3

4.15 The Australian Government indicated that ‘the geographical situation of particular countries does not enable the claim to any preferential rights to the geo-stationary orbit’.⁷

4.16 The National Interest Analysis states that the Government proposes to maintain this reservation.⁸

Committee comments

4.17 At its hearings on 21 December 1998 the Committee took evidence on:

- the radio spectrum to be used by Telstra’s new CDMA (Code Division Multiple Access) mobile phone network;⁹ and
- the impact of the revisions to the Radio Regulations on the radio spectrum available for short-wave broadcasting.¹⁰

4.18 The Committee:

- (a) supports the partial revision of the International Telecommunications Union’s Radio Regulations;**
- (b) agrees that Australia should formally consent to be bound by the revised Radio Regulations; and**
- (c) supports the maintenance of the reservation expressed in November 1995.**

7 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 4

8 National Interest Analysis for the *International Telecommunications Union Final Acts of the World Radiocommunications Conference (WRC-95) - Partial Revision of the Radio Regulations*, p. 2

9 Roger Smith, *Transcript of Evidence*, 21 December 1998, p. 29

10 Roger Smith, *Transcript of Evidence*, 21 December 1998, pp. 29-30

Implementing Arrangement with the European Atomic Energy Community Concerning Plutonium Transfers

Background

4.19 Australia has in place a series of bilateral nuclear cooperation (safeguards) agreements to facilitate the export of Australian uranium, while at the same time ensuring that Australian uranium does not contribute to the proliferation of nuclear weapons.

4.20 The 1981 *Agreement with the European Atomic Energy Community concerning Transfers of Nuclear Material from Australia to the European Atomic Energy Community* (EURATOM) is one of these safeguard agreements.

4.21 The 1981 Agreement with EURATOM contains a provision that prohibits the re-transfer of plutonium derived from Australian uranium without the prior written consent of Australia.

4.22 In 1993, in a treaty level exchange of notes, Australia agreed to exercise this consent in advance, subject to certain conditions, including that the transportation and physical protection of the plutonium be subject to the strict standards required by the United States of America (that is, that the material carries a 'US safeguards obligation'). A US safeguards obligation is typically acquired by nuclear material undergoing enrichment in the United States.¹¹

Proposed treaty action

4.23 The proposed treaty action is designed to streamline the operations of the safeguards agreement with EURATOM, with the aim of facilitating the shipment of Australian derived plutonium from the European Community (EC) to Japan following the reprocessing of Japanese spent fuel assemblies in the EC.

4.24 Japan is the world's third largest producer of nuclear power (behind the United States and France) and is Australia's second largest uranium market, just behind the United States. In 1997, twenty-two per cent of Australia's total uranium exports were to Japan.¹²

11 National Interest Analysis for the *Implementing Arrangement with the European Atomic Energy Community concerning Plutonium Transfers*, pp. 1-2

12 Elizabeth Schick, *Transcript of Evidence*, 21 December 1998, p. 13

4.25 To maximise their power generating capacity, Japanese nuclear power producers transfer spent nuclear fuel assemblies to the EC for reprocessing. After reprocessing, the extracted plutonium is returned to Japan for re-use in nuclear power reactors.

4.26 Ninety per cent of the Australian derived plutonium held in the EC on account of Japan is covered by the arrangements established by the 1993 exchange of notes with EURATOM. These arrangements do not, however, cover the ten per cent of Australian derived plutonium that does not carry a 'US safeguards obligation' (that is, it is plutonium which was enriched somewhere other than in the United States).¹³

4.27 The proposed new arrangement will allow Australian derived plutonium in this category to be transferred without prior written consent, provided that the material is transferred together with, and under the same physical protection arrangements as, material that does carry a 'US safeguards obligation'.¹⁴ Requests for transfers of material which do not conform with these conditions will continue to be considered on a case-by-case basis.

Obligations imposed by the proposed treaty action

4.28 The proposed treaty action will not impose any additional obligations or costs on Australia.

Proposed date for binding treaty action

4.29 The arrangement will come into force on the date Australia notifies the Delegation of the European Commission in Canberra that all domestic requirements necessary to give effect to it have been satisfied.

13 National Interest Analysis for the *Implementing Arrangement with the European Atomic Energy Community concerning Plutonium Transfers*, p. 2

14 Elizabeth Schick, *Transcript of Evidence*, 21 December 1998, p. 14

Committee comments

Evidence at the hearing

4.30 At its hearing on 21 December 1998 the Committee was advised that the proposed arrangement is:

- considered desirable by both EURATOM and Japan;
- consistent with the practice of other major uranium suppliers (such as Canada and the United States); and
- consistent with Australia's uranium export and safeguards policy, which is to ensure that Australian derived uranium cannot be used in nuclear weapons programmes.¹⁵

4.31 The Committee also took evidence on:

- the principal customers for Australian uranium and the treaty arrangements that govern the transfer of uranium to those countries;¹⁶
- the sanctions that would operate in the event that any of the safeguard arrangements for the transfer of nuclear material are breached;¹⁷ and
- the process involved in selecting customers for Australian uranium and obtaining assurances that the material will be used for peaceful purposes only.¹⁸

Committee conclusion

4.32 As a responsible international citizen, Australia has an obligation to have in place secure safeguard arrangements that account for the progress of Australian uranium from mine site to grave.

4.33 The proposed treaty action maintains the integrity of Australia's safeguard arrangements, while at the same time simplifying the transfer

15 Elizabeth Schick, *Transcript of Evidence*, 21 December 1998, p. 14

16 John Carlson, *Transcript of Evidence*, 21 December 1998, p. 15

17 John Carlson, *Transcript of Evidence*, 21 December 1998, p. 15

18 John Carlson, *Transcript of Evidence*, 21 December 1998, p. 15

arrangements for Australian derived uranium to Japan, our second biggest export market.

4.34 The Committee supports the *Implementing Arrangement between the Government of Australia and the European Atomic Energy Community concerning Plutonium Transfers* and recommends that binding treaty action be taken.

Treaty with the Government of Poland on Extradition

Background

4.35 Extradition treaties are a mechanism for the surrender of fugitive criminals from one country to another. While extradition treaties are not the only means by which a country may request or grant the surrender of fugitive criminals, they are a reliable and effective means of doing so because they create an obligation in international law to extradite.

4.36 Extradition treaties also benefit Australia by making Australia a less attractive haven for overseas criminals wishing to come to Australia to evade justice in their own countries.

4.37 In Australia, extradition is governed by the *Commonwealth Extradition Act 1988*, which enables the Government to negotiate bilateral extradition treaties. Wherever possible, the Government seeks to negotiate extradition arrangements in a form consistent with a model extradition treaty developed under the auspices of the United Nations.

Proposed treaty action

4.38 At present, extradition arrangements between Australia and Poland are governed by an inherited treaty agreed between Great Britain and Poland in 1932. The proposed treaty will replace this inherited treaty.

4.39 The proposed treaty differs from the inherited treaty in two important respects:

- the inherited treaty provides for a specific list of extraditable offences, whereas the proposed treaty treats any act as extraditable if it constitutes an offence in both countries and is

punishable by imprisonment for a period of more than one year, or by a more severe penalty; and

- the inherited treaty allows extradition only where the requesting party provides sufficient evidence to justify committal for trial, whereas the proposed treaty provides for extradition where a warrant for the fugitive's arrest (or similar legal instrument) is presented.¹⁹

4.40 The proposed treaty is consistent in form and content with the 'template' treaty used as the basis of other modern bilateral extradition arrangements.²⁰

Obligations imposed by the proposed treaty

Legal obligations

4.41 The treaty establishes an obligation to extradite between Australia and Poland. It is expressed in the treaty in the following terms:

The Contracting Parties undertake to surrender to each other, subject to the provisions and conditions laid down in this treaty, persons against whom the competent authorities of the Requesting Party are proceeding for an offence or who are wanted by the said authorities for the carrying out of a sentence.²¹

4.42 The obligation to extradite is qualified by numerous internationally acknowledged exceptions, including that:

- extradition shall not be granted for political or military offences (that is, offences against a military code), or for purposes connected with a person's race, religion, nationality or political opinions;
- extradition may be refused for offences punishable by death under the law of the Requesting Party but not so punishable under the law or practice of the Requested Party, unless the Requesting Party gives sufficient assurances that the death penalty will not be carried out; and

19 National Interest Analysis for the *Treaty with the Government of Poland on Extradition*, p. 1

20 Christopher Meaney, *Transcript of Evidence*, 21 December 1998, p. 22

21 *Treaty with the Government of Poland on Extradition*, p. 2

- both parties shall consult if it appears that extradition would be incompatible with humanitarian considerations because of exceptional circumstances, such as the age or state of health of the person concerned.²²

Costs

4.43 The proposed treaty provides that each party must meet the extradition costs incurred in its own territory – that is, the cost of arresting and detaining a person sought for extradition and the costs associated with any extradition proceedings. The cost of transporting the extradited person is to be met by the Requesting Party.²³

4.44 In Australia, the costs associated with extradition proceedings under the proposed treaty will be met by the relevant Commonwealth agencies from within existing budget allocations.²⁴

Proposed date for binding treaty action

4.45 The proposed treaty will be given effect in Australian law by Regulations made under the Extradition Act.

4.46 The Regulations will not be made until such time as the Australian Government receives notification from the Government of Poland that they have complied with their domestic requirements for the treaty to enter-into-force.

Committee comments

4.47 In previous reports the Committee has welcomed the use of the ‘template’ treaty when making new extradition arrangements. Specifically, the Committee has supported the making of new extradition treaties with Brazil, Hungary, Paraguay, South Africa, Turkey and Uruguay.²⁵

22 National Interest Analysis for the *Treaty with the Government of Poland on Extradition*, p. 2

23 National Interest Analysis for the *Treaty with the Government of Poland on Extradition*, p. 2

24 National Interest Analysis for the *Treaty with the Government of Poland on Extradition*, p. 2

25 See JSCT, *First Report* (August 1996); *Tenth Report* (September 1997) and *Thirteenth Report* (March 1998). See the *Tenth Report* (p. 45) for an endorsement of the ‘template’ treaty approach.

4.48 At its hearing on 21 December 1998 the Committee took evidence on:

- the advantages to be gained from modernising Australia's network of extradition treaties;²⁶
- the resources devoted to the task of modernising our extradition arrangements and the time it takes to negotiate new or replacement treaties;²⁷
- the application of the treaty to fugitives already resident in Poland;²⁸ and
- the accepted international practice in relation to the extradition of fugitives to countries with the death penalty or what might be considered cruel or unusual punishment.²⁹

4.49 The Committee supports the *Treaty between Australia and the Republic of Poland on Extradition* and recommends that binding treaty action be taken.

Amendments to the Schedule to the International Convention for the Regulation of Whaling

Background

4.50 The *International Convention for the Regulation of Whaling* is a multilateral treaty that regulates the conservation and use of whale stocks.

4.51 The National Interest Analysis for these amendments explains that, while the Convention was negotiated at a time when the primary focus was to ensure international controls over post-war development of the commercial whaling industry, the Convention and the Commission

26 Christopher Meaney, *Transcript of Evidence*, 21 December 1998, p. 18

27 Christopher Meaney, *Transcript of Evidence*, 21 December 1998, pp. 19-21

28 Christopher Meaney, *Transcript of Evidence*, 21 December 1998, pp. 19-20

29 Christopher Meaney, *Transcript of Evidence*, 21 December 1998, pp. 21-23

created by it have proved to be an effective vehicle for some major conservation measures. These include the 1982 decision to implement a moratorium on commercial whaling (that is, to impose zero catch limits) and the establishment in 1994 of the Southern Ocean Sanctuary.³⁰

Proposed treaty action

4.52 The treaty action proposed by these amendments arises from the annual requirement to amend the Schedule to the Convention to maintain the moratorium on commercial whaling.

Obligations imposed by the proposed treaty action

4.53 The treaty action will not impose any additional obligations or costs on Australia.

4.54 The current *Whale Protection Act 1980* already prohibits the killing of whales and provides for the preservation, conservation and protection of whales and other cetaceans in Australian waters, including to the outer limits of Australia's Exclusive Economic Zone.³¹

Proposed date for binding treaty action

4.55 The text of the proposed Amendment specified that, providing no objection was lodged, the amendments would come into force on 1 September 1998.

4.56 The Australian Government did not lodge an objection and the Amendment came into force on 1 September 1998.

Committee comments

4.57 The Committee commented on previous amendments to the Convention in its *Second Report* (October 1996) and its *Thirteenth Report* (March 1998). On both occasions the Committee supported amendments to extend the moratorium on commercial whaling.

4.58 At its hearing on 21 December 1998 the Committee took evidence on:

30 National Interest Analysis for the *Amendments to the Schedule to the International Convention for the Regulation of Whaling*, p. 2

31 National Interest Analysis for the *Amendments to the Schedule to the International Convention for the Regulation of Whaling*, p. 3

- the Japanese Government's practice of issuing annual permits for scientific research catches of 100 minke whales from the northern Pacific Ocean and of 440 minke whales from the Southern Ocean;³²
- the rate at which whale populations in Australian waters are increasing;³³ and
- the reservation expressed by the Government of Norway to the Convention and the withdrawal of Iceland from the Convention.³⁴

4.59 The Committee supports the *Amendments to the Schedule to the International Convention for the Regulation of Whaling*.

Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand

Background

4.60 Australia has concluded bilateral medical treatment agreements with eight other countries that have health systems of an equivalent standard to Australia. There are agreements in place with Finland, Ireland, Italy, Malta, the Netherlands, Sweden, the United Kingdom, as well as with New Zealand.

4.61 Bilateral medical treatment agreements provide for reciprocal access to public health facilities for residents of one country travelling temporarily in the other country. Such agreements contribute to a safer travel environment for Australians travelling abroad on business or holiday.³⁵

Proposed treaty action

4.62 The proposed new Agreement with New Zealand (which was signed on 4 May 1998) is an update of a previous Agreement with New

32 David Kay, *Transcript of Evidence*, 21 December 1998, p. 31

33 David Kay, *Transcript of Evidence*, 21 December 1998, p. 32

34 David Kay, *Transcript of Evidence*, 21 December 1998, p. 33

35 National Interest Analysis for the *Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand*, p. 2

Zealand signed on 2 April 1986. The 1986 Agreement will remain in force until the 1998 Agreement enters into force.

4.63 It was considered necessary to negotiate a new Agreement with New Zealand following the introduction in 1992 by the New Zealand Government of user charges for many health services. One of the effects of this change was to deny Australian visitors access to subsidised out-of-hospital medical services in New Zealand. At present, New Zealand visitors in Australia are able to access such services under Medicare. The proposed new Agreement will overcome this disparity in service levels by denying New Zealand visitors access to the subsidised out-of-hospital medical services available under Medicare to Australian citizens.³⁶

Obligations imposed by the proposed treaty action

General

4.64 The proposed new Agreement continues the current arrangement of requiring health authorities in Australia and New Zealand to provide access for citizens of either country to any immediately necessary medical treatment as a public patient in public hospitals. The Agreement also provides access to subsidised prescription drugs. As described above, however, the Agreement removes the requirement to provide subsidised medical services for out-of-hospital care that existed in the previous Agreement.

4.65 The Agreement does not extend to elective or prearranged medical treatment in either country.

Costs

4.66 In 1995, 343 450 Australian residents visited New Zealand and 538 400 New Zealand residents visited Australia. In the same year, 20 607 Australians enrolled in the New Zealand health system, and 27 206 New Zealanders enrolled in Medicare.³⁷ The NIA does not attempt to quantify the costs involved in providing health care in each case, although it does note that the costs to Australia associated with the new Agreement should be lower than the costs associated with the 1986

36 National Interest Analysis for the *Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand*, p. 2

37 National Interest Analysis for the *Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand*, p. 2

Agreement, as a result of the removal of subsidies for out-of-hospital medical treatment.³⁸

Consultation

4.67 Information about the proposed new Agreement was provided to all State and Territory health authorities through the Commonwealth-State Standing Committee on Treaties.

4.68 The National Interest Analysis reports that, while no specific representations were received about the proposed new Agreement with New Zealand, the Western Australian (WA) Government did raise concerns about ‘...the financial arrangements in respect of Reciprocal Health Care Arrangements...’ and indicated it would be seeking assistance from the Commonwealth to meet associated costs to the State public hospital system.³⁹

4.69 The Commonwealth Department of Health and Aged Care has advised the WA Government that, if it considers that there are a disproportionate number of overseas visitors seeking treatment in WA hospitals relative to the number of WA residents travelling overseas, they should seek a remedy through the Commonwealth Grants Commission.⁴⁰

Committee comments

4.70 The Committee commented on the impact that reciprocal health care agreements can have on State health budgets in an earlier report. In its *Eleventh Report* (November 1997), when considering a proposed medical treatments agreement with Ireland, the Committee remarked that while such arrangements are ‘reciprocal and reasonable’, they do require the cooperation of State governments and their health systems. The Committee went on to say that:

It is one thing for the Commonwealth to enter into these agreements with other countries, but it is on the already tightly funded health systems of the States and Territories that the impacts will fall.⁴¹

38 Mark Burness, *Transcript of Evidence*, 21 December 1998, p. 27

39 National Interest Analysis for the *Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand*, p. 3

40 National Interest Analysis for the *Agreement on Medical Treatment for Temporary Visitors with the Government of New Zealand*, p. 4

41 JSCT, *Eleventh Report* (November 1997), p. 40

4.71 While the Committee is sympathetic to the potential impact that such agreements may have on State health budgets, it has been argued that in most cases they are cost-neutral.

4.72 In the case of the medical treatment agreement with New Zealand, as there are more New Zealanders enrolled in Medicare than there are Australians enrolled in the New Zealand health system, there is likely to be a cost discrepancy in New Zealand's favour. It is, however, important to note that the proposed new Agreement will lower the costs to Australian health authorities of providing services to New Zealand visitors.

4.73 Moreover, the Committee accepts that the new Agreement should be considered in the broader context of Australia's close economic and social relations with New Zealand.

4.74 The Committee supports the *Agreement on Medical Treatment for Temporary Visitors between the Government of Australia and the Government of New Zealand* and recommends that binding treaty action be taken.

ANDREW THOMSON MP
Committee Chairman

9 March 1999

APPENDIX 1

EXTRACT FROM RESOLUTION OF APPOINTMENT

The Joint Standing Committee on Treaties was reconstituted in the 39th Parliament on 9 December 1998.

The Committee's Resolution of Appointment allows it to inquire into and report upon:

- (a) matters arising from treaties and related National Interest Analyses and proposed treaty actions presented or deemed to be presented to the Parliament;
- (b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and
- (c) such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.

APPENDIX 2

INDEX OF SUBMISSIONS AND EXHIBITS

Fifth Protocol to the General Agreement on Trade in Services

Submissions

- 1 Mr Richard Sanders
- 2 Mr Gordon Grant
- 3 Mr John Massam
- 4 Mr Peter Howard
- 5 Mr William Edwards
- 6 W L Grant
- 7 P J Keogh
- 8 Mr John Gates
- 9 D and M G Connolly
- 10 N A Cowan
- 11 M J H Morris
- 12 Mrs Vicky Rick
- 13 Mr John McRobert
- 14 F G Bowdler
- 15 Economic Reform Australia
- 16 Department of Foreign Affairs and Trade

Exhibits

- 1 Letter from Department of Treasury dated 1 February 1999
- 2 *Foreign Investment Review Board Report 1996-97*
- 3 Status of Acceptance of the Fifth Protocol to the General Agreement on Trade in Services

Amendments to the Schedule to the International Convention for the Regulation of Whaling**Exhibit**

- 1 Humane Society International Australian Office submission prior to the 50th Meeting of the International Whaling Commission

APPENDIX 3

WITNESSES AT PUBLIC HEARINGS

Fifth Protocol to the General Agreement on Trade in Services

Monday, 25 May 1998

Department of Foreign Affairs and Trade

Ms Jean Dunn, Assistant Secretary, Services and Intellectual Property Branch

Mr Ian Macintosh, Desk Officer, Services and Intellectual Property Branch

Mrs Helen Mahalingam, Executive Officer, Trade Negotiations Division

Department of the Treasury

Mr Olaf Schuermann, Assistant Director, Banking and Finance Branch,

Mr Paul Tilley, Assistant Secretary, Banking and Finance Branch

Monday, 21 December 1998

Department of Foreign Affairs and Trade

Ms Alison Burrows, Manager, Services Trade and Negotiation Unit, Trade Negotiations Division

Mr Ian Macintosh, Desk Officer, Services Trade Unit, Trade Negotiations Division

Ms Helen Mahalingam, Executive Officer, Trade Negotiations Division

Mr Mark Pierce, Assistant Secretary, Services and Intellectual Property Branch, Trade Negotiations Division

Department of the Treasury

Mr Raymond Jones, Manager, Financial Institutions Division

Mr Olaf Schuermann, Unit Manager, International Finance Division

**International Telecommunications Union Final Acts of the
World Radiocommunication Conference - Partial Revision
Of The Radio Regulations**

Monday, 21 December 1998

Australian Communications Authority

Mr Roger Smith, Senior Executive Manager, Planning and Standards

**Implementing Arrangement with the European Atomic
Energy Community concerning Plutonium Transfers**

Monday, 21 December 1998

Department of Foreign Affairs and Trade

Mr John Carlson, Director General, Australian Safeguards and Non-Proliferation Office

Dr Brendon Hammer, Director, Nuclear Trade and Security Section, Nuclear Policy Branch, International Security Division

Ms Roslyn Jackson, Executive Officer, Nuclear Trade and Security Section, Nuclear Policy Branch, International Security Division

Mrs Libby Schick, Assistant Secretary, Nuclear Policy Branch, International Security Division

Treaty with the Government of Poland on Extradition

Monday, 21 December 1998

Attorney-General's Department

Mr Mark Jennings, Principal Legal Officer, International Branch, Criminal Law Division

Mr Christopher Meaney, Assistant Secretary, International Branch, Criminal Law Division

Department of Foreign Affairs and Trade

Mr Robert Luton, Executive Officer, Passports Australia

Ms Jennifer Meehan, Desk Officer, Europe Branch

**Amendments to the Schedule to the International
Convention for the Regulation of Whaling**

Monday, 21 December 1998

Environment Australia

Dr David Kay, Assistant Secretary, Wildlife

**Agreement on Medical Treatment for Temporary Visitors
with the Government of New Zealand**

Monday, 21 December 1998

Department of Health and Aged Care

Mr Mark Burness, Executive Officer, Medicare Eligibility Section

Mr Craig Rayner, Adviser, Medicare Eligibility Section, Department of
Health and Aged Care