



Australian Government

Department of Foreign Affairs and Trade

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Kevin Bodel
Inquiry Secretary
Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600
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Dear Mr Bodel

Following the public hearing on 7 May 2012 of the Joint Standing Committee on Treaties on the Anti-Counterfeiting Trade Agreement, the Department of Foreign Affairs and Trade undertook to provide information to a question from Senator Ludlam.

Question from Senator Ludlam: Is the passing of the Raising the Bar Bill related to the Anti-Counterfeiting Trade Agreement? Was the Department of Foreign Affairs and Trade involved in the drafting or consultation for the Raising the Bar Bill?

Consideration of the *Intellectual Property Laws Amendment (Raising the Bar) Bill* was not linked to the Anti-Counterfeiting Trade Agreement. Australian law is consistent with ACTA, regardless of the *Raising the Bar Bill*.

The Minister for Trade and the Department of Foreign Affairs and Trade were consulted in December 2009 and December 2010 regarding the proposed changes to Australia's intellectual property system that were reflected in the *Raising the Bar Bill*. The foreign affairs and trade portfolio's response was to emphasise the need for consistency of the proposals with existing international obligations.

Yours sincerely

George Mina
Assistant Secretary
Trade Policy Branch
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