

**AGREEMENT ESTABLISHING THE ASEAN-AUSTRALIA-
NEW ZEALAND FREE TRADE AREA [2009] ATNIF 7**

Documents tabled on 12 March 2009:

**National Interest Analysis [2009] ATNIA 6
with attachment on consultation**

Summary of Key Obligations (Annex I)
Consultation (Annex II)
Fact Sheets (Annex III)

Text of the proposed treaty action:

Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area
Exchange of Letters between Australia and New Zealand

Regulation Impact Statement

NATIONAL INTEREST ANALYSIS: CATEGORY 1 TREATY

SUMMARY PAGE

AGREEMENT ESTABLISHING THE ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AREA [2009] ATNIF 7

Nature and timing of proposed treaty action

1. The proposed treaty action is to notify the Parties to the Agreement Establishing the Association of Southeast Asian Nations (ASEAN)-Australia-New Zealand Free Trade Area (“AANZFTA”) that Australia has completed its internal requirements necessary for entry into force of the Agreement. The AANZFTA was signed by the governments of all Parties (Australia, Burma, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, New Zealand, the Philippines, Singapore, Thailand and Vietnam) on 27 February 2009.

2. It is proposed to take the treaty action as soon as practicable. Article 7 (Entry into Force) of Chapter 18 (Final Provisions) provides that entry into force shall occur on or after 1 July 2009 provided that Australia, New Zealand and at least four ASEAN member countries have notified each other of completion of their internal requirements. It is anticipated that the AANZFTA will enter into force in the second half of 2009 and, in any event, no later than 1 January 2010. It is also proposed that a side-letter between Australia and New Zealand limiting application of the AANZFTA between each other shall enter into force on the date that AANZFTA enters into force. Australia’s existing Free Trade Agreements (FTAs) and Investment Protection and Promotion Agreements with ASEAN member countries will remain in force as distinct, functioning agreements.

Overview and national interest summary

3. Entry into force of the AANZFTA will deliver significant benefits to Australian producers, exporters, consumers and investors and provides a platform for securing further trade and investment liberalisation in the future. As a group, ASEAN and New Zealand constitute a larger trading partner for Australia than any single country. ASEAN member countries and New Zealand together account for 21 per cent of Australia’s total trade in goods and services (total trade in goods and services between Australia, and ASEAN and New Zealand combined, was \$103 billion in 2007-08). AANZFTA will cover an area with a combined population of 600 million people and annual GDP of \$3.2 trillion.

4. Entry into force of the AANZFTA will also support economic integration in the region and enhance Australia’s participation in the region’s evolving economic architecture through commitments in a range of areas, including trade in goods, trade in services, investment, intellectual property, temporary movement of natural persons, electronic commerce and economic cooperation.

Reasons for Australia to take the proposed treaty action

5. There are a number of reasons why it is to Australia's advantage to take the proposed treaty action. The AANZFTA will provide greater certainty for Australian exporters and investors. This is achieved through the country-specific commitments on tariffs and services market access, as well as the AANZFTA's provisions to enhance the transparency and predictability of regulatory regimes, including through consultation and cooperation mechanisms.

6. The AANZFTA will safeguard Australia's market position against the risk of tariff increases on much of our current trade with ASEAN member countries. Many of Australia's current exports to ASEAN member countries are subject to applied tariffs of five per cent or less, even though the World Trade Organization (WTO) bound tariff rates are much higher. By preserving, reducing or eliminating low tariffs maintained by ASEAN member countries, the AANZFTA will thereby enhance certainty for Australia's goods exporters, which is of particular value in the context of the current global economic downturn. The reduction or elimination of high tariffs maintained by ASEAN member countries will also create new market access opportunities for Australia's goods exporters in various sectors. For more detail on tariff commitments see Annex C of the Regulation Impact Statement and the attached Fact Sheets (Annex III).

7. As a region-wide FTA, the AANZFTA will deliver certain benefits in goods trade through "regional rules of origin" that cannot be achieved through bilateral FTAs with individual ASEAN member countries. Specifically, under the AANZFTA's "regional rules of origin", ASEAN firms using Australian-produced inputs that comply with origin requirements will be able to access preferential tariff rates when exporting to other ASEAN member countries or New Zealand under the AANZFTA. This provides ASEAN member countries with a new incentive to use Australian inputs in their manufacturing processes. These incentives, and the opportunity they afford for Australian exporters to become more integrated into regional production chains, are not available in bilateral FTAs with individual ASEAN member countries.

8. The AANZFTA will also promote greater certainty and transparency for Australian service suppliers and investors. This has been achieved through a range of 'WTO-plus' commitments by ASEAN member countries in relation to specific sectors of priority trade interest to Australia, domestic regulatory measures and legal protections for investment in their territories. ASEAN member countries have also made commitments on temporary movement of natural persons that will benefit Australian service suppliers and investors. For more detail on services market access commitments and temporary movement of natural persons commitments see Annex D and E of the Regulation Impact Statement and the attached Fact Sheets (Annex III).

9. The AANZFTA will provide a solid framework and platform for ongoing economic engagement and integration with ASEAN over time. This is achieved through institutional arrangements for overseeing the implementation and operation of the AANZFTA, along with built-in agendas and review mechanisms in such areas as rules of origin, non-tariff measures, services and investment. The AANZFTA will thereby strengthen economic ties with ASEAN and link Australia closely to ASEAN's internal economic integration process.

10. The AANZFTA will help to ensure that Australia's competitiveness in the region is not undermined as ASEAN member countries continue to develop their own economic community, and negotiate FTA arrangements with other trading partners. ASEAN currently has trade

agreements with China (goods and services), the Republic of Korea (goods and services), Japan (goods) and is close to signing a goods agreement with India. Failure to secure improved access to ASEAN markets for Australian exporters through an FTA would risk seeing Australian industry’s competitiveness erode over time as regional competitors negotiate better access through FTAs.

11. The AANZFTA will also enhance Australia’s participation in the region’s evolving economic architecture. As indicated above, ASEAN is seeking to place itself at the centre of regional economic integration, including through a network of FTAs with “dialogue partners” (Australia, New Zealand, China, Japan, the Republic of Korea and India).

Obligations

12. The Summary of Key Obligations provides a detailed summary of the obligations of the AANZFTA (Annex I).

13. The AANZFTA contains wide ranging provisions that will liberalise and facilitate trade and investment between the Parties. Parties are obliged to reduce and eliminate tariffs applied to the imports of goods from other Parties (Chapter 2) that meet the agreed rules of origin criteria (Chapter 3), as specified in each country’s Schedule of Tariff Commitments. A snapshot of the tariff elimination outcomes in the AANZFTA is provided by Table 1, which demonstrates the high levels of tariff elimination that will be achieved, and the fact that high levels of tariff-free treatment – generally around 90% - will be achieved as early as 2013 for the more developed ASEAN markets.

**Table 1
Percentage of Tariff Lines with Tariff-Free Treatment**

Country	2005 Base Tariffs (%)	2010 (%)	2013 (%)	Final Tariff Elimination (%)	Year Achieved
Australia	47.6	96.4	96.5	100	2020
Brunei	68	75.7	90	98.9	2020
Burma	3.7	3.6	3.6	85.2	2024
Cambodia	4.7	4.7	4.7	88	2024
Indonesia	21.2	58	85	93.2	2025
Laos	0	0	0	88	2023
Malaysia	57.7	67.7	90.9	96.3	2020
New Zealand	58.6	84.7	90.3	100	2020
Philippines	3.9	60.3	91	94.6	2020
Singapore	99.9	100	100	100	2009
Thailand	7.1	73	87.2	99	2020
Vietnam	29.3	29	29	89.8	2020

14. Each Party is obliged to grant market access and accord national treatment to services and service suppliers of the other Parties as specified in each country’s Schedule of Specific Services Commitments (Chapter 8). A range of regulatory disciplines will apply to enhance transparency,

particularly in relation to licensing of service suppliers. The AANZFTA also includes additional disciplines on telecommunications and financial services. The AANZFTA also establishes a solid regime of legal protections for investments by AANZFTA Party investors in other AANZFTA Party countries (Chapter 11). In particular, these protections cover such matters as transfer of funds, treatment in the event of losses due to civil strife, and compensation in the event of expropriation or nationalisation of the investment and include an investor-state dispute settlement mechanism. There is also a chapter on movement of natural persons (Chapter 9), which provides a framework for commitments on temporary movement of services suppliers, investors, goods sellers and other business persons engaged in regional trade and investment (commitments are set out in each country's Schedule of Movement of Natural Persons Commitments).

15. The AANZFTA also contains provisions that provide a framework for enhanced cooperation in relation to customs procedures (Chapter 4), sanitary and phytosanitary measures (Chapter 5), standards, technical regulations and conformity assessment procedures (Chapter 6), electronic commerce (Chapter 10), intellectual property (Chapter 13) and competition (Chapter 14). AANZFTA reinforces WTO rights and obligations in most of these areas and, in some cases like intellectual property, builds on them in certain respects. The Agreement also provides for economic cooperation activities to support its implementation (Chapter 12). For more detail on AANZFTA economic cooperation see Annex F of the Regulation Impact Statement and the attached Fact Sheets (Annex III).

16. The AANZFTA establishes a process for consultations and for settlement of disputes that may arise under the Agreement (Chapter 17) as well as provision for ongoing review of the Agreement through an FTA Joint Committee and sub-committees established under the AANZFTA (Chapter 16). The Parties are obliged to undertake a general review of AANZFTA in 2016 and every five years thereafter, unless otherwise agreed.

17. The Parties to the AANZFTA have also signed an understanding relating to the scope of Article 1 (Reduction and/or Elimination of Customs Duties) of the Chapter on Trade in Goods and an 'implementing arrangement' containing an agreed work program of economic cooperation projects. Australia has also signed a letter according recognition of Vietnam's Market Economy Status, thereby putting Vietnam in the same position as other WTO Members in relation to dumping, and subsidy and countervailing, investigations.

18. Australia and New Zealand have exchanged letters outlining how AANZFTA is to apply between each other, given the Australia-New Zealand Closer Economic Relations Trade Agreement and its related agreements and understandings (CER). Chapters 1, 2 and 3 of the AANZFTA (including tariff commitments and associated rules of origin) will apply between the two countries. Chapter 15 (General Provisions and Exceptions) of the AANZFTA will apply to the extent that the AANZFTA applies between Australia and New Zealand. There will be no trans-Tasman application of AANZFTA's Chapter 7 (Goods Safeguards Measures), Chapter 11 (Investment) and Chapter 17 (Consultations and Dispute Settlement). Other AANZFTA chapters will not apply pending consideration by both Australia and New Zealand of the merits of applying them between each other.

Implementation

19. To complete domestic implementation of the AANZFTA in Australia, amendments need to be made to the *Customs Act 1901* and the *Customs Tariff Act 1995* as well as associated regulations to incorporate the preferential tariff rates that will apply to goods imported from other AANZFTA Parties. The *Customs Regulations 1926* will also require a minor amendment to reflect recognition of Vietnam's Market Economy Status by Australia.

20. The remainder of Australia's obligations under the AANZFTA do not require any legislative or regulatory amendments. The AANZFTA will not effect any change to the existing roles of the Commonwealth, State or Territory governments.

Costs

21. The Treasury has estimated that the loss of tariff revenue to the Australian Government resulting from AANZFTA over the 2009-10 Budget forward estimates (four years from 2009-10 to 2012-13) will be \$971 million. This estimate is based on an analysis of existing trade levels (as at November 2008) and does not take into account variations in the level of trade that will result from the FTA, either in terms of imports from ASEAN increasing faster than imports from other non-FTA countries or the positive impact on economic growth of the treaty. The estimates will be affected by revisions to forecasts and projections for the level of imports. The AANZFTA also includes an economic cooperation component to provide technical assistance and capacity building to developing ASEAN countries to assist in implementation of the FTA for which Australia will provide up to \$20 million over a five year period.

Regulation Impact Statement

22. A Regulation Impact Statement is attached.

Future treaty action

23. Article 6 (Amendments) of Chapter 18 (Final Provisions) provides that the AANZFTA may be amended by written agreement of all AANZFTA Parties. Article 1 (FTA Joint Committee) of Chapter 16 (Institutional Provisions) establishes the "FTA Joint Committee" which, among other things, may consider and recommend to the Parties any amendments to the AANZFTA. Any amendments agreed by the Parties would be subject to Australia's domestic treaty process, including tabling in Parliament and consideration by the Joint Standing Committee on Treaties (JSCOT).

24. Any agreement between Australia and New Zealand to amend the side letter setting out the way in which AANZFTA applies between the two countries would also be subject to Australia's domestic treaty process, including tabling in Parliament and consideration by JSCOT.

25. Article 16 (Work Programme) of Chapter 11 (Investment) establishes a forward work programme for negotiating schedules of reservations to the Chapter and to other investment-related negotiations. Unless the Parties otherwise agree, these negotiations shall be concluded within five years of AANZFTA's entry into force. If negotiations are successful, the results shall be incorporated into the AANZFTA by treaty amendment and will be subject to Australia's domestic

treaty process, including tabling in Parliament and consideration by JSCOT. The AANZFTA also contains a range of built-in agendas for future negotiations with less prescriptive detail about the application of any agreed outcome. Any proposed treaty amendment arising from such future negotiations would be subject to Australia's domestic treaty process, including tabling in Parliament and consideration by JSCOT.

Withdrawal or denunciation

26. Under Article 8 (Withdrawal and Termination) of Chapter 18 (Final Provisions), any Party may withdraw from the AANZFTA by giving six months advance notice in writing to the other Parties. Australia's withdrawal would terminate the AANZFTA. The AANZFTA would also terminate if New Zealand withdrew or if the AANZFTA was in force for less than four ASEAN member countries. Withdrawal from the AANZFTA by Australia would be subject to Australia's domestic treaty process.

Contact details

Asia Trade Task Force
Department of Foreign Affairs and Trade

Attachment on Consultation

Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area [2009] ATNIF 7

CONSULTATION

27. The proposed action will have an impact on the States and Territories, as the obligations in the Agreement apply to all States and Territories (except where specified otherwise in the AANZFTA). The obligations in Chapter 8 (Trade in Services), Chapter 9 (Movement of Natural Persons) and Chapter 11 (Investment) will be the most significant to State and Territory governments.

28. State and Territory governments were consulted through regular Senior State and Territory Trade Officials Group (STOG) and Commonwealth-State-Territory Standing Committee on Treaties (SCOT) meetings and teleconferences and through regular visits by Department of Foreign Affairs and Trade (DFAT) officials to State and Territory capitals. The Minister for Trade also consulted State Premiers and Territory Chief Ministers on Australia's Schedule of Specific Service Commitments and Schedule of Movement of Natural Persons Commitments and briefed his State and Territory counterparts at the Council of Australian Governments Ministerial Council on International Trade. The final text of the AANZFTA was sent to the States and Territories prior to tabling in Parliament.

29. Public submissions were sought prior to commencement of the AANZFTA negotiations and around 50 written submissions were received, including from the South Australian, Victorian and Western Australian Governments.

30. During the negotiation of the AANZFTA, DFAT officials held regular consultations with relevant Commonwealth Agencies, State and Territory governments and other stakeholders, including industry, unions and public interest groups, to ensure that their views informed the development of the Australian Government's negotiating strategy. In addition to a large number of one-to-one and smaller group meetings, there were five large roundtable meetings between December 2006 and December 2008 with peak organisations representing industry, trade unions, professional bodies and other interested groups. At the AANZFTA negotiating rounds in Perth (July 2007) and Brisbane (April 2008), representatives of these peak organisations met and exchanged views with senior ASEAN and New Zealand negotiators.

31. Annex II contains a list of stakeholders consulted and submissions received.

Annex I

Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA): Summary of Key Obligations

Preamble and Chapter 1: Establishment of the Free Trade Area, Objectives and General Definitions

1. The Preamble recites the historical basis, regional context and broad aims for the AANZFTA. Importantly, the AANZFTA is cited as an “important building block towards regional economic integration” in recognition of the free trade agreement’s (FTA’s) role in contributing to the development of regional economic architecture. Chapter 1 sets out the objectives of the FTA, establishes the ASEAN-Australia-New Zealand Free Trade Area (consistent with World Trade Organization (WTO) rules) and defines terms that are used in more than one chapter of the FTA.

Chapter 2: Trade in Goods

2. The Trade in Goods Chapter obliges Parties to progressively reduce and/or eliminate tariffs in accordance with each Party’s applicable schedule contained in the Schedule of Tariff Commitments. It establishes the framework of rules for trade in goods among the Parties. The Chapter affirms a number of WTO provisions that already govern trade in goods among the Parties and, in some cases, provides for more specific commitments as well as enhanced transparency. This includes provisions covering: national treatment, fees and charges connected with importation and exportation, publication and administration of trade regulations, and import licensing. The Chapter contains a commitment that, consistent with WTO rights and obligations, each Party will eliminate all forms of export subsidies for agricultural goods exported to other Parties. There is also a commitment for the Committee on Trade in Goods (established pursuant to Article 11) to review non-tariff measures and to report to the FTA Joint Committee within two years of entry into force of the Agreement with a view to considering the scope for additional means to increase trade between the Parties.

3. The Chapter provides for the establishment of contact points to facilitate information exchange. The Chapter also provides for consultations on request as well as for the Committee on Trade in Goods to consider matters arising under this Chapter or under other goods-related chapters (Chapters 3, 4, 5, 6 and 7).

4. With regard to tariffs, the tariff schedules in Annex 1 to the Agreement provide for the reduction and elimination of tariffs over a transition period. Tariffs will be eliminated on a high percentage of tariff lines in all AANZFTA Parties. The tariff elimination commitments will be phased-in from early in the transition period, and many tariffs currently at possibly prohibitive levels will be reduced to levels that should allow trade to flow within a few years. Exclusions from tariff commitments have been kept to a minimum, and generally do not exceed one per cent of a country’s national tariff lines. For those tariff lines where tariffs are not eliminated, but which are not in the exclusion category, tariffs will either be bound at the base (i.e. 2005) tariff rate or subject to tariff reductions.

5. The tariff outcomes provide for longer transition periods and lower tariff elimination outcomes for Vietnam and the three least developed countries (Burma, Cambodia and Laos), in recognition of their status as newer ASEAN member countries with less developed economies.
6. For further information, see AANZFTA Fact Sheet – Overview of Tariff Outcomes.

Chapter 3: Rules of Origin

7. The Rules of Origin (ROO) Chapter and associated Operational Certification Procedures (OCP) and Schedule of Product Specific Rules (PSRs) establish the criteria for determining whether goods will qualify for preferential tariff treatment under the AANZFTA (whether a good “originates” in Australia, New Zealand or an ASEAN member country). The chapter also sets out the procedures and documentation for demonstrating that a good qualifies for preferential treatment and, if necessary, verifying that this is the case.

8. The AANZFTA establishes a ROO based on “co-equal” access to rules based on either the ‘change in tariff classification’ (CTC) model or a regional value content (RVC) test. For most goods under AANZFTA, exporters have the choice of testing their products under a CTC-based rule or an equivalent RVC-based rule. For some goods, only a single option applies. Exporters wishing to access the tariff arrangements agreed under AANZFTA will need to support their claim with a certificate of origin issued by a relevant industry body.

9. The key benefit of the “co-equal” approach is that it marries the objectivity of Australia’s preferred CTC approach – there is a single, clear rule for each tariff line – with ASEAN’s greater familiarity and comfort with the RVC-based approach. The agreement to adopt alternative approaches to ROO also provides additional flexibility for Australian exporters who may, for whatever reason, choose to export their goods under the RVC-based test.

10. The rules in this Chapter provide for regional cumulation – that is, where a good which complies with the origin requirements is exported by a Party for use as an input in the production of a good in another Party, the good will be treated as if it originated in the Party where the working or processing of the finished good has taken place. This recognises the increasing trend to global production chains in the region.

11. The Chapter includes provisions relating to a comprehensive set of issues relating to the determination of origin, including: methodology for calculating regional value content; minimal operations and processes which do not affect originating status; treatment of accessories, parts and tools; treatment of goods where only a small proportion of inputs fail to meet the relevant ROO (the so-called *de minimus* principle); treatment of packing materials and containers, and transport of goods through AANZFTA Parties and through third countries.

12. The Chapter also sets out procedures and requirements relating to the issuance of certificates of origin, including data requirements for applications and for the content of certificates. It also contains provisions relating to review and appeal of determinations of eligibility for preferential tariff treatment.

13. There are provisions for ongoing consultations aimed at ensuring effective administration of the provisions on ROO, and providing opportunity for review and amendment of the Chapter. The Chapter also provides for the establishment of a Sub-Committee, which, among other things, is required to commence a Review of Article 6 of the Chapter (which defines the operation of the cumulation principle) and the application of “chemical reaction” and other process-based rules between 12 and 18 months from entry into force of the Agreement.

14. The Annexes to the Chapter include the Schedule of Product Specific Rules in Annex 2 to the Agreement and an additional Annex and two Appendices relating to procedures and requirements for the issuance of Certificates of Origin.

15. For further information, see AANZFTA Fact Sheet – Rules of Origin.

Chapter 4: Customs Procedures

16. The Chapter on Customs Procedures establishes arrangements for expeditious, predictable, transparent and simplified customs administration aimed at facilitating trade among the Parties. In particular, the Chapter encourages procedures that facilitate the clearance of low-risk goods and the use of automated, electronic customs transactions.

17. The Chapter affirms that the customs value of goods is to be determined in accordance with the WTO Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (GATT) (Agreement on Customs Valuation). In addition the Chapter provides that, wherever possible, authorities will provide advance rulings to enable exporters to verify tariff classification, and seek rulings about the valuation and the origin of goods in advance of export. The Chapter also contains provisions relating to the assurance of protection of confidentiality of information provided by exporters.

18. The Chapter provides for the establishment of inquiry points and publication of all statutory, regulatory and administrative requirements, either on the internet or in print. There is also a requirement for Parties to ensure importers have access to administrative review within customs administrations or, where applicable, access to further administrative or judicial review of determinations.

Chapter 5: Sanitary and Phytosanitary Measures

19. The Chapter on Sanitary and Phytosanitary Measures affirms that such measures will continue to be applied in accordance with the Parties’ rights and obligations under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures. The Chapter contains provisions on arrangements aimed at strengthening information exchange, cooperation and consultation among the Parties. It also provides for the establishment of contact points and a Sub-Committee on Sanitary and Phytosanitary Measures to review progress in the implementation of the Chapter.

20. The dispute settlement provisions of the AANZFTA are not applicable to any matter arising under this Chapter.

Chapter 6: Standards, Technical Regulations and Conformity Assessment Procedures

21. The Chapter on Standards, Technical Regulations and Conformity Assessment Procedures affirms the Parties' rights and obligations under the WTO Agreement on Technical Barriers to Trade and provides for the establishment of arrangements for enhanced information exchange, cooperation and consultation among the Parties. The Chapter identifies a range of possible vehicles for giving effect to enhanced cooperation.

22. The Chapter also recognises the scope for Parties to enter into agreements or arrangements on regulatory matters as a means of facilitating trade, and encourages consideration of extending such arrangement to interested Parties. The Chapter provides for the establishment of contact points and a Sub-Committee on Standards, Technical Regulations and Conformity Assessment Procedures to monitor implementation of the Chapter, and to consider issues that may be raised by the Parties.

Chapter 7: Safeguard Measures

23. The Chapter on Safeguard Measures establishes arrangements for safeguard measures which may be applied during the transitional period, i.e. while tariffs are being reduced and/or eliminated. Safeguard measures may only be applied to the extent and for such time as may be necessary to prevent or remedy serious injury and to facilitate adjustment during the transitional period. The transitional period is defined as the period from entry into force of the Agreement until three years after the customs duty on a particular good is eliminated or reduced to its final commitment, in accordance with a Party's schedule of tariff commitments. There are limits on the length of time for which a safeguard measure may be applied (two years, with a possible extension for one year), and limits in respect of any repeat application of a safeguard measure. In addition, the Chapter sets out procedures and conditions for compensation or the suspension of substantially equivalent concessions by Parties affected by the application of transitional safeguard measures.

24. The Chapter also contains provisions relating to the level of tariffs that may be applied as safeguard measures, and minimum thresholds for the application of safeguard measures to imports from ASEAN Parties.

25. Provisions setting out procedures for notification, investigation, application of provisional safeguard measures, and review of measures mirror relevant provisions of the GATT Article XIX and the WTO Agreement on Safeguards. The Chapter also affirms the Parties' rights and obligations in relation to global safeguard measures applied in accordance with the WTO Agreement.

Chapter 8: Trade in Services

26. The Chapter on Trade in Services includes the substantive obligations relating to trade in services and each Party's Schedule of Specific Services Commitments in Annex 3 to the Agreement, including market access and national treatment; provisions on most-favoured-nation treatment and safeguards; and various regulatory disciplines and other obligations that will enhance certainty and transparency for Australian services exporters. The Chapter also contains two annexes which set out sector-specific obligations for financial and telecommunications services respectively.

27. The Chapter provides for a "positive list" approach to scheduling market access and national treatment commitments, where each Party identifies in its own schedule the services for which market access and national treatment apply, including the specification of any limitations to such access or national treatment. This approach, including the definition of "trade in services" with its four modes of services supply, is identical to the approach provided for under the WTO General Agreement on Trade in Services (GATS), with one exception. The exception is that a Party's commitments in relation to the movement of natural persons (mode 4) are set out in a separate schedule to the Movement of Natural Persons Chapter (mode 4 commitments) (see chapter 9 below). Each Party's Schedule of Specific Services Commitments therefore contain commitments only in relation to cross-border supply (mode 1); consumption abroad (mode 2); and commercial presence (mode 3).

28. Consistent with the GATS, the market access obligation requires a Party to specify in its Schedule any limitations on market access where it has undertaken commitments in a sector (e.g. limitations on foreign equity, restrictions on the organisational form of commercial presence, number of service suppliers or total value of services transactions or assets). The national treatment obligation requires that, in sectors where commitments have been undertaken, each Party shall accord to services and service suppliers of another Party treatment no less favourable than it accords to its own like services and service suppliers, subject to any specified conditions and qualifications. Like the GATS, there is also provision for a Party to make additional commitments relating to qualifications, standards or licensing matters. A Party may modify its specific commitments, subject to compliance with formal procedures for notification of, and consultation with, other Parties and, if necessary, compensatory adjustments.

29. Under the provision for consultations on most-favoured-nation (MFN) treatment, Australia has the right to request an ASEAN member country to extend to Australian services and to service suppliers any more favourable treatment that it accords to a third country in a future ASEAN-wide agreement. ASEAN member countries have the same right in relation to future bilateral and plurilateral FTAs to which Australia is a Party, except bilateral and plurilateral agreements involving Australia or New Zealand and one or more ASEAN member countries. The requested Party is obliged to enter into consultations, although whether it accedes to the request is a matter for negotiation. (Vietnam has also included in its Schedule of Specific Services Commitments an MFN commitment on the cross-border supply of higher education services, undertaking to extend any commitments that go beyond the AANZFTA made to a third country as part of future ASEAN-wide FTAs.)

30. The Chapter also provides that, pending the conclusion of multilateral negotiations under GATS on emergency safeguard measures, a Party may request consultations with another Party if it considers that implementation of the AANZFTA commitments has caused substantial adverse impact to a service sector. Any measure adopted as a result of these consultations must be mutually agreed between the Parties concerned. The operation of this provision will be reviewed upon conclusion of multilateral negotiations under GATS on emergency safeguard measures.

31. The Chapter provides for a review of commitments by Parties three years after entry into force of the Agreement, and periodically thereafter as determined by the FTA Joint Committee. The aim of these reviews is for Parties to further improve specific services commitments so as to progressively liberalise trade in services. The Chapter establishes a Committee on Trade in Services which is required, inter alia, to carry out these reviews of commitments, enter into discussions on the application of MFN, and to review the implementation of the Chapter.

32. The Chapter sets out a range of obligations on Parties that will enhance regulatory certainty and transparency for Australian services exporters. These are based upon equivalent GATS obligations, including in relation to domestic regulation (licensing and qualification requirements and procedures and technical standards) and transparency, although they go beyond the GATS in several areas. Key 'GATS-plus' regulatory obligations include requirements on Parties to:

- encourage competent bodies to enter into negotiations for recognition of professional qualifications, licensing and registration requirements and procedures;
- ensure that the use of business names under which service suppliers normally trade in their respective home country markets is not unduly restricted;
- publish measures of general application affecting trade in services on the Internet, to the extent possible;
- endeavour to provide interested persons of other Parties with a reasonable opportunity for comment prior to adoption of new measures;
- provide license applicants with an opportunity to remedy incomplete applications, status reports on the progress of applications on request, and reasons for the denial or termination of applications;
- observe minimum standards of procedural transparency, such as reasonable notice of administrative processes (e.g. licensing and rule-making in specific cases) and opportunities to present facts and arguments before final administrative action;
- afford services suppliers with a commercial presence certain post-establishment investment protections, as set out in the Chapter on Investment, including investor-state dispute settlement.

33. The Chapter contains two sector-specific annexes, covering financial services and telecommunications.

34. For further information, see AANZFTA Annexes: Specific Services Commitments.

Annex on Financial Services

35. In line with the GATS Annex on Financial Services, the AANZFTA Annex on Financial Services sets out certain rights and obligations on Parties that reflect the distinctive characteristics and systemic importance of financial sector regulation. These include exceptions for a Party in relation to measures taken for prudential reasons, to ensure the integrity and stability of the financial system, to ensure the stability of the exchange rate or to prevent deceptive and fraudulent practices. However, the AANZFTA Annex also contains obligations that go beyond the GATS Annex in relation to transparency, timely processing of licensing applications, and transfers and processing of information by financial service suppliers in the ordinary course of business.

Annex on Telecommunications

36. The Annex on Telecommunications builds on WTO rules (the WTO Telecommunications Reference Paper) in relation to major suppliers of telecommunications services that control essential facilities or have a dominant position in the market. Parties are required to prevent anti-competitive conduct and ensure that major suppliers provide interconnection, leased circuit services and co-location of equipment on reasonable, non-discriminatory terms and conditions.

37. The Annex also contains provisions on transparency, including in relation to licensing, and review of regulatory decisions. Regulators must be independent and impartial and must provide written explanation of regulatory decisions on request. Recognising that some ASEAN countries are still developing their telecommunications regulatory regime, Parties are permitted to delay the application of some obligations, according to a specified timetable (set out in an Appendix to the Annex).

38. For further information, see AANZFTA Fact Sheet – Telecommunications.

Chapter 9: Movement of Natural Persons

39. The Chapter on Movement of Natural Persons (MNP) provides a framework for commitments on the temporary movement of services suppliers, investors, goods sellers and other business persons engaged in regional trade and investment. Each Party has a Schedule of MNP Commitments in Annex 4 to the AANZFTA, setting out commitments on specific categories of natural persons, in accordance with its temporary entry regime. Commitments in relation to the movement of natural persons who are services suppliers (mode 4) are set out in each Party's MNP Schedule (mode 4 commitments), rather than in their respective Specific Services Commitments Schedule.

40. The Chapter contains obligations which require Parties to publish information on temporary entry requirements, process completed applications for temporary entry and stay promptly and to notify applicants, on request, about the status or outcome of the application. The Chapter preserves each Party's right to protect the integrity of its borders and to ensure the orderly movement of persons across them.

41. The Parties are obliged to endeavour to settle any differences arising out of implementation of the Chapter through consultations. Dispute settlement under AANZFTA is available where there has been a refusal to grant temporary entry, but only when: (a) the matter involves a pattern of practice and (b) the natural persons affected have exhausted the available domestic remedies regarding the particular matter.

42. For further information, see AANZFTA Annexes: Movement of Natural Persons.

Chapter 10: Electronic Commerce

43. The Chapter on Electronic Commerce establishes a framework for regional cooperation and coordination on electronic commerce. Parties are obliged to maintain, or adopt as soon as practicable, domestic regulatory frameworks for electronic commerce that are based on relevant international standards, including in relation to electronic authentication of documents and transactions. Parties are obliged to publish regulatory measures relating to electronic commerce and respond to requests for information about such measures promptly.

44. The Chapter involves provisions on online consumer protection, online data protection and paperless trading. The Parties are to encourage cooperation in research and training activities that will enhance the development of e-commerce. Recognising that some ASEAN countries are still developing their regulatory regimes in this area, Parties are permitted to delay the application of some obligations, pending implementation of relevant domestic legislation. The Chapter is not subject to the AANZFTA's dispute settlement provisions (Chapter 17).

Chapter 11: Investment

45. The Chapter on Investment includes a range of obligations on Parties aimed at enhancing legal protection and certainty in relation to investment. The Chapter uses a broad, non-exhaustive, "asset-based" definition of investment covering every kind of asset owned or controlled by an investor, including, inter alia, shares, property, and business concessions conferred by law or contract, including any concession to search for, cultivate, extract or exploit natural resources.

46. The obligations are directed primarily at the post-establishment stage of investment. These include requirements on Parties to:

- apply fair and equitable treatment and full protection and security (the minimum standard of treatment at customary international law) to investments;
- ensure non-discriminatory treatment in relation to measures for investors that have suffered losses due to armed conflict, civil strife or states of emergency;

- allow funds of an investor relating to an investment to be transferred freely and without delay, subject to specified exceptions;
- ensure that any expropriation or nationalisation of an investment is only for a public purpose, applied in a non-discriminatory manner, is in accordance with due process of law and is accompanied by payment of prompt, adequate and effective compensation (the Chapter includes an Annex to elaborate the nature and scope of “indirect” expropriation).

47. There are detailed provisions on investor-state dispute settlement (ISDS) which provide that, where an investor alleges that a Party has breached specific obligations (including those mentioned in the previous paragraph) in such a way as to cause loss or damage, and it has not been possible to resolve the dispute by consultations, the dispute may be referred to international arbitration. Investor-state dispute settlement will not apply to investment screening or admission processes.

48. The Chapter provides for a work program to develop market access schedules, covering pre-establishment issues such as foreign equity limits, within five years of entry into force of the Agreement, subject to the agreement of the Parties. The development of these schedules will be based on a national treatment obligation and a two-annex “negative listing” approach to scheduling, set out in the chapter. The work program notes, inter alia, that further discussions between the Parties will take place on the application of MFN treatment and procedures for the modification of schedules.

49. The Chapter also contains provisions on transparency and performance requirements, which cover both the pre- and post-establishment stages of investment. The latter obligation prohibits a Party from adopting performance requirements that are inconsistent with the WTO Agreement on Trade-Related Investment Measures.

50. Australia’s four bilateral investment treaties with ASEAN member countries (Indonesia, Laos, the Philippines and Vietnam) and the investment provisions of Australia’s FTAs with Singapore and Thailand remain in force (i.e. are not superseded or terminated by AANZFTA). AANZFTA does not override existing investment agreements and makes it clear that, in the event of any inconsistency between the Agreement and existing investment agreements, Parties will immediately consult with a view to finding a mutually satisfactory solution.

51. For further information, see AANZFTA Fact Sheet – Investment.

Chapter 12: Economic Cooperation

52. The Chapter on Economic Cooperation records the agreement of the AANZFTA Parties to support implementation of the AANZFTA through economic cooperation activities that are trade or investment related as set out in a separate work program mutually determined by the parties prior to the entry-into-force of the Agreement.

53. The Parties are obliged to contribute to the implementation of the programme of economic cooperation activities (“the work program”) taking into account their different levels of development and capacities. The work program is to be reviewed by the FTA Joint Committee to assess its overall effectiveness. The Chapter is not subject to the AANZFTA dispute settlement provisions.

54. For further information, see AANZFTA Fact Sheet – Economic Cooperation.

Chapter 13: Intellectual Property

55. The Chapter on Intellectual Property (IP) reinforces the Parties’ existing rights and obligations under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), and builds on them in a number of areas.

56. The Parties are obliged to accord national treatment in relation to the protection of IP rights, subject to the exceptions provided for in the TRIPS Agreement and in multilateral agreements concluded under the auspices of the World Intellectual Property Organization (WIPO). The chapter contains a number of specific obligations on protection of intellectual property rights, government use of software and transparency. This includes an obligation on Parties to endeavour to make available on internet databases all pending and registered trade mark rights in their respective jurisdictions.

57. The Chapter contains detailed provisions for cooperation between the Parties to assist in the implementation of the chapter. These include the establishment of contact points in relevant government agencies, information exchange on infringement of IP rights, the promotion of IP education and awareness, promotion of efficiency and transparency in IP administration and registration systems, and the facilitation of responses to requests by Parties for technical assistance to enhance their respective national IP frameworks. The provisions also refer to cooperation to support any Party’s accession to, and implementation of, specified international IP agreements, including the Patent Cooperation Treaty 1970 and Patent Law Treaty 2000; WIPO Copyright Treaty 1996, WIPO Performances and Phonograms Treaty 1996 and the TRIPS Agreement.

58. The Chapter also establishes a Committee on Intellectual Property to monitor the implementation of the chapter.

Chapter 14: Competition

59. The Chapter on Competition establishes a framework for cooperation in the promotion of competition, economic efficiency, consumer welfare and the curtailment of anti-competitive practices. The Chapter covers the establishment of contact points, exchange of information and experience on the promotion and enforcement of competition law and policy, and exchanges of officials between Parties for training purposes and to participate in advocacy programs. There is also provision for Australia and New Zealand to assist ASEAN member countries, if Australia deems appropriate, with the implementation of the Chapter, subject to appropriate identification of competition policy-related needs and availability of resources. The Chapter is not subject to the AANZFTA's dispute settlement provisions.

Chapter 15: General Provisions and Exceptions

60. The Chapter on General Provisions and Exceptions sets out a number of general provisions and exceptions which apply to some or all chapters of the AANZFTA. The WTO-style general and security exceptions specify that nothing in certain chapters of the AANZFTA precludes the adoption by a Party of certain measures, for example, to protect human, animal or plant life or health, as provided for in these exceptions. The Chapter also carves out application of the AANZFTA to a Party's taxation measures except where specifically intended, such as in certain disciplines under the Chapter on Investment. The Chapter also includes a WTO-style article allowing a party in serious balance of payments and external financial difficulties (or a threat thereof) to take restrictive measures in prescribed circumstances. The Chapter further includes a New Zealand-specific exception allowing New Zealand to take measures that it deems necessary to accord more favourable treatment to Maori including in fulfilment of its obligations under its Treaty of Waitangi, provided that such measures do not involve arbitrary or unjustified discrimination, or a disguised restriction on trade. There is also a general exception available to all AANZFTA Parties relating to 'creative arts' which can be exercised under prescribed circumstances.

Chapter 16: Institutional Provisions

61. The Chapter on Institutional Provisions establishes the FTA Joint Committee, consisting of representatives of the Parties, to oversee implementation and operation of the AANZFTA and supervise and coordinate the work of subsidiary committees. Unless the Parties otherwise agree, the FTA Joint Committee shall meet within one year after the AANZFTA enters into force, and thereafter as the Parties mutually agree, and as necessary to discharge its functions. The FTA Joint Committee reports to the ASEAN Economic Ministers (AEM) – Closer Economic Relations (CER) Trade Ministers consultations, through the related senior officials meetings (SEOM-CER). The Chapter also establishes contact points for each Party to facilitate communication on any matter relating to the AANZFTA. These contact points are additional to subject matter-specific contact points established in other chapters.

Chapter 17: Consultations and Dispute Settlement

62. The Chapter on Consultations and Dispute Settlement establishes a process for consultations and for settlement of disputes arising under the FTA. The Chapter does not apply to disputes arising under Chapter 5 (Sanitary and Phytosanitary Measures), Chapter 10 (Electronic Commerce), Chapter 12 (Economic Cooperation) and Chapter 14 (Competition). If a dispute arises on a matter under the FTA and under another international agreement to which the disputing parties are party (such as the WTO), the complaining party has a choice of forum. The Chapter sets out procedures and timelines for consultations on disputes arising under the FTA and for establishment, composition, proceedings and reports of arbitral tribunals. Time periods specified in the Chapter may be modified by mutual agreement of the Parties to a dispute.

Chapter 18: Final Provisions

63. The Chapter on Final Provisions governs the way in which AANZFTA operates as a treaty. The AANZFTA does not derogate from the WTO Agreement or other agreements to which the Parties are party, and Parties will consult in the event of any inconsistencies. In the event of an inconsistency between the AANZFTA and any other agreement to which two or more Parties are party, those Parties shall consult with a view to finding a mutually satisfactory solution. The Chapter provides that entry into force shall occur on or after 1 July 2009 provided that Australia, New Zealand and at least four ASEAN member countries have notified each other of completion of their internal requirements. The Parties have also agreed to conduct a general review of the AANZFTA in 2016.

Annex II
Consultations

LIST OF SUBMISSIONS RECEIVED

1. AFTA-CER Business Council
2. Australia and New Zealand Banking Group Limited
3. Australasian Performing Right Association / Australasian Mechanical Copyright Owners Society
4. Australian Chicken Meat Federation Inc
5. Australian Electrical and Electronic Manufacturers' Association Ltd
6. Australian Fair Trade & Investment Network
7. Australian Federation Against Copyright Theft
8. Australian Film Commission
9. Australian Hop Marketers
10. Australian Industry Group
11. Australian Malt Exporters Committee
12. Australian Manufacturing Workers' Union
13. Australian Nursing Federation
14. Australian Pork Limited
15. Australian Record Industry Association
16. Australian Vice-Chancellors' Committee
17. Australian Wheat Board
18. Australian Wine and Brandy Corporation
19. AV Syntec Pty Ltd
20. Caboolture Radical Aerospace Programme
21. Carter and Spencer Group
22. Copyright Agency Limited
23. Council of Textile and Fashion Industries of Australia Limited
24. Dairy Australia
25. Elders Australia Limited
26. European Chamber of Commerce
27. Ford Australia
28. Government of South Australia
29. Government of Victoria
30. Government of Western Australia
31. Horticultural Market Access Committee
32. Horticulture Australia Limited

33. Institute of Patent and Trade Mark Attorneys of Australia
34. International Trademark Association
35. Law Institute of Victoria
36. Meat & Livestock Australia
37. Media, Entertainment & Arts Alliance
38. Metal Manufacturers Limited
39. Music Council of Australia
40. National Farmers' Federation
41. PepsiCo Australia Holdings Pty Ltd
42. Plastics and Chemicals Industries Association
43. Screenrights
44. Telstra Corporation Limited
45. Toyota Motor Corporation Australia Limited
46. Viscopy Ltd
47. Winemakers' Federation of Australia

LIST OF STAKEHOLDERS CONSULTED

State and Territory Governments

State and territory governments were consulted through regular senior State and Territory Trade Officials Group (STOG) and Commonwealth-States Standing Committee on Treaties (SCOT) meetings, teleconferences and regular visits by DFAT officials responsible for negotiating AANZFTA to State and Territory capitals. The Minister for Trade also consulted State Premiers and Territory Chief Ministers on Australia's services and movement of natural persons schedules, and briefed his state and territory counterparts at the COAG Ministerial Council on International Trade.

New South Wales

1. Attorney-General's Department
2. Department of Commerce
3. Department of Education and Training
4. Department of Primary Industries
5. Department of State and Regional Development
6. Film and Television Office
7. Food Authority
8. Ministry for the Arts
9. Office of Fair Trading
10. Department of Premier and Cabinet
11. Treasury

Northern Territory

12. Department of the Chief Minister
13. Department of Business, Economic and Regional Development
14. Department of Education and Training
15. Worksafe

Queensland

16. Department of Premier and Cabinet
17. Department of State Development, Trade and Innovation
18. Treasury
19. Trade Queensland

South Australia

20. Department of the Premier and Cabinet
21. Department of Trade and Economic Development

Tasmania

22. Department of Premier and Cabinet
23. Department of Economic Development and Tourism

Victoria

24. Department of Education and Early Childhood Development
25. Department of Human Services
26. Department of Innovation, Industry and Regional Development
27. Department of Premier and Cabinet
28. Department of Primary Industries
29. Office of Manufacturing and Service Industries

Western Australia

30. Department of Agriculture and Food
31. Department of Fisheries
32. Department of Housing and Works
33. Department of Industry and Resources
34. Department of Planning and Infrastructure
35. Department of the Premier and Cabinet
36. Department of State Development

37. Department of Treasury

Australian Capital Territory

38. Chief Minister's Department

39. Office of Regulatory Services

Non-Government Stakeholders

1. Air Freight Council of Queensland

2. Air International Limited

3. Albright & Wilson (Australia) Limited

4. Alcoa of Australia Limited

5. Allen Consulting Group Pty Ltd

6. Allens Arthur Robinson

7. AMP

8. Andpak (Aust) Pty Ltd

9. Ansell Healthcare

10. Australian and New Zealand Banking Group Limited

11. Association of Consulting Engineers Australia

12. Austal Ships Pty Ltd

13. Australasian Subscription Television and Radio Association

14. Australia Arab Chamber of Commerce and Industry Inc

15. Australia Post

16. Australia-ASEAN Business Council

17. Australia-Indonesia Business Council Limited

18. Australia-Malaysia Business Council

19. Australian Bankers' Association Inc

20. Australian Business Ltd

21. Australian Chamber of Commerce and Industry

22. Australian Copyright Council

23. Australian Council for Private Education and Training

24. Australian Defence Apparel Pty Ltd

25. Australian Digital Alliance

26. Australian Electrical and Electronic Manufacturers' Association Ltd

27. Australian Fair Trade and Investment Network

28. Australian Federation of Intellectual Property Attorneys

29. Australian Food & Grocery Council

30. Australian Industry Group

31. Australian Information Industry Association Limited
32. Australian Institute of Building Surveyors
33. Australian Institute of Export
34. Australian Local Government Association Limited
35. Australia Malaysia Business Council Western Australia Inc
36. Australian Manufacturer's Patents, Industrial Designs, Copyright and Trade Mark Association
37. Australian Maritime College
38. Australian National University
39. Australian Nursing Federation
40. Australian Nursing & Midwifery Council Inc
41. Australian Paint Manufacturers Federation
42. Australian Plantation Products and Paper Industry Council Limited
43. Australian Pork Limited
44. Australian Recording Industry Association
45. Australian Services Roundtable
46. Australian Sugar Milling Council
47. Australian TCF Technology Network
48. Australian Wine and Brandy Corporation
49. Australia-Arab Chamber of Commerce and Industry
50. Australia-Philippines Business Council
51. Australia-Singapore Chamber of Commerce & Industry
52. Australia-Thailand Business Council (NSW)
53. AXISS
54. Bekaert Australia Pty Ltd
55. Berkeley Apparel Pty Ltd
56. Blue Ribbon Seed & Pulse Exporters Pty Ltd
57. Bluescope Steel
58. Bruck Textiles Pty Ltd
59. Building Products Innovation Council
60. Business Council of Australia
61. Business SA
62. Business Solutions Consulting Australia
63. Carpet Institute of Australia Limited
64. CEA Technologies Pty Ltd
65. Century Yuasa Batteries Pty Ltd
66. Clipsal

67. Chamber of Commerce and Industry Queensland
68. Commonwealth Bank of Australia
69. Confluence Project Management
70. Cotton Australia Limited
71. Council of Textile and Fashion Industries of Australia Limited
72. CPA Australia Limited
73. Australian Commonwealth Scientific and Research Organisation
74. Curtin University of Technology
75. Customs Brokers and Forwarders Council of Australia Inc
76. D&D Technologies Pty Ltd
77. Dairy Australia
78. DeFab Weavers Pty Ltd
79. DHL Danzas Air and Ocean (Australia) Pty Ltd
80. Dover Fisheries Pty Ltd
81. Engineering Employers Association South Australia
82. Engineers Australia
83. Federal Chamber of Automotive Industries
84. Federation of Automotive Products Manufacturers
85. Flickers Australia Pty Ltd
86. Food Adelaide
87. Footwear Manufacturers Association of Australia Inc
88. Ford Australia
89. Forestry Tasmania
90. Forests & Forest Industry Council
91. Franchise Council of Australia
92. Fruit Growers Tasmania Inc
93. Furnishing Industry Association of Australia
94. Galexia
95. Gift & Homewares Australia
96. Gluck Forwarding Systems Pty Ltd
97. GM Holden Ltd.
98. Goodman Fielder Limited
99. Grains Council of Australia
100. Grange Resources Limited
101. Heat and Control
102. Hills Industries Ltd
103. Horticulture Australia Council

104. Horticulture Australia Limited
105. Hydro Tasmania Consulting
106. Institute of Chartered Accountants in Australia
107. Institute of Patent and Trade Mark Attorneys of Australia
108. Insurance Australia Group Limited
109. Insurance Council of Australia
110. Interactive Entertainment Association of Australia
111. International Trade Association of South Australia
112. Internet Society of Australia
113. Investment and Financial Services Association Limited
114. Intellectual Property Research Institute of Australia
115. JD Furniture Pty Ltd
116. KPMG
117. KSB Australia Pty Ltd
118. Law Council of Australia
119. Law Institute of Victoria
120. Lend Lease Asia Holdings Pte Ltd
121. Linux Australia
122. Lowy Institute for International Policy
123. Macquarie Telecom
124. Macquarie Textiles
125. Madison Filter Pty Ltd
126. Meat & Livestock Australia
127. Media, Entertainment and Arts Alliance
128. Melba Industries
129. Minter Ellison Consulting
130. Mission Biofuels Limited
131. Mitsubishi Motors Australia
132. Monash University Malaysia
133. Monroe Australia
134. Moonraker Australia Pty Ltd
135. National Australia Bank
136. National Association of Testing Authorities
137. National Farmers' Federation
138. National Institute of Accountants
139. Novaris Pty Ltd
140. New South Wales Business Chamber

141. Numetrics Tooling Services Pty Ltd
142. OBM International Trade Services Pty Ltd
143. Pacific Brands
144. Pacific Marine Batteries
145. Pertamina Holdings Ltd
146. Perth Education City
147. Philmac
148. Plastics and Chemicals Industries Association
149. Polyam (SL) Pty Ltd
150. Professions Australia
151. QBE Insurance Group
152. Queensland Sugar
153. Ricegrowers' Association of Australia
154. Rio Tinto
155. Saab Australia
156. Schefenacker Vision Systems Australia Pty Ltd
157. Schenker Australia Pty Ltd
158. Screen Producers Association of Australia
159. Screenrights
160. Services Aust Pty Ltd
161. Stafford Group Pty Ltd
162. Stoddart Manufacturing
163. StrathAyr
164. TAFE Directors Australia
165. TAFE NSW
166. Tanda International Pty Ltd
167. Tasman Sinkware Pty Ltd
168. Tasmanian Chamber of Commerce and Industry
169. Tasmanian Seafood Industry Council
170. Tasmanian Gourmet Sauce Company
171. Tasmanian Maritime Network
172. Technical Textile and Nonwoven Association
173. Telstra Corporation Limited
174. The Specialty Group
175. Toll Holdings Pty Ltd
176. Torin Industries Pty Ltd
177. Toyota Motor Corporation Australia Limited

178. Unions of WA
179. Universities Australia
180. University of Adelaide
181. University of Canberra
182. Victorian Employers' Chamber of Commerce and Industry
183. Village Roadshow Limited
184. Walker Australia Pty Ltd
185. Westpac
186. William Buck
187. Winemakers' Federation of Australia
188. Woodhead Pte Ltd
189. Woodside Energy
190. Yakka Group

Annex III

AANZFTA Fact Sheets