

## EDUCATION, SCIENCE AND TRAINING

### SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2003-2004 ADDITIONAL ESTIMATES HEARING

**Outcome:** 3  
**Output Group:** 3.3 –AEI

#### **DEST Question No. E759\_04**

Senator Carr asked on 20 February 2004 (EWRE Hansard pages 42-43)

#### **Question:**

Can you confirm whether the Australian government will be required to make subsidies or incentives for R&D available to US interests?

Will the agreement restrict Australia introducing new intellectual property regulations or frameworks?

#### **Answer:**

*Australian United States Free Trade Agreement (AEI)*

The Australia – United States Free Trade Agreement (AUSFTA) will in no way affect the ability of governments to support research through government funding, for example through research grants or public subsidies.

The AUSFTA does not create any entitlement for researchers of either Party to receive public funding for research made available by the other Party to its own researchers. The chapter on Cross-Border Trade in Services specifically excludes subsidies and grants from its scope thereby excluding such forms of public funding from the obligation to provide national treatment. Furthermore, Research and Development are excluded from the obligations of the chapter on Government Procurement.

Any future changes to Australia's Intellectual property framework would need to be consistent with our international intellectual property obligations - including obligations arising from the Australia-United States Free Trade Agreement.