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21 JUN 2005

BY: *Gillian Gould*



Queensland
Government

Premier of Queensland
and Minister for Trade

Please quote: 78593/PS03/IGR

15 JUN 2005

TT 11 May 2005
Submission No: 5

Dr Andrew Southcott MP
Committee Chair
Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600

Dear Dr Southcott

Thank you for your letter to the Premier of 16 May 2005 concerning the tabling of the following treaties in both houses of Parliament:

- *Agreement between the Government of Australia and the Government of the Republic of Korea on Cooperation in the Fields of Energy and Mineral Resources (Canberra, 30 August 2004);*
- *Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the Use of Shoalwater Bay Training Area and the Use of Associated Facilities in Australia;*
- *Mutual Recognition Agreement on Conformity Assessment in Relation to Medicines Good Manufacturing Practice Inspection and Certification between the Government of Australia and the Government of Canada (Canberra, 16 March 2005);*
- *Amendments to Annex III [2005] ATS 9, and additional Annex VI [2005] ATNIF 5, to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, done at Rotterdam on 10 September 1998 (Geneva, 24 September 2004);*
- *Final Protocol and Partial Revision of the 2001 Radio Regulations, as incorporated in the International Telecommunication Union Final Acts of the World Radiocommunication Conference (WRC-03), done at Geneva on 4 July 2003; and*
- *Measure 1 (2003) Secretariat of the Antarctic Treaty, adopted at Madrid, Spain on 20 June 2003, under the Antarctic Treaty, done at Washington on 1 December 1959.*

Executive Building
100 George Street Brisbane
PO Box 185 Brisbane Albert Street
Queensland 4002 Australia
Telephone +61 7 3224 4500
Facsimile +61 7 3221 3631
Email ThePremier@premiers.qld.gov.au
Website www.thepremier.qld.gov.au

The Queensland Government has reviewed the above treaties and has not identified any issues of significant concern.

However, the Queensland Government seeks further information on one aspect of the *Mutual Recognition Agreement on Conformity Assessment in Relation to Medicines Good Manufacturing Practice Inspection and Certification between the Government of Australia and the Government of Canada*. Specifically, the final sentence of article 16 (Settlement of Differences between the parties) indicates that, in the event of the Joint Sectoral group being unable to resolve differences between the parties, the parties shall settle them through bilateral discussions.


I would appreciate your advice on the mechanics of the bilateral discussion arrangements with regard to the deciding authorities, participants and suggested process for the dispute settlement discussions.

I would also like to draw your attention to an inaccuracy in the National Interest Analysis (NIA) relating to the Agreement between Australia and Singapore concerning Shoalwater Bay and associated facilities. The NIA indicates that in June 2004, the Department of Defence forwarded a letter (under the signature of Mr Paul Watson) to a number of interested parties, including the Premier of Queensland, but that to date only Rockhampton Regional Development had responded.

In fact, the Queensland Government has previously responded to this letter. On 26 July 2004, the Premier's Chief of Staff, Mr Rob Whiddon responded directly to Mr Watson on behalf of the Premier, indicating that the Queensland Government had no concerns or objections to the agreement. On that same date, a letter confirming the Queensland Government's position was also sent to Ms Myra Rowling, First Assistant Secretary of the International Policy Division of the Department of Defence, under the signature of Ms Fiona McKersie, Acting Director-General, Department of the Premier and Cabinet.

Thank you for the opportunity to comment on these treaties.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a short vertical stroke.

TERRY MACKENROTH MP
ACTING PREMIER AND
MINISTER FOR TRADE