

Chapter 18 (Labour): Australia- United States Free Trade Agreement (AUSFTA)

Obligations

The Labour Chapter of the Australia-United States Free Trade Agreement (AUSFTA) provides for the receipt and communication of public submissions.

Specifically, Article 18.4.2(a) provides:

“Each Party’s contact point shall provide for the submission, receipt, and consideration of public communications on matters related to this Chapter, make the communications available to the other Party and, as appropriate, to the public.”

(<http://www.fta.gov.au/Default.aspx?ArticleID=940>)

Institutional Arrangements

Article 18.4.2 provides that: “Each Party shall designate an office within its central government agency that deals with labour or workplace relations, which shall serve as a contact point with the other Party, and with the public, for the purposes of this Chapter”

The Attorney-General’s Department (AGD) is the Australian agency with responsibility for labour matters under the AUSFTA. The position of the Branch Manager within the Industries Engagement and International Labour Branch of AGD is the designated office and Australian contact point for the receipt of submissions pursuant to Article 18.4.2. The Office of Trade and Labor Affairs (OTLA) in the International Labor Affairs Bureau is the designated office and United States contact point for the receipt of submission pursuant to Article 18.4.2.

Procedural Arrangements

For the purposes of the Labour chapter, the following procedures apply:

- Each Party’s contact point may undertake a vetting process to ensure that a submission received from the public is on a matter related to the Chapter, and thus is a “relevant communication” for the purpose of AUSFTA Article 18.4.2;
- All “relevant communications” will be made available by the receiving Party’s designated contact point to the other Party’s designated contact point;
- In the event that either party subsequently deems it necessary to consider the issues raised in a relevant communication further, the matter may, ultimately, be referred to a meeting of a Subcommittee on Labour Affairs established under the Joint Committee;
- A party’s contact point may decide on a case by case basis whether it is appropriate to make a “relevant communication” available to the public. Relevant communications may be made public by posting them on this website (www.ag.gov.au).

To make a submission

If you wish to make a submission, the Department’s AUSFTA Chapter 18 contact point is:

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