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| **Australia’s Bogor Goals Progress Report (as at 30 September 2016)[[1]](#footnote-1)\*** |
| **Highlights of Achievements and Areas for Improvement** |

* Reduction in tariffs continued via RTA/FTA commitments and unilateral measures to reduce MFN tariffs.
* Implementation of new, improved system for the management of biosecurity.
* Various local-content requirements continue to apply to television broadcasting and radio. The percentage of foreign ownership allowed in Qantas was raised from 25% to 49%.
* Higher foreign investment screening thresholds for private investors from FTA partner economies.
* Lower screening thresholds for purchases of agricultural land and creation of a register to collect statistical information on all foreign investment in agricultural land.
* Number of unresolved SPS specific trade concerns raised against Australia has increased.
* Enhancement of environment supportive of intellectual property rights (IPR) through amendment of laws, introduction of tools and modernization of rights management system.
* Reforms in standards and conformance, competition policy and deregulation are ongoing.
* Simplification in the application of the APEC Business Travel Card.

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| **Summary of Topics** |

**Tariffs**

Australia has continued to report progress in reducing tariffs. All remaining tariffs on goods from Chile; Thailand; and the United States were removed in accordance to the bilateral FTAs signed with these APEC economies. It has also begun eliminating tariffs on goods from China; Japan; and Korea since FTAs with these economies came into force. Following the entry into force of TPP, Australia will eliminate 99.9 per cent of tariffs that are currently applicable to partner economies within 4 years.

On 1 January 2015, Australia unilaterally reduced MFN tariffs on certain apparel and textile products from 10 to 5 per cent.

**Non-Tariff Measures**

In November 2015, Australia replaced the Import Conditions (ICON) system with a new, improved Biosecurity Import Conditions (BICON) system. Among the advantages of BICON are the provision of clearer biosecurity import conditions, better guidance on documentation requirements and improvement in the ability to find information relevant to an importation scenario. Australia indicated that its biosecurity requirements have not changed with the implementation of BICON.

**Services**

Australia has undertaken measures aiming at improving the safety, competitiveness and productivity of the aviation industry such as the establishment of regular dialogue forum between the Minister and industry stakeholders. In terms of air transport liberalization, the maximum percentage of foreign ownership allowed in Qantas was raised from 25% to 49%, at par to the restrictions applied to other Australian airlines. To further facilitate air transport, Australia announced that starting from 2018, civilian and military air traffic management systems will be harmonized under the OneSKY Australia program.

In order to strengthen its vocational education and training system, Australia established the Australian Industry and Skills Committee (AISC) in 2015 to consult the industry on skills requirements, challenges and opportunities so as to ensure that training programs remain relevant.

Television broadcasters and commercial radio stations remain subject to various local-content requirements.

**Investment**

Australia’s foreign investment regime has undergone some changes since the last assessment. For example, the entry into force of FTAs with Korea and Japan provided private investors from those economies with higher foreign investment screening thresholds. The same is true for Chilean investors by virtue of an MFN clause.

From 1 March 2015, the screening threshold for purchases of agricultural land was reduced from AUD 252 million to AUD 15 million and this requirement applies to the cumulative value of agricultural land holdings by the foreign investor including the proposed purchase. Exceptions apply for Singapore and Thailand (AUD 50 million) as well as Chile, New Zealand and United States (AUD 1,094 million). Furthermore, from 1 July 2015, a register was created to collect statistical information on all foreign investment in agricultural land.

**Standards and Conformance**

As part of its Industry Innovation and Competitiveness Agenda announced in November 2014, Australia adopted the principle that if a system, service or product has been approved under a trusted international standard or risk assessment, Australian regulators should not impose any additional requirements for approval unless there is a good and demonstrable reason to do so. Approximately half of the Government departments have published their criteria for assessing the potential adoption of international standards and risk assessments.

By the end of 2015, nine specific trade concerns raised against Australia at the WTO SPS Committee had not reported a resolution. These concerns involve various products including chicken, beef and fresh fruits. Pertaining to TBT, two specific trade concerns reported to the WTO TBT Committee had not reached a resolution. One relates to the Tobacco Plain Packaging Act 2011 introduced by Australia as a public health measure, which has been challenged at WTO alleging that the measure is inconsistent with the TBT Agreement.

**Customs Procedures**

The Australian Trusted Trader (ATT) programme was launched in July 2015 with a 12-months pilot phase to enhance supply chain security and reduce red tape for trusted traders, hence allowing the Government to focus resources on areas with high and unknown risk.

**Intellectual Property Rights**

Australia enacted the Intellectual Property Laws Amendment Act 2015 on 25 February 2015. The Act includes provisions to enable Australian medicine producers to manufacture and export patented pharmaceuticals to economies experiencing health crises under a compulsory license ordered by the Federal Court; extend the jurisdiction of the Federal Circuit Court to include plant breeder’s rights matters; allow for a single trans-Tasman patent attorney regime; and repeal unnecessary document retention provisions and correct drafting oversights in the Intellectual Property Laws Amendment (Raising the Bar) Act 2012. In addition, the Intellectual Property Legislation Amendment (TRIPS Protocol and Other Measures) Regulation 2015 came into full effect on 25 August 2015.

IP Toolkit for Collaboration and Source IP were launched in September 2015 and November 2015 respectively. The IP Toolkit assists businesses, especially small businesses, universities and research organizations to better manage IP in collaborations, while Source IP is a digital marketplace for sharing information, indicating licensing preferences and facilitating contact for IP generated by the public research sector.

**Competition Policy**

In 2015, the Productivity Commission conducted an inquiry that looked at the nature, scale and extent of barriers to entry and exit faced by businesses and proposed appropriate options to reduce these barriers.

Third entrants for stevedoring services to the Australian market were achieved for a number of major Australian container ports. The Australian Competition and Consumer Commission reported in November 2015 that container stevedoring productivity and customer satisfaction reached their highest levels

**Government Procurement**

Australia is currently negotiating with relevant parties its accession to the WTO Government Procurement Agreement (GPA).

Australia retains its target of sourcing at least 10 per cent of purchases by value from SMEs. In addition, certain Australian states incorporate preferences for local goods in their procurement policies although they maintain that these are applied in a manner consistent with Australia’s international government procurement commitments.

**Deregulation/Regulatory Review**

Australia continued its efforts to reduce the regulatory burden for individuals, businesses and community organizations by AUD 1 billion every year. In 2014, The Australian Government Guide to Regulation was issued to provide guidance on its Regulatory Impact Analysis (RIA) framework. In 2015, the Regulator Performance Framework was implemented. This initiative defines the key performance indicators for regulators and subjects regulators to audit.

**Dispute Mediation**

Since the last assessment, Australia has implemented FTAs with China; Japan; and Korea, each of which includes a dispute resolution chapter providing for consultation, panel/tribunal formation, compliance review and compensation/suspension of benefits.

**Mobility of Business People**

Australia made some changes to the eligibility criteria for issuance of APEC Business Travel Card (ABTC) which included removing the application requirement that Australian citizens need to be certified by an approved body. Now, applicants only need to demonstrate directly with the Department of Immigration and Border Protection that they are engaged in trade and/or investment activities in other APEC economies.

**Transparency**

Australia has committed to joining the Open Government Partnership (OGP), a voluntary, global initiative which promotes transparency, empowers citizens, fights corruption and applies new technologies to strengthen governance. In November 2015, a public consultation process was started to draft an action plan as part of joining the partnership.

**RTA/FTAs**

Australia has eleven RTA/FTAs that entered in force[[2]](#footnote-2). Negotiations on the Trans-Pacific Partnership Agreement (TPP) were concluded in October 2015. Australia is currently negotiating five FTAs at various levels of progress.

1. \* This brief report was prepared with information from Australia’s submission of 2016 APEC Individual Action Plan (IAP) template; the WTO SPS and TBT Information Systems; the 2015 WTO Trade Policy Review - Report by the Secretariat - Australia; the Australian Communications and Media Authority, Foreign Investment Review Board and Department of Finance websites. [↑](#footnote-ref-1)
2. Australia’s RTA/FTAs in force are: Australia-New Zealand (1983), Australia-Singapore (2003), Australia-United States (2005), Australia-Thailand (2005), Australia-Chile (2009), ASEAN-Australia-New Zealand (2010), Australia-Malaysia (2013), Australia-Korea (2014), Australia-Japan (2015), and Australia-China (2015). Australia also has a bilateral agreement with PNG notified at WTO: *the Australia-Papua New Guinea Trade and Commercial Relations Agreement.* [↑](#footnote-ref-2)