



Australia - United States Free Trade Agreement Fact Sheet 9

INVESTMENT

- Australia has secured an agreement that should provide a strong framework for continuing to promote high levels of two-way investment between Australia and the US.
- There is no investor-state dispute settlement provision in the Agreement.
- The Agreement preserves Australia's foreign investment policy, but with a range of changes that maintain our ability to screen all investment of major significance.

Summary

The Agreement successfully preserves the main features of Australia's foreign investment policy.

The Government has retained the right to examine significant foreign investment proposals in all sectors to ensure they do not raise issues contrary to the national interest.

- Foreign investments in urban land (including residential properties) and the media, and by foreign governments, will continue to be screened regardless of value.
- Foreign investments in the telecommunications, transport and defence related industries will continue to be subject to screening above the existing threshold of \$50 million.
- The threshold for screening in all other, non-sensitive sectors will be increased to \$800 million.
- Existing foreign investment limits relating to the media, Telstra, CSL, Qantas and other Australian international airlines, federal leased airports and shipping have all been preserved.

The Agreement includes strong investor protection provisions, which will benefit Australian investors in the US, as well as affirming Australia's attractiveness to US investors. The liberal provisions of the Agreement on trade in goods and services should also strengthen Australia's ability to attract foreign investment in many areas of the economy.

Reflecting the fact that both countries have robust, developed legal systems for resolving disputes between foreign investors and government, the Agreement does not include any provisions for investor-state dispute settlement.

Who to contact

For further information, please contact DFAT's AUSFTA Taskforce:

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