



Australia - United States Free Trade Agreement Fact Sheet 19

ENVIRONMENT & LABOUR

- The Parties have agreed not to fail to enforce their own environmental and labour laws in a manner affecting trade between the Parties.
- Both Parties retain the right to establish their own domestic environmental and labour standards, and to adapt or modify their own laws.

Summary

Under US trade promotion authority, environment and labour are considered non-commercial issues. The obligations of the Parties therefore differ in significant respects to other issues treated in the agreed text of the AUSFTA.

The key obligation of each of the Parties is to not fail to enforce effectively its own environmental and labour laws, through a sustained or recurring course of action, in a manner affecting trade between the Parties. These are the only provisions of the environment and labour chapters to which dispute settlement provisions in the FTA will apply.

The Parties recognise that each Party retains the right to exercise discretion with respect to investigatory, prosecutorial, regulatory and compliance matters, and to make decisions regarding the allocation of resources to enforcement with respect to other environmental matters determined to have higher priorities.

The agreed text recognises the importance and value of cooperation and consultation on environmental and labour issues.

No changes to Australian environment or labour laws or regulations will be required.

Who to contact

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

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