



Attorney-General and Minister for Justice and Minister for The Arts

QUEENSLAND
GOVERNMENT

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In reply please quote: 99/8075

Your reference:

04 JAN 2000

Mr Gary Fenlon MLA
Chair
Legal, Constitutional and Administrative
Review Committee
Legislative Assembly of Queensland
Parliament House
George Street
BRISBANE

Dear Mr Fenlon

Thank you for your letter dated 17 November 1999 under cover of which you forwarded a copy of your committee's position paper outlining your preliminary position on three proposals regarding the role of the Queensland Parliament in treaty making.

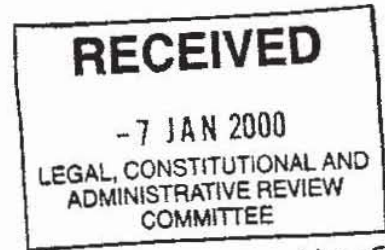
I would make the following comments, as you have invited, on the three proposals.

1. **The Committee proposes that the Premier be required (by sessional order of the Queensland Parliament) to periodically table in the Queensland Parliament:**
 - (a) a schedule of treaties being negotiated by the Commonwealth Government;
 - (b) other treaty information such as National Interest Analyses.

(The committee does not believe that the Premier should be required to table the full text treaties as such as they are readily available through the Australian Treaties Library and from DFAT.)

I would support this proposal although it should be noted this is primarily an issue, from a whole-of-government perspective, for the Honourable the Premier.

I would inform your committee that the suggested process complements the outcomes of the Human Rights Working Group meetings. This working group, constituted by Standing Committee of Attorneys-General (SCAG) officers from all Australian jurisdictions, was established several years ago by a formal SCAG resolution and meets three times a year in conjunction with the regular SCAG officers' general meetings. One of its major purposes is to act as a conduit for information from the Commonwealth (primarily from the Attorney-General's Department and the Department of Foreign Affairs and Trade) to the States and Territories on developments involving Commonwealth initiatives, positions and activities relating to treaty matters affecting the portfolios of Attorneys-General. This information is passed on to the Department of Premier and Cabinet by the SCAG officer for Queensland from my department.



Submission No 18
Spec 23-1.

I would agree with your committee's assessment that the Premier not be required to table the full text of treaties as they are easily obtained from alternative sources.

2. **The Committee does not propose that the Queensland Parliament appoint a parliamentary committee—or confer an existing committee—with specific treaty responsibilities.**

This appears to be a matter primarily for the Parliament's consideration.

3. **The committee notes:**
 - **the various mechanisms already available for parliamentarians and the community in general to access information and be consulted about treaty making;**
 - **the added benefits that committee proposal 1 would bring to these existing mechanisms; and**
 - **the resources that would be involved in the Queensland Parliament contributing to an inter-parliamentary working group on treaties.****On balance, the committee does not favour the establishment of an inter-parliamentary working group on treaties.**

Likewise, this appears to be a matter for the Parliament.

I trust this is of assistance.

Yours sincerely



Matt Foley
Attorney-General and
Minister for Justice and
Minister for The Arts