REVIEW OF MUTUAL RECOGNITION AGREEMENT

SUBMISSION BY ANTAL-AIR PTY LTD

We address our comments to the review of the Mutual Recognition Agreement and pose the question, what is it that we recognise?

It is supposed to be where governments agree to recognise each other's regulations. If this was the aim of the agreement, how can we justify the Trans-Tasman Mutual Recognition Act 1997 No. 190, 1997?

An act to provide for the recognition within Australia, of regulatory standards adopted in New Zealand, regarding goods and occupations. Then it excludes all of the Australian regulatory standards. We refer to Schedule 3 – Special Exemptions. As if that wasn't enough, it goes further by suggesting that they enhance free trade by implying that the government writes regulations that allow the sale of products, but not the use of them. This is bordering on fraudulent behaviour.

We further wish to remind the stakeholders that Australia and New Zealand has obligations under the GATT Agreement. "The mechanism by which this section of the TBT code operates, is that any mandatory standard issued by a signatory nation that might have an impact on trade, must be reported to the other GATT signatories".

New Zealand's mandatory re-inspection and re-design verification on pressure equipment is a blatant technical barrier of trade and is so confirmed in the New Zealand government's submission, Point 21 and 22.

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Dated: 16th June 2003