

20 April 2018



Hon Stuart Robert MP
Chair
Joint Standing Committee on Treaties
PO Box 6021
Parliament House
Canberra ACT 2600

By email: jsct@aph.gov.au

Dear Mr Robert

Comprehensive and Progressive Agreement for Trans-Pacific Partnership (TPP-11)

On 11 March 2016, the Law Council made a brief submission to this Committee regarding Trade in Legal Services Under Chapter 10 of the Trans-Pacific Partnership Agreement. A copy of this submission is **attached**.

This submission considered the original TPP agreement that covered the TPP-11 group and the United States (US).

The TPP-11 text on legal services in the *Chapter on Cross Border Change in Services*, including *Annex 10-A: Professional Services*, remains unchanged. The Law Council's submissions in relation to the TPP therefore also remain unchanged, except to the extent that comments about commitments by the US will no longer apply.

The Law Council remains of the view that:

- the TPP's provisions on Cross Border Trade in Services will provide significant benefits to the Australian legal profession on an ongoing basis, and
- the Professional Services Annex has the potential to shape the development of rules governing the practice of foreign law that are consistent with the market access objectives of the Australian legal profession across all TPP countries, especially over the medium to long term.

While it is unfortunate that the US will not be a party to the TPP on entry into force, the Law Council notes that it remains open to the US, and other nations, to request negotiations with TPP-11 countries to join the TPP.

The TPP provides a strong framework for improvement of foreign lawyer regulatory systems that would be further improved by increased participation in the TPP framework by countries outside the TPP-11.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Jonathan Smithers", with a long horizontal line extending to the right.

Jonathan Smithers
Chief Executive Officer