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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part

FRAMEWORK AGREEMENT
BETWEEN THE EUROPEAN UNION
AND ITS MEMBER STATES, OF THE ONE PART,
AND AUSTRALIA, OF THE OTHER PART

The EUROPEAN UNION, hereinafter referred as "the Union",

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Member States of the European Union, hereinafter referred to as the "Member States",

of the one part, and

AUSTRALIA,

of the other part,

hereinafter referred to as "the Parties",

CONSIDERING their shared values and close historical, political, economic and cultural ties;

WELCOMING the progress made in developing their long-lasting and mutually beneficial relationship through the adoption of the Joint Declaration on Relations between the European Union and Australia of 26 June 1997 and the implementation of the 2003 Agenda for Cooperation;

RECOGNISING revitalised engagement and cooperation between Australia and the Union since the development of the Australia-European Union Partnership Framework adopted on 29 October 2008;

REAFFIRMING their commitment to the purposes and principles of the Charter of the United Nations ("UN Charter") and to strengthening the role of the United Nations ("UN");

REAFFIRMING their commitment to democratic principles and human rights as laid down in the Universal Declaration of Human Rights and other relevant international human rights instruments as well as to the principles of the rule of law and good governance;

EMPHASISING the comprehensive nature of their relationship and the importance of providing a coherent framework to promote the development of this relationship;

EXPRESSING their common will to elevate their relations into a strengthened partnership;

CONFIRMING their desire to intensify and develop their political dialogue and cooperation;

DETERMINED to consolidate, deepen and diversify cooperation in areas of mutual interest, at the bilateral, regional and global levels and for their mutual benefit;

EXPRESSING their commitment to create an environment conducive to greater bilateral trade and investment;

AFFIRMING their will to strengthen cooperation in the field of justice, freedom and security;

RECOGNISING the mutual benefits of enhanced cooperation in the areas of education, culture, research and innovation;

EXPRESSING their will to promote sustainable development in its economic, social and environmental dimensions;

BUILDING on the agreements concluded between the Union and Australia, notably in relation to science, air services, wine, the security of classified information, conformity assessment procedures for industrial products and the exchange of air passengers' data;

NOTING that in case the Parties decide, within the framework of this Agreement, to enter into specific agreements in the area of freedom, security and justice which were to be concluded by the Union pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, the provisions of such future agreements would not bind the United Kingdom and/or Ireland unless the Union, simultaneously with the United Kingdom and/or Ireland as regards their respective previous bilateral relations, notifies Australia that the United Kingdom and/or Ireland has/have become bound by such agreements as part of the Union in accordance with Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union. Likewise, any subsequent Union internal measures which were to be adopted pursuant to the above mentioned Title V to implement this Agreement would not bind the United Kingdom and/or Ireland unless they have notified their wish to take part or accept such measures in accordance with Protocol No 21. Also noting that such future agreements or such subsequent Union internal measures would fall within Protocol No 22 on the position of Denmark annexed to the said Treaties,

HAVE AGREED AS FOLLOWS:

TITLE I

PURPOSE AND BASIS OF THE AGREEMENT

ARTICLE 1

Purpose of the Agreement

1. The purpose of this Agreement is to:

(a) establish a strengthened partnership between the Parties;

(b) provide a framework to facilitate and promote cooperation across a broad range of areas of mutual interest; and

(c) enhance cooperation in order to develop solutions to regional and global challenges.

2. In this context, the Parties affirm their commitment to intensifying high-level political dialogue, and reaffirm the shared values and common principles that underpin their bilateral relations and form a basis for cooperation.

ARTICLE 2

Basis of cooperation

1. The Parties agree to strengthen their strategic relationship and intensify cooperation at the bilateral, regional and global levels, on the basis of shared values and common interests.

2. The Parties confirm their commitment to democratic principles, human rights and fundamental freedoms and the rule of law. Respect for democratic principles and human rights and fundamental freedoms as laid down in the Universal Declaration of Human Rights, as given expression in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and other international human rights instruments which the Parties have ratified or acceded to, and for the principle of the rule of law, underpins the domestic and international policies of the Parties and constitutes an essential element of this Agreement.

3. The parties confirm their strong support for the UN Charter and the shared values expressed therein.

4. The Parties reaffirm their commitment to promoting sustainable development and economic growth, contributing to the attainment of internationally agreed development goals and cooperating to address global environmental challenges, including climate change.

5. The Parties emphasise their shared commitment to the comprehensive nature of their bilateral relationship and to maintaining overall coherence in this regard, on the basis of this Agreement.

6. The implementation of this Agreement shall be based on the principles of dialogue, mutual respect, equal partnership, consensus and respect for international law.

TITLE II

POLITICAL DIALOGUE AND COOPERATION ON FOREIGN POLICY AND SECURITY MATTERS

ARTICLE 3

Political dialogue

1. The Parties agree to enhance their regular political dialogue.

2. The political dialogue shall aim to:

(a) promote the development of the bilateral relationship; and

(b) strengthen the Parties' common approaches and identify scope for cooperation on regional and global challenges and issues.

3. Dialogue between the Parties shall particularly take place in the following forms:

(a) consultations, meetings and visits at leaders level, which shall be held whenever the Parties deem it necessary;

(b) consultations, meetings and visits at ministerial level, including consultations at foreign minister level, and ministerial meetings on trade and other issues as determined by the Parties, which shall be held on such occasions and at such locations as determined by the Parties;

(c) regular senior officials meetings, which shall be held as appropriate on bilateral issues, foreign policy, international security, counter-terrorism, trade, development cooperation, climate change and other issues as determined by the Parties;

(d) sectoral dialogues on issues of common interest; and

(e) exchanges of delegations and other contacts between the Parliament of Australia and the European Parliament.

ARTICLE 4

Commitment to democratic principles, human rights and the rule of law

The Parties agree to:

(a) promote core principles regarding democratic values, human rights and the rule of law, including in multilateral fora;

(b) collaborate and coordinate, where appropriate, including with third countries, in the practical advancement of democratic principles, human rights and the rule of law;

(c) foster participation in each other's efforts to promote democracy, including through establishing arrangements to facilitate participation in election observation missions.

ARTICLE 5

Crisis management

1. The Parties reaffirm their commitment to cooperating in promoting international peace and stability.

2. To this end, they shall explore possibilities to coordinate crisis management activities, including possible cooperation in crisis management operations.

3. The Parties shall work to implement the Agreement between the European Union and Australia establishing a framework for the participation of Australia in European crisis management operations.

ARTICLE 6

Countering the proliferation of weapons of mass destruction

1. The Parties consider that the proliferation of weapons of mass destruction ("WMD") and their means of delivery, both to State and non-State actors, represents one of the most serious threats to international stability and security.

2. The Parties agree to cooperate in and contribute towards countering the proliferation of WMD and their means of delivery through full implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant agreements ratified or acceded to by the Parties. The Parties agree that this provision constitutes an essential element of this Agreement.

3. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of WMD and their means of delivery by:

(a) taking all necessary steps to sign, ratify or accede to, as appropriate, and fully implement all relevant international instruments and to promote such instruments;

(b) maintaining an effective system of national export controls, controlling the export as well as the transit of WMD-related goods, including a WMD end-use control on dual-use technologies and containing effective sanctions for breaches of export controls;

(c) promoting implementation of all relevant UN Security Council resolutions;

(d) cooperating in multilateral fora and export control regimes to promote the non-proliferation of WMD;

(e) collaborating and coordinating on outreach activities relating to chemical, biological, radiological and nuclear safety, security and non-proliferation and to sanctions; and

(f) exchanging relevant information on measures taken under this Article, where appropriate and in accordance with their respective competences.

4. The Parties agree to maintain a regular political dialogue that shall accompany and consolidate these elements.

ARTICLE 7

Small arms and light weapons and other conventional weapons

1. The Parties recognise that the illicit manufacture, transfer and circulation of small arms and light weapons ("SALW"), and their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to international peace and security.

2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in SALW and their ammunition, under existing international agreements ratified or acceded to by Australia and either the Union and/or the Member States, in accordance with their competences and UN Security Council resolutions.

3. The Parties recognise the importance of domestic control systems for the transfer of conventional arms in line with existing international standards. The Parties recognise the importance of applying such controls in a responsible manner, as a contribution to international and regional peace, security and stability and to the reduction of human suffering, as well as preventing the diversion of conventional weapons.

4. The Parties undertake in this regard to endeavour to fully implement the Arms Trade Treaty and to cooperate with each other within the framework of the Treaty, including in promoting the universalisation and full implementation of the Treaty by all UN Member States.

5. The Parties undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts to deal with the illicit trade in SALW and their ammunition, at a global, regional, sub-regional and national level, to ensure the effective implementation of arms embargoes decided by the UN Security Council in accordance with the UN Charter.

ARTICLE 8

Serious crimes of international concern and the International Criminal Court

1. The Parties reaffirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution should be ensured by measures at either the domestic or the international level, including through the International Criminal Court.

2. The Parties agree to cooperate in promoting the aims and objectives of the Rome Statute and to this end agree to:

(a) continue to take steps to implement the Rome Statute and to consider the ratification and implementation of related instruments (such as the Agreement on the Privileges and Immunities of the International Criminal Court);

(b) continue to promote universal accession to the Rome Statute, including by sharing experiences with other States in the adoption of measures required for the ratification and implementation of the Rome Statute; and

(c) safeguard the integrity of the Rome Statute by protecting its core principles, including by abstaining from entering into non-surrender agreements (also known as "Article 98 agreements") with third States and encouraging others to also abstain.

ARTICLE 9

Cooperation in combating terrorism

1. The Parties reaffirm the importance of the prevention of, and fight against, terrorism in full respect for the rule of law and human rights and in accordance with applicable international law, including the UN Charter, international anti-terrorism conventions, relevant UN Security Council Resolutions, refugee law and international humanitarian law.

2. Within this framework and taking into account the UN Global Counter-Terrorism Strategy, contained in UN General Assembly Resolution 60/288 of 8 September 2006 and its implementation reviews, the Parties agree to cooperate in the prevention and suppression of terrorist acts, in particular by:

(a) exchanging information on terrorist groups and their support networks in accordance with international and national law;

(b) exchanging views on means and methods used to counter terrorism, including in technical fields and on training, and sharing experiences in respect of terrorism prevention;

(c) identifying areas for future cooperation, including on preventing recruitment and radicalisation and countering the financing of terrorism, and through partnerships with third countries;

(d) where practicable and appropriate, supporting regional initiatives for law enforcement cooperation in countering terrorism, based on full respect for human rights and the rule of law;

(e) cooperating to deepen the international consensus on the fight against terrorism and its normative framework, and working towards an agreement on the Comprehensive Convention on International Terrorism;

(f) promoting cooperation among UN Member States to effectively implement the UN Global Counter-Terrorism Strategy by all appropriate means; and

(g) exchanging best practices with regard to the protection of human rights in the fight against terrorism.

3. The Parties reaffirm their commitment to working together, where appropriate, to provide counter-terrorism capacity-building assistance to other states that require resources and expertise to prevent and respond to terrorist activity.

4. The Parties agree to cooperate closely in the framework of the Global Counter-Terrorism Forum and its working groups.

5. The Parties agree to maintain a regular dialogue at officials level on counter-terrorism.

ARTICLE 10

Cooperation in regional and international organisations

The Parties undertake to cooperate by exchanging views and, where appropriate, coordinating positions in international and regional organisations and fora, including the UN and its specialised agencies, the World Trade Organization ("WTO"), the Group of Twenty ("G20"), the Financial Stability Board ("FSB"), the Organisation for Economic Cooperation and Development ("OECD"), the World Bank Group and regional development banks, the Asia-Europe Meeting ("ASEM"), the Organization for Security and Cooperation in Europe ("OSCE"), the ASEAN Regional Forum ("ARF"), the Pacific Islands Forum ("PIF") and the Secretariat of the Pacific Community.

ARTICLE 11

International security and cyberspace

The Parties recognise the importance of cooperation and the exchange of views in the field of international security and cyberspace, including on norms of behaviour and the application of international law in cyberspace, the development of confidence building measures and capacity-building.

TITLE III

COOPERATION ON GLOBAL DEVELOPMENT AND HUMANITARIAN AID

ARTICLE 12

Development

1. The Parties reaffirm their commitment to contributing to sustainable economic growth and poverty reduction, strengthening cooperation on international development and promoting aid and development effectiveness, with a particular focus on implementation at the country level.

2. The Parties recognise the value of working together to ensure that development activities have greater impact, reach and influence.

3. To this end the Parties agree to:

(a) conduct regular policy dialogue on development cooperation;

(b) exchange views and, where appropriate, coordinate positions on development issues in regional and international fora to promote inclusive and sustainable growth for human development;

(c) exchange information on their respective development programmes and, where appropriate, coordinate their engagement in-country to increase their contribution to sustainable economic growth and poverty reduction through promoting synergies between their respective programmes, improving the division of labour and enhancing effectiveness on the ground; and

(d) undertake delegated aid cooperation on each other's behalf, where appropriate, based on arrangements mutually determined by the Parties.

ARTICLE 13

Humanitarian aid

The Parties reaffirm their common commitment to humanitarian aid and shall endeavour to offer coordinated responses as appropriate.

TITLE IV

COOPERATION ON ECONOMIC AND TRADE MATTERS

ARTICLE 14

Economic policy dialogue

The Parties agree to maintain the dialogue between their authorities and to promote the exchange of information and the sharing of experiences on respective macroeconomic policies and trends, including the exchange of information on coordination of economic policies in the context of regional economic cooperation and integration.

ARTICLE 15

Trade and investment dialogue and cooperation

1. The Parties undertake to cooperate in securing the conditions for and promoting increased trade and investment between them.

2. The Parties are committed to a high-level dialogue and cooperation in trade- and investment-related areas in order to facilitate bilateral trade and investment flows, to prevent and remove non-tariff-related obstacles to trade and investment, to improve transparency and to advance the multilateral trading system.

3. Dialogue on trade and investment issues shall include:

(a) an annual trade policy dialogue, at senior officials level complemented by ministerial meetings on trade, when determined by the Parties;

(b) dialogues on agricultural trade and marketing, sanitary and phytosanitary issues; and

(c) other sectoral exchanges when determined by the Parties;

4. The Parties shall keep each other informed and exchange views concerning the development of bilateral and international trade, investment and trade- and investment-related aspects of other policies, including regulatory issues with a potential impact on bilateral trade and investment.

5. The Parties shall exchange information on their policy approaches to free trade agreements (FTAs) and respective FTA agendas. This Agreement neither requires nor precludes the negotiation and conclusion of an FTA between the Parties in the future to complement and extend the economic provisions in this Agreement.

6. Recognising the value of trade liberalisation as a driver of global economic growth and the importance of pursuing this through a rules-based multilateral trading system, the Parties affirm their commitment to working together within the WTO to achieve further trade liberalisation.

ARTICLE 16

Investment

The Parties shall promote an attractive and stable environment for two-way investment through dialogue, aimed at:

(a) enhancing their mutual understanding and cooperation on investment issues;

(b) exploring mechanisms to facilitate investment flows; and

(c) fostering stable, transparent, non-discriminatory and open rules for investors, without prejudice to the Parties' commitments under preferential trade agreements and other international obligations.

ARTICLE 17

Public procurement

1. The Parties reaffirm their commitment to open and transparent public procurement frameworks which, consistent with their international obligations, promote value for money, competitive markets and non-discriminatory purchasing practices, and thus enhance trade between the Parties.

2. The Parties agree to further strengthen their consultation, cooperation and exchanges of experience and best practices in the area of public procurement on issues of mutual interest, including on their respective regulatory frameworks.

3. The Parties agree to explore ways to further promote access to each other's procurement markets and to exchange views on measures and practices which could adversely affect procurement trade between them.

ARTICLE 18

Technical barriers to trade

1. The Parties share the view that greater compatibility of standards, technical regulations and conformity assessment procedures is a key element for facilitating trade.

2. The Parties recognise their mutual interest in reducing technical barriers to trade and to this end agree to cooperate within the framework of the WTO Agreement on Technical Barriers to Trade and through the Agreement on mutual recognition in relation to conformity assessments, certificates and markings between the European Community and Australia.

ARTICLE 19

Sanitary, phytosanitary and animal welfare issues

1. The Parties agree to strengthen cooperation on sanitary and phytosanitary ("SPS") issues to protect human, animal or plant life or health in the territory of the Parties, noting the Parties' rights and obligations under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (the "SPS Agreement").

2. Within the framework of the SPS Agreement and the relevant international standards of the Codex Alimentarius, the International Plant Protection Convention ("IPPC") and the World Organisation for Animal Health ("OIE"), the Parties shall share information in order to enhance the mutual understanding of their respective SPS measures and facilitate trade between the Parties by:

(a) meeting regularly using appropriate fora determined by the Parties, to exchange views about SPS and animal welfare-related legislation, implementation, inspection and certification systems and surveillance procedures, and to address issues arising from the application of SPS measures;

(b) endeavouring to apply import requirements to the entire territory of the exporting Party, including the application of regionalisation principles;

(c) in conformity with the SPS Agreement:

(i) recognising pest-free and disease-free areas and areas of low pest or disease prevalence;

(ii) carrying out verification of all or part of the exporting Party's authorities' inspection and certification system;

(d) exchanging information about SPS and animal welfare issues that affect or may affect trade between the Parties, such as emergency measures, emerging diseases and pests, and new available scientific evidence.

3. The Parties agree to cooperate and share information on animal welfare issues.

4. The Parties shall also cooperate on SPS and animal welfare issues through relevant multilateral frameworks, including the WTO, the Codex Alimentarius Commission, the IPPC and the OIE.

ARTICLE 20

Customs

The Parties shall, subject to their respective legislation, cooperate in the customs field on a bilateral and multilateral basis. To this end, they agree in particular to share experiences and examine possibilities to simplify customs procedures, ensure transparency and enhance cooperation in areas such as trade facilitation, security and safety of international trade and combating customs fraud.

ARTICLE 21

Intellectual property

1. The Parties reaffirm the importance of their rights and obligations in relation to intellectual property rights, including copyright and related rights, trademarks, geographical indications, industrial designs, plant variety rights and patents, and their enforcement, in accordance with the highest international standards that each Party respectively adheres to.

2. The Parties agree to exchange information and share experience on intellectual property issues relating to the administration, protection and enforcement of intellectual property rights through appropriate forms of cooperation.

ARTICLE 22

Competition policy

The Parties shall promote competition in economic activities through enforcing their respective competition laws and regulations. The Parties agree to share information on competition policy and related issues and to enhance cooperation between their competition authorities.

ARTICLE 23

Services

The Parties shall establish a substantive dialogue aimed at promoting bilateral trade in services and exchanging information on their respective regulatory environments.

ARTICLE 24

Financial services

As regards financial services, the Parties agree to maintain an exchange of information and experiences on their respective supervisory and regulatory environments, and strengthen cooperation with a view to improving accounting, auditing, supervisory and regulatory systems for banking, insurance and other parts of the financial sector.

ARTICLE 25

Taxation

1. With a view to strengthening and developing economic activities while taking into account the need for an appropriate regulatory framework, the Parties recognise and commit themselves to implementing the principles of good governance in the area of tax, including transparency, exchange of information and the avoidance of harmful tax practices.

2. In accordance with their respective competences, the Parties shall work together, including through appropriate international fora, to improve international cooperation in the area of tax and facilitate the collection of legitimate tax revenues, respecting the principles of good governance mentioned in paragraph 1.

ARTICLE 26

Transparency

The Parties recognise the importance of transparency and due process in the administration of their trade-related laws and regulations as set out in Article X of the General Agreement on Tariffs and Trade ("GATT 1994") and Article III of the General Agreement on Trade in Services ("GATS"), and to this end they agree to enhance cooperation and exchange information in order to promote regulatory quality and performance and the principles of good administrative behaviour.

ARTICLE 27

Raw materials

1. The Parties recognise that a transparent, market-based approach is the best way to create an environment favourable to investment in the production and trade of raw materials, and to foster the efficient allocation and use of raw materials.

2. The Parties, taking into account their respective economic policies and objectives and with a view to fostering trade, agree to strengthen cooperation on issues related to raw materials with a view to strengthening a rules-based global framework for trade in raw materials and to promote transparency in global markets for raw materials.

3. Topics for cooperation may include, inter alia:

(a) questions of supply and demand, bilateral trade and investment issues as well as issues of interest stemming from international trade;

(b) the Parties' respective regulatory frameworks; and

(c) best practices in relation to sustainable development of the mining industries, including minerals policy, land use planning and permitting procedures.

4. The Parties will cooperate through bilateral dialogue or within relevant plurilateral settings or international institutions.

ARTICLE 28

Trade and sustainable development

1. The Parties reaffirm their commitment to promoting the development of international trade and investment in such a way as to contribute to the objective of sustainable development and shall strive to ensure that this objective is realised in the relevant areas of their economic relationship.

2. The Parties recognise the right of each Party to establish its own levels of domestic environmental and labour protection, and to adopt or modify its relevant laws and policies, consistent with their commitment to internationally recognised standards and agreements.

3. The Parties also recognise that they should avoid encouraging trade or investment by lowering or offering to lower the levels of protection afforded in domestic environmental or labour laws.

4. The Parties shall exchange information and share experience on their actions to promote coherence and mutual supportiveness between trade, social and environmental objectives, including on the aspects set out in Title VIII, and shall strengthen dialogue and cooperation on sustainable development issues that may arise in the context of trade relations.

ARTICLE 29

Business cooperation

1. The Parties shall encourage stronger business-to-business linkages and enhance government-business linkages through two-way visits and activities involving business, including in the ASEM context.

2. This cooperation shall, in particular, aim at improving the competitiveness of small and medium-sized enterprises ("SMEs"). This cooperation may include, inter alia:

(a) stimulating transfers of technology;

(b) exchanging good practices on access to finance;

(c) promoting corporate social responsibility and accountability; and

(d) developing the existing cooperation on standards and conformity assessment.

3. The Parties agree to facilitate and develop dialogue and cooperation between their competent trade and investment promotion agencies.

ARTICLE 30

Civil society

The Parties shall encourage dialogue between governmental and non-governmental organisations, such as trade unions, employers, business associations and chambers of commerce and industry, with a view to promoting trade and investment in areas of mutual interest.

ARTICLE 31

Tourism

Recognising the value of tourism in deepening mutual understanding and appreciation between the peoples of the Union and Australia and the economic benefits flowing from increased tourism, the Parties agree to cooperate with a view to increasing tourism in both directions between the Union and Australia.

TITLE V

COOPERATION ON JUSTICE, FREEDOM AND SECURITY

ARTICLE 32

Legal cooperation

1. The Parties recognise the importance of private international law and legal and judicial cooperation in civil and commercial matters in supporting an environment which facilitates international trade and investment and the mobility of people. The Parties agree to strengthen their cooperation, including through the negotiation, ratification and implementation of international agreements, such as those adopted in the framework of the Hague Conference on Private International Law.

2. The Parties agree to facilitate and encourage the arbitral resolution of international civil and private commercial disputes, where appropriate, in accordance with the applicable international instruments.

3. As regards judicial cooperation in criminal matters, the Parties shall enhance cooperation on mutual legal assistance, on the basis of relevant international instruments. This would include, where appropriate, accession to and implementation of relevant UN instruments. It may also include, where appropriate, support for relevant Council of Europe instruments, as well as cooperation between relevant Australian authorities and Eurojust.

ARTICLE 33

Law enforcement cooperation

The Parties agree to cooperate among law enforcement authorities, agencies and services and to contribute to disrupting and dismantling transnational crime threats common to the Parties. This cooperation may take the form of mutual assistance in investigations, sharing of investigation techniques, joint education and training of law enforcement personnel and any other type of joint activities and assistance as may be mutually determined by the Parties.

ARTICLE 34

Combating terrorism, transnational organised crime and corruption

1. The Parties agree to cooperate in the prevention and suppression of terrorism as set out in Article 9.

2. The Parties reaffirm their commitment to cooperate in preventing and combating organised, economic and financial crime, corruption, counterfeiting and illegal transactions, through full compliance with their existing mutual international obligations in this area including on effective cooperation in the recovery of assets or funds derived from acts of corruption.

3. In the context of preventing, detecting, investigating and prosecuting terrorist offences or serious transnational crime, the Parties acknowledge the importance of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Records (PNR) data by air carriers to the Australian Customs and Border Protection Service.

4. The Parties shall promote the implementation of the UN Convention against Transnational Organized Crime and its supplementary Protocols, including the promotion of strong and efficient review mechanisms.

5. The Parties shall also promote the implementation of the UN Convention against Corruption, including the operation of a strong review mechanism, taking account of the principles of transparency and participation of civil society.

ARTICLE 35

Combating illicit drugs

1. Within their respective powers and competences, the Parties shall cooperate to ensure a balanced and integrated approach towards minimising the harm to individuals, families and communities from illicit drugs. Drug policies and actions shall be aimed at reinforcing structures for combating illicit drugs, reducing the supply of, trafficking in, and demand for, illicit drugs, addressing the health and social consequences of drug abuse, building recovery from addiction, as well as continued cooperation in effectively combating the diversion of chemical precursors used in the illicit manufacture of narcotic drugs and psychotropic substances.

2. The Parties shall cooperate with a view to dismantling the transnational criminal networks involved in drug trafficking, inter alia, through the exchange of information and intelligence, training or sharing of best practices, including special investigative techniques. A particular effort shall be made against the penetration of the licit economy by criminals.

3. The Parties shall cooperate in addressing the issue of new psychoactive substances, including through the exchange of information and intelligence, as appropriate.

ARTICLE 36

Combating cybercrime

1. The Parties shall strengthen cooperation to prevent and combat high-technology, cyber- and electronic crimes and the distribution of illegal content, including terrorist content, via the internet, through exchanging information and practical experiences in compliance with their national legislation and international human rights obligations, within the limits of their responsibility.

2. The Parties shall exchange information in the fields of the education and training of cybercrime investigators, the investigation of cybercrime and digital forensic science.

3. The Parties shall promote the Budapest Convention on Cybercrime as the global standard against cybercrime at all appropriate levels.

ARTICLE 37

Combating money laundering and the financing of terrorism

1. The Parties reaffirm the need to cooperate on preventing the use of their financial systems to launder the proceeds of all criminal activities, including drug trafficking and corruption, and on combating the financing of terrorism. This cooperation extends to the recovery of assets or funds derived from criminal activities.

2. The Parties shall exchange relevant information within the framework of their respective legislation and implement appropriate measures to combat money laundering and the financing of terrorism, in accordance with standards adopted by relevant international bodies active in this area, such as the Financial Action Task Force (FATF).

ARTICLE 38

Migration and Asylum

1. The Parties agree to intensify dialogue and cooperation on migration, asylum, participation and diversity issues.

2. Cooperation may include exchanging information on approaches to irregular immigration, people smuggling, trafficking in human beings, asylum, social and economic participation of migrants, border management, visas, biometrics and document security.

3. The Parties agree to cooperate in order to prevent and control irregular immigration. To this end:

(a) Australia shall readmit any of its nationals irregularly present on the territory of a Member State, upon request by the latter without unnecessary formalities that cause undue delay;

(b) each Member State shall readmit any of its nationals irregularly present on the territory of Australia, upon request by the latter without unnecessary formalities that cause undue delay; and

(c) the Member States and Australia shall provide their nationals with appropriate identity documents for such purposes.

4. The Parties shall, upon request of either Party, explore the possibility of concluding an agreement between Australia and the European Union on readmission. This will include consideration of appropriate arrangements for the readmission of third-country nationals and stateless persons.

ARTICLE 39

Consular protection

1. Australia agrees that the diplomatic and consular authorities of any represented Member State may exercise consular protection[1] in Australia on behalf of other Member States which do not have accessible permanent representation in Australia.

2. The Union and the Member States agree that the diplomatic and consular authorities of Australia may exercise consular protection on behalf of a third country and that third countries may exercise consular protection on behalf of Australia in the Union in places where Australia or the third country concerned do not have accessible permanent representation.

3. Paragraphs 1 and 2 are intended to dispense with any requirements for notification or consent which might otherwise apply.

4. The Parties agree to facilitate a dialogue on consular affairs between their respective competent authorities.

[1] Australia can agree to the use of the term "consular protection" in this Article, in place of the term "consular functions", on the understanding that the former covers the functions referred to in Article 9 of Council Directive (EU) 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and repealing Decision 95/553/EC and that these functions include the provision of emergency passports and/or travel documents.

ARTICLE 40

Protection of personal data

1. The Parties agree to cooperate with a view to ensuring that levels of protection of personal data are consistent with relevant international standards, including the OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data.

2. Cooperation on protection of personal data may include, inter alia, the exchange of information and expertise. It may also include cooperation between regulatory counterparts in bodies such as the OECD's Working Party on Information Security and Privacy and the Global Privacy Enforcement Network.

TITLE VI

COOPERATION IN THE AREAS OF RESEARCH, INNOVATION AND THE INFORMATION SOCIETY

ARTICLE 41

Science, research and innovation

1. The Parties agree to enhance their cooperation in the areas of science, research and innovation in support of, or complementary to, the Agreement relating to scientific and technical cooperation between the European Community and Australia.

2. Enhanced cooperation shall seek to, inter alia:

(a) address key shared societal challenges for Australia and the Union as reviewed and agreed by the Joint Science and Technology Cooperation Committee established under Article 5 of the Agreement relating to scientific and technical cooperation between the European Community and Australia;

(b) include a range of public- and private-sector innovation actors, including SMEs, to facilitate the exploitation of collaborative research results and the achievement of mutually beneficial commercial and/or broader societal outcomes;

(c) further strengthen the scope for Australian and Union researchers to take advantage of the opportunities provided by the research and innovation programmes of each Party, including through:

(i) comprehensive information on programmes and participation opportunities;

(ii) timely information on emerging strategic priorities;

(iii) exploring the scope for using and strengthening collaboration mechanisms such as twinning, joint calls and coordinated calls; and

(d) explore the scope for Australia and the Union to work together to initiate and participate in wider regional and international research and innovation collaboration.

3. The Parties shall, in accordance with their respective laws and regulations, encourage the participation of the private and public sectors and civil society within their own territory in activities to enhance cooperation.

4. Enhanced cooperation shall focus on all areas of civil research and innovation, including but not limited to:

(a) addressing societal challenges in areas of mutual interest and enhancing key enabling technologies, including space science;

(b) research infrastructure, including e-infrastructures, and the exchange of information on matters such as access, management, funding and prioritisation of research infrastructures; and

(c) strengthening researcher mobility between Australia and the Union.

ARTICLE 42

Information society

1. Recognising that information and communication technologies are key elements of modern life and are of vital importance to economic and social development, the Parties agree to exchange views on their respective policies in this field.

2. Cooperation in this area may focus on, inter alia:

(a) exchanging views on the different aspects of the information society, in particular electronic communications policies and regulation, including universal service, licensing and general authorisations, protection of privacy and personal data, e-government and open government, internet security and the independence and efficiency of regulatory authorities;

(b) interconnection and interoperability of research networks, computing and scientific data infrastructures and services, including in a regional context;

(c) standardisation, certification and dissemination of new information and communication technologies;

(d) security, trust and privacy aspects of information and communication technologies and services, including promotion of online safety, combating misuses of information technology and all forms of electronic media and sharing of information; and

(e) exchanging views on measures to address the issue of international mobile roaming costs, including as a behind-the-border barrier to trade.

TITLE VII

COOPERATION IN THE AREA OF EDUCATION AND CULTURE

ARTICLE 43

Education, training and youth

1. The Parties acknowledge the crucial contribution of education and training to the creation of quality jobs and sustainable growth for knowledge-based economies, and recognise that they have a common interest in cooperating in education, training and on related youth issues.

2. In accordance with their mutual interests and the aims of their policies on education, the Parties undertake to continue the EU-Australia dialogue on education and training policies and to support appropriate cooperative activities in the field of education, training and youth. This cooperation concerns all education sectors and may take the form of, inter alia:

(a) mobility of individuals through the promotion and facilitation of exchange of students, academic and administrative staff of tertiary education institutions, teachers and youth workers;

(b) joint cooperation projects between education and training institutions in the Union and Australia, with a view to promoting curriculum development, joint study programmes and degrees and teacher and student mobility;

(c) institutional cooperation, linkages and partnerships with a view to promoting exchange of experience and know-how, and effective links between education, research and innovation; and

(d) support for policy reform through dialogue, studies, conferences, seminars, working groups, benchmarking exercises and exchange of information and good practice, particularly in view of the Bologna and Copenhagen processes and Union transparency tools.

ARTICLE 44

Cultural, audiovisual and media cooperation

1. The Parties agree to promote closer cooperation in the cultural and creative sectors, in order to enhance, inter alia, mutual understanding and knowledge of their respective cultures.

2. The Parties shall endeavour to take appropriate measures to promote cultural exchanges and carry out joint initiatives in various cultural areas, using available cooperation instruments and frameworks.

3. The Parties shall endeavour to promote the mobility of culture professionals and works of art between Australia and the Union and its Member States.

4. The Parties shall encourage intercultural dialogue between civil society organisations as well as individuals from the Parties.

5. The Parties agree to cooperate, notably through policy dialogue, in relevant international fora, in particular the United Nations Education, Science and Culture Organization (UNESCO), in order to pursue common objectives and to foster cultural diversity, including through implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

6. The Parties shall encourage, support and facilitate exchanges, cooperation and dialogue between institutions and professionals in the audiovisual and media fields.

7. The Parties agree to support cultural cooperation within the framework of the ASEM, in particular through the activities of the Asia-Europe Foundation ("ASEF").

TITLE VIII

COOPERATION IN THE AREA OF SUSTAINABLE DEVELOPMENT, ENERGY AND TRANSPORT

ARTICLE 45

Environment and natural resources

1. The Parties agree on the need to protect, conserve and sustainably manage natural resources and biological diversity, as a basis for the development of current and future generations.

2. The Parties shall strengthen their cooperation on protection of the environment and on mainstreaming environmental considerations in all sectors of cooperation, including in an international and regional context, particularly as regards:

(a) maintaining a high-level dialogue on environmental issues;

(b) participation in and implementation of multilateral environment agreements and, where appropriate, forging common ground between the Parties on environmental issues, including through engagement in multilateral fora;

(c) promoting and encouraging access to and sustainable use of genetic resources in accordance with national legislation and the international treaties applicable in this area which the Parties have ratified or acceded to; and

(d) fostering exchange of information, technical expertise and environmental practices in areas such as:

(i) the implementation and enforcement of environmental legislation;

(ii) resource efficiency and sustainable consumption and production;

(iii) conservation and sustainable use of biodiversity;

(iv) chemicals and waste management;

(v) water policy; and

(vi) coastal and marine environment conservation and pollution and degradation control.

ARTICLE 46

Climate change

1. The Parties recognise the common global threat of climate change and the need for all countries to take action to cut emissions in order to stabilise greenhouse-gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Within the scope of their respective competences, and without prejudice to discussions in other fora, such as the UN Framework Convention on Climate Change (UNFCCC), the Parties shall enhance cooperation in this field. Such cooperation shall aim at but not be limited to:

(a) combating climate change with the overall goal of a stabilisation of atmospheric greenhouse gas concentrations, taking into account the latest scientific information and the need for a transition to low emission economies while continuing sustainable economic growth through nationally appropriate mitigation and adaptation actions;

(b) exchanging expertise and information regarding the design, implementation and evolution of their respective domestic mitigation policies and approaches, including market-based mechanisms where relevant;

(c) exchanging expertise and information on public and private sector financing instruments for climate action;

(d) collaborating on low emission technology research, development, diffusion, deployment and transfer in order to mitigate greenhouse gas emissions, and advocating the efficient use of resources, while maintaining economic growth;

(e) exchanging experience, expertise and best practices, where appropriate, in monitoring and analysing the effects of greenhouse gases and developing mitigation and adaptation programmes and low emission strategies;

(f) supporting, where appropriate, mitigation and adaptation action by developing countries;

(g) working together to achieve a robust and legally binding international climate agreement applicable to all countries.

2. To these ends, the Parties agree to maintain regular dialogue and cooperation at political, policy and technical levels, both bilaterally and in relevant plurilateral and multilateral fora.

ARTICLE 47

Civil protection

The Parties recognise the need to minimise the impact of natural and man-made disasters. The Parties affirm their common commitment to promoting prevention, mitigation, preparedness and response measures in order to increase the resilience of society and infrastructure, and to cooperating as appropriate, at bilateral and multilateral political levels to progress towards such objectives.

ARTICLE 48

Energy

The Parties recognise the importance of the energy sector and the role of a well-functioning market in energy to sustainable development, economic growth, contributing to the attainment of internationally agreed development goals and cooperating to address global environmental and climate challenges, and shall endeavour, within the scope of their respective competences, to enhance cooperation in this field with a view to:

(a) developing policies to increase energy security;

(b) promoting global energy trade and investment;

(c) improving competitiveness;

(d) improving the functioning of global energy markets;

(e) exchanging information and policy experiences through existing multilateral energy fora;

(f) promoting the development and uptake of clean, diverse, cost-effective and sustainable energy technologies, including renewable and low emission energy technologies;

(g) achieving rational use of energy with contributions from both supply and demand sides by promoting energy efficiency in energy production, transportation, distribution and end-use; and

(h) sharing best practices in energy exploration and production.

ARTICLE 49

Transport

1. The Parties shall endeavour to cooperate in all relevant areas of transport policy, including integrated transport policy, with a view to improving the movement of goods and passengers, promoting maritime and aviation safety and security and environmental protection and increasing the efficiency of their transport systems.

2. Cooperation between the parties in this area shall aim to promote:

(a) exchanges of information on their respective transport policies and practices, including timely advice of proposed changes to regulatory regimes affecting their respective transport sectors;

(b) strengthening of aviation relations between Australia and the Union, enhancing market access and investment opportunities and broadening and deepening regulatory cooperation in aviation safety, security and economic regulation of the air transport industry, with a view to supporting regulatory convergence and removal of obstacles to doing business, as well as cooperation on air traffic management;

(c) dialogue and cooperation towards the goals of unrestricted access to international maritime markets and trade based on fair competition on a commercial basis;

(d) dialogue and cooperation on environment-related transport issues;

(e) dialogue and cooperation toward the mutual recognition of driving licences; and

(f) cooperation within international transport fora.

ARTICLE 50

Agriculture and rural development

1. The Parties agree to encourage cooperation in agriculture and rural development.

2. Areas in which cooperative activities could be considered include, but are not limited to, agricultural and rural development policy, geographical indications, diversification and restructuring of agricultural sectors and sustainable agriculture.

ARTICLE 51

Sustainable forest management

The Parties agree to foster cooperation, at the national and international level, on sustainable forest management and related policies and regulations, including measures to combat illegal logging and related trade, as well as the promotion of good forest governance.

ARTICLE 52

Maritime affairs and fisheries

1. The Parties shall strengthen dialogue and cooperation on issues of common interest in the areas of fisheries and maritime affairs. The Parties shall aim to promote long-term conservation and sustainable management of marine living resources, exchange information through regional fisheries management organisations ("RFMOs") and arrangements, and multilateral fora such as the Food and Agriculture Organization of the United Nations ("FAO"), promote efforts to prevent, deter and eliminate illegal, unreported and unregulated fishing ("IUU fishing"), implement ecosystem-based management and promote research collaboration on marine and fisheries sustainability.

2. The Parties shall cooperate to:

(a) encourage the development and implementation of, and compliance with, effective measures to ensure the long-term conservation and sustainable management of fishery resources under the competence of RFMOs or arrangements to which they are a party;

(b) ensure multilateral governance within the relevant RFMO of highly migratory fish stocks throughout their range;

(c) promote an integrated approach to maritime affairs at the international level; and

(d) undertake their best efforts to facilitate membership of RFMOs, as deemed appropriate, where one Party is a Member and the other a cooperating Party.

3. The Parties shall hold a regular periodic dialogue in conjunction with other meetings at senior officials level in order to strengthen dialogue and cooperation as well as exchange information and experience on fisheries policy and maritime affairs.

ARTICLE 53

Employment and social affairs

1. The Parties agree to enhance cooperation in the field of employment and social affairs, including in the context of globalisation and demographic change. Efforts shall be made in promoting cooperation and exchanges of information and experiences regarding employment and labour matters. Areas of cooperation may include exchanges on employment policy, regional and social cohesion, social integration, social security systems, industrial relations, lifelong skills development, youth employment, health and safety at the workplace, non-discrimination and equality, including gender equality, as well as corporate social responsibility and decent work.

2. The Parties reaffirm the need to promote full and productive employment and decent work as a key element of sustainable development and poverty reduction. In this context, the Parties recall the International Labour Organization ("ILO") Declaration on Social Justice for a Fair Globalization.

3. The Parties reaffirm their commitments to respecting, promoting and realising internationally recognised labour and social standards, as set out in the ILO Declaration on Fundamental Rights and Principles at Work.

4. The forms of cooperation may include, inter alia, specific programmes, projects and initiatives, as mutually agreed, as well as dialogue on topics of common interest at bilateral or multilateral level.

ARTICLE 54

Health

The Parties agree to encourage mutual cooperation, information exchange and the sharing of policy experiences in the fields of health and effective management of cross-border health problems.

TITLE IX

INSTITUTIONAL FRAMEWORK

ARTICLE 55

Other agreements or arrangements

1. The Parties may complement this Agreement by concluding specific agreements or arrangements in any area of cooperation falling within its scope. Such specific agreements shall be an integral part of the overall bilateral relations as governed by this Agreement.

2. This Agreement shall not affect or prejudice the interpretation, operation or application of other agreements between the Parties. In particular, the dispute settlement provisions of this Agreement shall not replace or affect in any way the dispute settlement provisions of other agreements between the Parties.

3. The Parties recognise that a case of special urgency as defined in Article 57(7) could also serve as grounds for the suspension or termination of other agreements between the Parties. In such circumstances, the Parties shall defer to the dispute resolution, suspension and termination provisions of such other agreements to resolve any such dispute.

ARTICLE 56

Joint Committee

1. The Parties hereby establish a Joint Committee consisting of representatives of the Parties.

2. Consultations shall be held in the Joint Committee to facilitate the implementation and to further the general aims of this Agreement, as well as to maintain overall coherence in EU-Australia relations.

3. The Joint Committee shall:

(a) promote the effective implementation of this Agreement;

(b) monitor the development of the comprehensive bilateral relationship, including agreements, between the Parties;

(c) request, as appropriate, information from committees or other bodies established under other agreements between the Parties and consider any reports submitted by them;

(d) exchange views and make suggestions on any issues of common interest, including future actions and the resources available to carry them out;

(e) set priorities and, as appropriate, determine next steps or plans of action in relation to the purpose of this Agreement;

(f) seek appropriate methods of forestalling problems which might arise in areas covered by this Agreement;

(g) endeavour to resolve any dispute arising in the application or interpretation of this Agreement in accordance with Article 57;

(h) examine the information presented by a Party in accordance with Article 57; and

(i) adopt decisions, where appropriate, to give effect to specific aspects of this Agreement.

4. The Joint Committee shall operate by consensus. It shall adopt its rules of procedure. It may set up sub-committees and working groups to deal with specific issues.

5. The Joint Committee shall normally meet once a year in the Union and Australia alternately. Special meetings of the Joint Committee shall be held at the request of either Party. The Joint Committee shall be co-chaired by both Parties. It shall normally meet at the level of senior officials but may meet at ministerial level. The Joint Committee may also operate by video or telephone contact and exchange of information by email.

ARTICLE 57

Modalities for implementation and dispute settlement

1. In the spirit of mutual respect and cooperation embodied by this Agreement, the Parties shall take any general or specific measures required to fulfil their obligations under the Agreement.

2. The Parties agree to consult as quickly as possible, upon request by either Party, concerning matters of difference which may arise in the implementation of this Agreement. If there is a divergence of view in the application or interpretation of this Agreement, either Party may refer the matter to the Joint Committee. The Parties shall present all information required for a thorough examination of the issue to the Joint Committee, with a view to resolving differences in a timely and amicable manner.

3. In a case of special urgency, either Party shall immediately refer the matter to the Joint Committee and present all the information required for a thorough examination of the situation, with a view to seeking a timely and mutually acceptable resolution. Should the Joint Committee at the level of senior officials be unable to resolve the situation within a period of up to 15 days from the commencement of consultations and no later than 30 days from the date of the referral of the matter to the Joint Committee, the matter shall be submitted to ministers for urgent consideration for a further period of 15 days.

4. In the unlikely and unexpected event that no mutually acceptable solution has been found after 15 days from the commencement of consultations at the ministerial level and no later than 45 days from the date of the referral of the matter to the Joint Committee, either Party may decide to take appropriate measures with regard to this Agreement, including the suspension of its provisions or its termination. The Parties recognise that a case of special urgency may also serve as grounds for taking appropriate measures outside this Agreement, in accordance with the rights and obligations of the Parties under other agreements between the Parties or under general international law. In the Union, the decision to suspend would entail unanimity. In Australia, the decision to suspend would be taken by the Government of Australia in accordance with its laws and regulations.

5. The Parties agree that any decision to take appropriate measures in accordance with paragraph 4 must be duly substantiated. The decision shall be notified immediately to the other Party in writing. The Parties agree that any such measures must be proportionate and must be consistent with Article 55(2) as well as with the general principles of international law.

6. If any measure is taken in accordance with paragraph 4, it shall be revoked as soon as the reason for taking it has been removed. The Party invoking paragraph 4 shall keep under constant review the development of the situation which prompted the decision and shall withdraw the measures taken as soon as warranted.

7. The Parties agree, for the purpose of the correct interpretation and practical application of this Agreement, that the term "case of special urgency" means a particularly serious and substantial violation of the obligations described in Articles 2(2) and 6(2) of this Agreement by one of the Parties leading to a situation which requires an immediate reaction by the other. The Parties consider that a particularly serious and substantial violation of Article 2(2) or Article 6(2) would have to be of an exceptional sort that threatens international peace and security.

8. In cases where a situation occurring in a third country could be considered equivalent in gravity and nature to a case of special urgency, the Parties shall endeavour to hold urgent consultations, at the request of either Party, to exchange views on the situation and consider possible responses.

TITLE X

FINAL PROVISIONS

ARTICLE 58

Definitions

For the purposes of this Agreement, the term "the Parties" means the Union or its Member States, or the Union and its Member States, in accordance with their respective competences, on the one hand, and Australia, on the other.

ARTICLE 59

Financial cooperation

1. When implementing aid programmes in the context of their development cooperation policies, the Parties shall cooperate to prevent and fight irregularities, fraud, corruption or any other illegal activities to the detriment of the Parties' financial interests.

2. For this purpose, the competent authorities of the Union and of Australia shall exchange information, including personal data, in accordance with their respective legislation in force, and, at the request of one of the Parties, shall conduct consultations.

3. The European Anti-Fraud Office and the competent Australian authorities may agree on further cooperation in the field of anti-fraud, including the conclusion of operational arrangements.

ARTICLE 60

Disclosure of information

1. The Parties shall give appropriate protection to information shared under this Agreement, consistent with the public interest in access to information.

2. Nothing in this Agreement shall be construed as requiring the Parties to share information, or allow access to shared information, the disclosure of which would:

(a) cause prejudice to:

(i) public security;

(ii) intelligence, defence and military matters;

(iii) international relations;

(iv) financial, monetary or economic policy;

(v) privacy; or

(vi) legitimate commercial interests or business affairs; or

(b) be otherwise contrary to the public interest.

3. In the event that information of the kind referred to in this Article is shared, the receiving Party shall only release or disclose such information with the consent of the other Party, or where it is necessary to comply with its legal obligations.

4. Nothing in this Agreement is intended to derogate from the rights, obligations or commitments of the Parties under bilateral agreements or arrangements concerning classified information exchanged between the Parties.

ARTICLE 61

Entry into force, provisional application, duration and termination

1. This Agreement shall enter into force thirty days after the date on which the Parties have notified each other of the completion of the legal procedures necessary for that purpose.

2. Notwithstanding paragraph 1, Australia and the Union may provisionally apply mutually determined provisions of this Agreement pending its entry into force. Such provisional application shall commence thirty days after the date on which both Australia and the Union have notified each other of the completion of their respective internal procedures necessary for such provisional application.

3. This Agreement shall be valid indefinitely. Either Party may notify the other in writing of its intention to denounce this Agreement. The denunciation shall take effect six months after the notification.

ARTICLE 62

Notifications

The notifications made in accordance with Article 61 shall be made to the General Secretariat of the Council of the European Union or to the Department of Foreign Affairs and Trade of Australia, or their successor organisations.

ARTICLE 63

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty on European Union and the Treaty on the Functioning of the European Union apply and under the conditions laid down in those Treaties, and, on the other hand, to the territory of Australia.

ARTICLE 64

Authentic texts

This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.