

24 May 2005

The Asia Trade Taskforce  
Department of Foreign Affairs and Trade  
RG Casey Building  
John McEwen Crescent  
BARTON ACT 0221  
Fax **6261 2927**

Sir/Madam,

**Proposed Australia Malaysia Free Trade Agreement**

Please find attached the Australian Film Commission's (AFC's) original response to the Department of Foreign Affairs and Trade's (DFAT's) consultation on the Australia Malaysia Free Trade Agreement Scoping Study.

The AFC has no additional information to add to this submission however would like to reiterate its position that the AFC is strongly opposed to any proposal that the Australia-United States Free Trade Agreement be used as a model for the development of a Free Trade Agreement with Malaysia. The treatment of cultural industries in this agreement should not be taken as a precedent for other agreements and is specific to the relationship between Australia and the US. The AFC proposes that a Free Trade Agreement between Australia and Malaysia should exclude cultural industries including all audiovisual services, as was the case with the FTA between Australia and Singapore. This is the approach which will most clearly ensure that the freedom of Australia to act in relation to its cultural policy is not constrained by entering into an agreement with Malaysia. As a very minimum the AFC supports the positive list approach taken in the agreement with Thailand, where Australia made no commitments in relation to culture and audiovisual.

The AFC appreciates the continuing consultations by DFAT on the proposed FTA with Malaysia. Should any further clarification or comment be required, please contact me on 9321 6406 or via email at [k.ireland@afc.gov.au](mailto:k.ireland@afc.gov.au).

Yours sincerely,

Kim Ireland  
Director Policy, Research and Information

Encl 10 pages