

**NAME OF ORGANISATION: Comasters Law Firm and Notary Public (Principal Lawyer: Jeffrey Lee)**

**FEEDBACK TO DFAT ON THE  
MALAYSIA – AUSTRALIA FREE TRADE AGREEMENT (MAFTA)**

(Please provide specific example / proposal and other comments if necessary)

NO.	ISSUE	FEEDBACK / SUGGESTION
1.	<b>LIBERALISATION</b>  <b>Trade in Goods</b> <i>e.g. : Tariffs lines &amp; duties. : Import permits and quotas</i>	<b>Malaysia engages in affirmative action in favour of the Malays (or the bumiputras). If this is to continue, then Australia should use it as a bargaining chip for a better trading position favouring Australia (in other areas).</b>
	<b>Investment Regime</b> <i>e.g. : Non tariff barriers (NTBs)(anti-dumping, quarantine measures, stringent standards) : Product competitiveness</i>	<b>The Australian Foreign Investment Review Board (“FIRB”) regulations should mirror, or be mirrored by, the Malaysian Foreign Investment rules so that there is mutual understanding and reciprocation. Australia already favours the US (as in a US person being able to invest more than \$50 million dollars in developed commercial property without FIRB approval).</b>
	<b>Trade in Services</b> <i>e.g. financial, education, engineering, legal, tourism etc</i>	<b>We would like to see an ability for Australian lawyers, who have practiced for more than five years in private practice, to practice in Malaysia. The Law Society can provide a certificate that the Australian lawyer is properly qualified. The certificate can then be produced to the Bar Association</b>

		<p><b>in Malaysia so that a practicing certificate can be issued. We suppose the Australian lawyer should practice in partnership with, or under, a Malaysian lawyer. Reciprocation can then be given to the Malaysian lawyers.</b></p>
<p><b>2.</b></p>	<p><b>PROMOTION &amp; FACILITATION</b></p> <p><i>e.g. Mutual Recognition Arrangements, simplification of procedures, joint investment promotion activities</i></p>	<p><b>Mutual or similar procedures in immigration of people (especially temporary residence for business people) should be fostered enabling easy interchange of personnel. A hotline should be set up for difficulties that arise with the object of resolving problems within five (5) business days for commercial reasons.</b></p>
<p><b>3.</b></p>	<p><b>COOPERATIONS / COLLABORATIONS WITH AUSTRALIA</b></p>	<p><b>Malaysians and Australians speak and write English well. Many collaborations can take place allowing easy exchange of information and ideas.</b></p>

4	<b>ECONOMIC COOPERATION PROGRAMMES</b> <i>e.g. technical cooperation (training, capacity building, technology transfer)</i>	<b>Transfer of capital and transfer of technology should be fostered and be made easier. The population of both countries are similar, about 20-25 million.</b>
5	<b>OTHER PROVISIONS</b> <i>e.g. sensitive items, rules of origin, adequate trade remedy procedures</i>	<b>The governments of both countries should utilise the community group of Australian Malaysian Singaporean Association in Sydney, Australia, which has its beginnings in the 1970s to foster better relations between Australia and Malaysia. There are about 150,000 Malaysia Born individuals living in Australia, either as Australian permanent residents or Australian citizens. Recognition of dual citizenships between Malaysia and Australia should be implemented for closer ties.</b>

**Deadline : 19th May 2005**

Submitted by: Jeffrey Lee (name)

Principal Lawyer (designation)

Comasters Law Firm and Notary Public (organization)

Phone +61 2 9288 0300; Fax +61 2 9288 0399; [comasters@comasters.com.au](mailto:comasters@comasters.com.au) (contact – telephone & e-mail)