



**TREATY SERIES 2003
N° 1**

**Exchange of Letters dated 16 July and 30 July 2002
between the Government of Ireland and
the Government of Australia
constituting an Agreement to amend the Agreement on
Medical Treatment for Temporary Visitors between
Australia and Ireland**

Entered into force on 1 January 2003

Presented to Dáil Éireann by the Minister for Foreign Affairs

N° 1

*From The Hon Senator Kay Patterson, Minister for Health and Ageing of
the Commonwealth of Australia to H.E. Mr. Declan M. Kelly,
Ambassador of Ireland to Australia*

16 July 2002

Sir,

I have the honour to refer to the Agreement on Medical Treatment for Temporary Visitors between Australia and Ireland (hereinafter referred to as “the Agreement”) which was signed at Dublin on 12 September 1997* and to recent discussions between the Department of Health and Children of Ireland and the Department of Health and Aged Care of Australia concerning the need to amend the Agreement so as to allow Irish visitors in Australia access to subsidised medicines under the Pharmaceutical Benefits Scheme (PBS).

In accordance with the aforementioned discussions I have the honour to propose the following amendments to the Agreement:

Article 1 (1)(a)(i) be deleted and replaced with the following:

“(i) in relation to Australia, pharmaceutical benefits provided to a general patient as defined under the National Health Act 1953, and any public hospital services provided under the provisions of the Health Insurance Act 1973; any agreements or determinations made under the Health Insurance Act 1973 in relation to the provision in the States and Territories of Australia or hospital services; and”

I have the honour to propose that if the foregoing is acceptable to the Government of Ireland this letter, together with your reply, shall constitute an Agreement between our two Governments which shall enter into force on a date to be advised by the Government of Australia via the diplomatic channel.

Please accept, Sir, the assurances of my highest consideration.

Senator Kay Patterson

For the Government of Australia

* Irish Treaty Series N° 5 of 2000

Nº 2

From H.E. Mr. Declan M. Kelly, Ambassador of Ireland to Australia, to the Hon. Senator Kay Patterson, Minister for Health and Ageing of the Commonwealth of Australia

30 July 2002

Madam

I have the honour to acknowledge the receipt of your letter of 16 July 2002, which reads as follows:

“I have the honour to refer to the Agreement on Medical Treatment for Temporary Visitors between Australia and Ireland (hereinafter referred to as "the Agreement") which was signed at Dublin on 12 September 1997 and to recent discussions between the Department of Health and Children of Ireland and the Department of Health and Aged Care of Australia concerning the need to amend the Agreement so as to allow Irish visitors in Australia access to subsidised medicines under the Pharmaceutical Benefits Scheme (PBS).

In accordance with the aforementioned discussions I have the honour to propose the following amendments to the Agreement:

Article 1 (1)(a)(i) be deleted and replaced with the following:

“(i) in relation to Australia, pharmaceutical benefits provided to a general patient as defined under the National Health Act 1953, and any public hospital services provided under the provisions of the Health Insurance Act 1973; any agreements or determinations made under the Health Insurance Act 1973 in relation to the provision in the States and Territories of Australia or hospital services; and”

I have the honour to propose that if the foregoing is acceptable to the Government of Ireland this letter, together with your reply, shall constitute an Agreement between our two Governments which shall enter into force on a date to be advised by the Government of Australia via the diplomatic channel.

Please accept, Sir, the assurances of my highest consideration.”

I have the honour to confirm that the foregoing proposal is acceptable to the Government of Ireland, which therefore agrees that your letter, together with this reply, shall constitute an Agreement between our two Governments which shall enter into force on a date to be advised by the Government of Australia via the diplomatic channel.

Please accept, Madam, the assurances of my highest consideration.

Declan M. Kelly

Ambassador of Ireland