



**Australian Government**  
**Department of Foreign Affairs and Trade**

FOI Ref: 1305-F568

File No: 13/8965

Date: 4 April 2014

Red Williams

<mailto:foi+request-118-1d471f8a@righttoknow.org.au>

Dear Mr Williams

**Re: Freedom of Information Request**

I refer to your request of 23 May 2013 seeking access under the *Freedom of Information Act 1982* to:

*Copies of the following documents:*

*12/10932 Trade - Agreements - Free Trade Agreements (FTA) - Trans-Pacific Partnership (TPP) reporting and other issues (Not Membership)*

*12/10899 Trade - Agreements - Free Trade Agreements (FTA) - Australia-US Free Trade Agreement (USFTA) post-implementation*

*12/11019 Trade - Agreements - Trans Pacific Partnership (TPP)*

On 24 May 2013, the Department advised you of the decision to invoke section 24 of the FOI Act, as processing your request would require an unreasonable diversion of the department's resources. You sought an Information Commissioner review of the Department's decision.

I am authorised under section 23 of the FOI Act to make access decisions. In accordance with section 55G of the FOI Act, I have decided to uphold the Department's decision but to provide you with further reasons concerning the decision to issue a practical refusal.

**Material considered**

The material on which my decision is based includes:

- the request and the documents within the scope of the request;
- the FOI Act; and
- the Guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act.

**Decision**

I note that the scope of your request – seeking the entire contents of three files held by the Department – would require each document contained within those files to be examined individually for potential release. The original practical refusal was predicated on your request capturing 450 pages of documents. On further examination of the files, I have concluded that this figure was not accurate, but was in fact substantially underestimated.

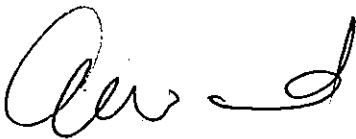
File 12/11019 contains 16 documents, comprising approximately 250 pages. I am of the view that if your request were narrowed to the contents of this file alone, it could be processed by the Department.

You were originally advised that file 12/10932 contains 154 documents. As this file remains active, it now contains over 200 documents, with a number of additional attachments. I uphold the Department's original assessment in providing a practical refusal in relation to the contents of this file. I have decided to release to you the contents list of this file (attached) to demonstrate the reasons for the practical refusal.

As you were advised, file 12/10899 is a hard copy file which contains approximately 100 pages of documents, 80% of which would be exempt. I have not reviewed the contents of this file as I do not consider that this would have any significant bearing on the practical refusal decision.

Should you have any queries regarding this matter, please contact Ms Indra McCormick, Director, Freedom of Information and Privacy Law Section on (02) 6261 3056 or by email to [foi@dfat.gov.au](mailto:foi@dfat.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Elizabeth Ward', written in a cursive style.

Elizabeth Ward  
Assistant Secretary  
Goods and Investment Branch

12/10932 TRADE - AGREEMENTS - Free Trade Agreements (FTA) - Trans-Pacific Partnership (TPP) reporting and other Issues (Not Membership)

Contents

|               |  |
|---------------|--|
| ✉ D14/416366  | FW: TPP - Questions on Notice - TPA and cleared advisors   |
| ✉ D14/416364  | TPP QoN 143 - TPP - EF input - 26 March 2014   |
| ✉ D14/416291  | FW: HP TRIM Electronic Object: D14/399476: CIE draft report on trade policy - ITS consolidated comments                        |
| ✉ D14/416208  | RE: TPP - Questions on Notice - TPA and cleared advisors   |
| ✉ D14/343481  | TPP - Competition Policy Chapter - Section B   |
| ✉ D14/337312  | FW: interview for Japan Spotlight  |
| ✉ D14/291509  | Economic Diplomacy Strategy - ITS Input  |
| ✉ D14/124560  | IUST: TPP Chiefs Planning To Meet In Singapore Next Month Ahead Of Ministerial - query from Ranaid AFTINET                     |
| ✉ D14/124535  | RE: IUST: TPP Chiefs Planning To Meet In Singapore Next Month Ahead Of Ministerial - response to query from Ranaid AFTINET     |
| ✉ D14/121878  | RE: My visit to Canberra   |
| ✉ D14/121401  | RE: My visit to Canberra   |
| ✉ D14/121387  | RE: My visit to Canberra   |
| ✉ D14/121383  | FW: Emailing: Trans-Pacific Partnership - Wish-Wilson motion.pdf   |
| ✉ D14/121359  | RE: My visit to Canberra   |
| ✉ D14/121358  | RE: My visit to Canberra   |
| ✉ D14/121356  | RE: My visit to Canberra   |
| ✉ D14/121354  | RE: My visit to Canberra   |
| ✉ D14/121350  | RE: My visit to Canberra   |
| ✉ D14/104525  | FW: TPP modelling exercise   |
| ✉ D14/104523  | FW: TPP modelling exercise   |
| ✉ D14/104522  | RE: My visit to Canberra   |
| ✉ D14/104521  | RE: My visit to Canberra   |
| ✉ D14/97885   | RE: TPP modelling exercise   |
| <hr/>         |  |
| ✉ D13/1228134 | RE: Freedom of Information request   |
| ✉ D13/1228021 | FW: Roundtable: Impact of the National Commission of Audit (NCA) and Trans Pacific Partnership Agreement (TPPA) on Austr       |
| ✉ D13/1226653 | Fw: Democrats to Obama: Don't Rush into a TPP Deal in Singapore - concerns from Democrat congress people - currency man        |
| ✉ D13/1226649 | Democrats to Obama: Don't Rush into a TPP Deal in Singapore - concerns from Democrat congress people                           |
| ✉ D13/1218407 | NSW TPP Question on Notice - NSW role in negotiations and analysis on impact of the TPP  |
| ✉ D13/1134534 | FW: Media Release // Greens will act to end TPPA trade deal secrecy  |
| ✉ D13/1134532 | FW: Fw: Trade Policy Forum - DFAT involvement  |
| ✉ D13/1127719 | Trade Policy Forum - DFAT involvement  |
| ✉ D13/1107176 | RE: Asialink essay   |
| ✉ D13/1097131 | RE: Input to PMO Letter - further ITS input  |
| ✉ D13/1088332 | Input to PMO Letter - further ITS input  |
| ✉ D13/1090520 | FW: Mr Robb CSI Panel Session notes  |
| ✉ D13/1089744 | Minister's reflective essay for Asialink's publication - input on the TPP  |
| ✉ D13/1089962 | FW: Asialink essay   |
| ✉ D13/1088624 | FW: Input to PMO Letter - further ITS input  |
| ✉ D13/1086552 | FW: Mr Robb: proposed visit to Indonesia and Singapore - PMO Letter Request  |
| ✉ D13/1085830 | FW: Media Release // Greens will act to end TPPA trade deal secrecy  |
| ✉ D13/1085827 | FW: FW: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - NSW response:     |
| ✉ D13/1085826 | FW: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - Brightling response   |
| ✉ D13/1085825 | RE: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - Nam comments re 7     |
| ✉ D13/1085824 | RE: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - Rennert comments      |
| ✉ D13/1085823 | FW: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - release of text to NS |
| ✉ D13/1085822 | Re: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - NSW response to Fo    |

☒ D13/1085821 RE: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - Ford response  
☒ D13/1085820 RE: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - Brightling commen  
☒ D13/1085819 FW: Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning - De Cure comment  
☒ D13/1085818 Urgent info request re TPP chapters relevant to government procurement to finalise NSW positioning.  
☒ D13/1010149 Modelling contacts for tariff reductions to PM&C  
☒ D13/1009745 Upcoming TPP events - Swinburne Melbourne 15 October - AFTINET Sydney 22 October  
☒ D13/914369 RE: TPP briefing request with the EU - EU attendees  
☒ D13/912312 TPP briefing request from EU delegation  
☒ D13/911547 RE: TPP briefing request with the EU - EU looking to host  
☒ D13/911543 RE: TPP briefing request with the EU - 17 September  
☒ D13/911540 RE: TPP briefing request with the EU - 17 September - brief bios  
☒ D13/906933 TPP update brief to the EU Delegation and Member States  
☒ D13/905269 RE: Invitation to GELN/ALC Seminar 1 pm on 8 October - An Examination of the Trans-Pacific Partnership in the United States'  
☒ D13/904933 RE: Invitation to GELN/ALC Seminar 1 pm on 8 October - An Examination of the Trans-Pacific Partnership in the United States'  
☒ D13/904482 RE: Invitation to GELN/ALC Seminar 1 pm on 8 October - An Examination of the Trans-Pacific Partnership in the United States'  
☒ D13/903819 FW: Invitation to GELN/ALC Seminar 1 pm on 8 October - An Examination of the Trans-Pacific Partnership in the United States'  
☒ D13/903363 RE: TPP briefing request with the EU - 10 am Tuesday 17 September  
☒ D13/900074 Japan Upper House delegation meeting with Dep Sec Adams, 20 September - on food security and agriculture  
☒ D13/899395 TPP update to EU delegation and German Embassy  
☒ D13/893573 TPP IDC attendees 9 September 2013  
☒ D13/879574 FW: Meeting Request from Japanese Minister during TPP Brunei Round  
☒ D13/878429 APEC: INFORMATION-SHARING ON RTAS/FTAS - query if ok with Australia co-sponsoring  
☒ D13/878428 130902 China Concept Note on Information Sharing on RTAs-FTAs  
☒ D13/878427 FW: APEC: INFORMATION-SHARING ON RTAS/FTAS - proposal by China - ok to co-sponsor  
☒ D13/800282 TPP - meeting with EU delegation 7 August 2013  
☒ D13/800280 RE: TPP briefing request with the EU - Wednesday 7 August - issues we would like to discuss - EU agreement and likely attendees  
☒ D13/799929 RE: TPP briefing request with the EU - Wednesday 7 August - issues we would like to discuss - EU attendees  
☒ D13/780705 RE: Health Request for updated text  
☒ D13/762958 FW: DFAT meeting with Dr Grabowski - TPP interests  
☒ D13/751898 RE: TPP briefing request with the EU - Wednesday 7 August - issues we would like to discuss - confirmed EU attendees  
☒ D13/730543 RE: TPP briefing request with the EU - Wednesday 7 August - issues we would like to discuss  
☒ D13/730302 TPP briefing request from EU delegation  
☒ D13/728981 RE: TPP briefing request with the EU - Wednesday 7 August - issues we would like to discuss  
☒ D13/728904 Meeting with the EU - SOE interests to raise  
☒ D13/622227 RE: Follow up to meeting, Melb 30 May - information to Mary Ann Jackson from Bassi  
☒ D13/588897 RE: TPP - Contact with the Competition and Trade Measures negotiating teams - response to Bill Cole PWC Australia  
☒ D13/588856 TPP - Contact with the Competition and Trade Measures negotiating teams - request from PWC  
☒ D13/571401 2013 TPP stakeholder list\_including email addresses  
☒ D13/571360 2013 TPP stakeholder list\_including email addresses.XLSX  
☒ D13/564838 DFAT annual report 12-13 - TPP Negotiating Team Profile  
☒ D13/545144 FW: TPP input for the 2012-2013 Annual Report  
☒ D13/528292 FW: USITC submission on Japan's entry to TPP  
☒ D13/528265 FW: USITC submission on Japan's entry to TPP  
☒ D13/518668 TPP input for the 2012-2013 Annual Report  
☒ D13/516424 Thai Delegation - summary of discussion of June 6 2013  
☒ D13/513361 TPP input for the 2012-2013 Annual Report

D13/509760 RE: Asian Century Study Reference Group > Aged and Health Care materials [DLM=For-Official-Use-Only]  
 D13/501133 Lori Wallach Public Citizen op ed in NYT  
 D13/498741 Follow up to AiG meeting Melb 30 May - Mary Ann Jackson - Visionary Design Development Pty Ltd  
 D13/498733 FW: Follow up to meeting, Melb 30 May - Mary Ann Jackson - Visionary Design Development Pty Ltd  
 D13/402726 US Congressional Research Report - The Trans-Pacific Partnership Negotiations and Issues for Congress - 15 April 2013  
 D13/402725 FW: US Congressional Research Service on TPP  
 D13/402450 RE: Roundtable with visiting official from China's Development Research Centre: Agenda and change to meeting time  
 D13/401842 FW: Telephone call : trade policy contact in Australia with EU (briefing in response in 13/879)  
 D13/395667 Tea and coffee request for WA DSD meeting  
 D13/391039 RE: Seminar on Vietnam's approach to TPP on 9th May - Rennert will attend  
 D13/388133 RE: PPQ updates - TPP and ISDS in existing agreements - TMO confirmation that want to retain the PPQs  
 D13/387183 PPQ updates - TPP and ISDS in existing agreements  
 D13/386330 RE: WA DSD meeting with DFAT - confirmation of WA attendees  
 12/10932#2 TPP communications with states and territories  
 D13/499... Letter to state governments on sub-central issues  
 D13/417... Cover letter - TPP letter to state and territories  
 D13/415... RE: State and Territory Government contacts  
 D13/411... State and Territory Government contacts  
 D13/395... FW: S&T Consultations - Rennert input on Labour  
 D13/384... RE: TPP - letter to states and territories  
 D13/384... RE: TPP tasks  
 D13/384... RE: TPP tasks  
 D13/384... RE: TPP - letter to states and territories  
 D13/384... GP Input to the attachment to OTN letter to States/Territories  
 D13/384... RE: GP Input to the attachment to OTN letter to States/Territories  
 D13/384... RE: states and territories  
 D13/384... RE: states and territories  
 D13/384... TPP - sub-central issues - State and Territories letter - attachment  
 D13/381727 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - Desk attendees  
 D13/381725 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - FTD attendees  
 D13/381620 RE: WA DSD meeting with DFAT - DFAT attendees  
 D13/381528 FW: WA DSD meeting with DFAT - request for information on DFAT attendees  
 D13/381061 RE: Seminar on Vietnam's approach to TPP on 9th May  
 D13/379432 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - attendees confirmation request  
 D13/379113 Seminar on Vietnam's approach to TPP on 9th May  
 D13/379094 RE: Seminar on Vietnam's approach to TPP on 9th May  
 D13/372470 RE: US Chamber Commerce visit - TPP luncheon - Desk will pass OTN position to Post Washington  
 D13/372441 FW: US Chamber Commerce visit - TPP luncheon  
 D13/369738 FW: Trans Pacific Partnership - UK FCO interest in discussing TPP  
 D13/369733 RE: Request for a meeting - CHOICE  
 D13/369729 RE: OTN BAR Bids - Final Questions  
 D13/369714 RE: Meeting on TPP with Virgoe UK FCO - Wednesday 24 April at 10 am  
 D13/365231 RE: Trade and Assistance Review 2011-12 - request for checking on international trade developments - ITS input re TPP  
 D13/364760 PC Trade policy developments - ITS comments  
 D13/364759 FW: Trade and Assistance Review 2011-12 - request for checking on international trade developments  
 D13/362949 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and invest

D13/360077 RE: WA DSD meeting with DFAT - draft agenda to WA  
 D13/359784 Re: AFTINET TPP rally at US Consulate Sydney on 11 May  
 D13/359782 Re: AFTINET TPP rally at US Consulate Sydney on 11 May - US Embassy thanks  
 D13/358891 RE: Seminar on Vietnam's approach to TPP on 9th May - request for agenda and participants  
 D13/358852 AFTINET TPP rally at US Consulate Sydney on 11 May - e-mail to Thorin US Embassy  
 D13/358831 Rally Flyer - AFTINET TPP before US Consulate Sydney 11 May 2013  
 D13/357268 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment - re  
 D13/356860 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment - RC  
 D13/356852 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment - Ye  
 D13/356844 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment - re  
 D13/356832 RE: Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment - Di  
 D13/356831 RE: WA DSD meeting with DFAT - request for update  
 D13/356815 FW: WA DSD meeting with DFAT - morning meeting times  
 D13/356806 WA DSD meeting with DFAT - approval for travel  
 D13/354515 RE: Meeting on TPP with Virgoe UK FCO - Wednesday 24 April at 10 am  
 D13/354251 RE: Meeting on TPP with Virgoe UK FCO - Wednesday 24 April at 10 am  
 D13/353117 RSVP for public symposium on trade policy, health equity and TPP - 9th May 2013  
 D13/350933 RE: OTN BAR Bids - Final Questions - Ward comments in response to questions  
 D13/350929 FW: OTN BAR Bids - Final Questions  
 D13/337922 RE: Seminar on Vietnam's approach to TPP on 9th May  
 D13/337832 TPP medical devices - De Cure response to Australian Dental Industry Association  
 D13/337382 Seminar on Vietnam's approach to TPP on 9th May  
 D13/336853 RE: Seminar on Vietnam's approach to TPP on 9th May














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D13/336222 RE: OTN BAR Bids - Questions - DFAT attendance at rounds  
 D13/336215 RE: Trans-Pacific Partnership media questions - opportunities from TPP - China  
 D13/330942 RE: ADIA letter - re dental devices  
 D13/329825 FW: SCOT Meeting 15 May  
 D13/328117 DFAT Dep Sec announced - Jan Adams - interest of Treasury Dep Sec to organise meeting  
 D13/324591 RE: TPP: Request for presentation points/speaking notes - Mugliston to Export Council of Australia doing business in South East  
 D13/324441 RE: TPP: Request for presentation points/speaking notes - Mugliston to Export Council of Australia doing business in South East  
 D13/324439 RE: Questions from Japanese reporter on post-sponsored visit - proposed approach  
 D13/324417 TPP: Request for presentation points/speaking notes - Mugliston to Export Council of Australia doing business in South East Asi  
 D13/324407 Powerpoint presentation - Mugliston to business representatives (run by Export Council of Australia) on doing business in South  
 D13/323959 FW: SCOT Meeting 15 May  
 D13/320958 RE: Thanks for interview- renewable energy and climate change in the TPPA - ISDS and anticorruption - thanks and articles from  
 D13/317977 RE: WA DSD meeting with DFAT  
 D13/317945 Korea - WA officials (Perth and Seoul based) visit to Canberra - Friday 3 May - TPP AKFTA WA-ROK trade and investment  
 D13/312874 RE: Meeting with Brazilian Ambassador  
 D13/312204 RE: TPP Advocacy: TPP Ambassadors' tour to Ohio and Kentucky - Washington Post will report any policy things of interest  
 D13/304229 FW: Invitation to public symposium on trade policy, the TPP, and health equity - 9th May 2013  
 D13/297585 RE: Request for Research interview- renewable energy and climate change in the TPPA - ISDS and anticorruption - confirmation  
 D13/297524 RE: Request for Research interview- renewable energy and climate change in the TPPA - ISDS and anticorruption - 3:30 Monday  
 D13/297489 BAR bid - TPP 2013/14 - OTN/GIB  
 D13/295885 ANU Honours Request for Research interview- renewable energy and climate change in the TPPA - ISDS and anticorruption - res  
 D13/295874 ANU honours request for interview re renewable energy and climate change issues in the TPPA and anticorruption - request to l  
 D13/295866 ANU honours Request for Research interview - renewable energy and climate change in the TPPA - ISDS

☒ D13/295082 CWT ITINERARY FOR FLAHIIVE - DEP - 17APR  
☒ D13/292000 WA Dept of State Development visit to Canberra May 2013  
☒ D13/291996 Korea - WA officials (Perth and Seoul based) visit to Canberra - Monday 13 May - TPP AKFTA WA-ROK trade and investment  
☒ D13/289836 Singapore ABAC for TPP meeting - report from Anna Buduls April 2013  
☒ D13/288783 FW: trade, nutrition and health - Australian Research Council grant proposal and public symposium  
☒ D13/259415 Draft BAR Bid - for clearance by OOB Thursday  
☒ D13/258445 Trade Policy Course - TPP presentation - April 2013  
☒ D13/256708 Trade Policy Course - TPP presentation - April 2013  
☒ D13/253762 FW: AFR Op Ed yesterday - Dr Emerson trade policy, FTAs, and the Services Plurilateral  
☒ D13/249349 US Senate Staff delegation visit - Monday 2 pm JD Anthony - encourage your attendance  
☒ D13/247774 AMCHAM draft cable 21 March 2013 - OTN comments re the TPP  
☒ D13/247773 Draft cable from AMCHAM meeting 20 March  
☒ 12/10932#1 US Senate Finance Committee staff delegation visit  
☒ D13/303... RE: Senate Finance staffdel - time change?  
☒ D13/303... RE: Senate Finance staffdel - time change?  
☒ D13/303... Thanks!  
☒ D13/303... RE: Senate Finance staffdel - time change?  
☒ D13/303... RE: Senate Finance Staffdel - meeting with Dr Emerson  
☒ D13/303... TPP - briefing for Dr Emerson's meeting with US Senate staff delegation  
☒ D13/303... US Senate Staff delegation visit - Monday 2 pm JD Anthony - encourage your attendance  
☒ D13/302... RE: Senate staff delegation  
☒ D13/302... RE: Senate Finance staffdel - time change?  
☒ D13/302... Senate staffdel  


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☒ D13/302... FW: Staffdel schedule  
☒ D13/302... FW: INVITATION - Senate Finance Committee Staff Delegation Reception - 25 March  
☒ D13/302... FW: Staff Delegation - Watts  
☒ D13/302... FW: Request for briefing: Dr Emerson meeting US Senate Finance delegation  
☒ D13/302... RE: Senate Finance staffdel - time change?  
☒ D13/302... RE: Senate Finance staffdel - time change?  
☒ D13/302... RE: Senate Finance staffdel - time change?  
☒ D13/302... Senate Finance staffdel - time change?  
☒ D13/288... Fw: Senate Finance staffdel  
☒ D13/288... RE: Discussion with Peter Thorin about US Senate Finance Committee visit  
☒ D13/288... RE: Tea and coffee request  
☒ D13/271... Senate Finance Committee Staff Delegation members  
☒ D13/247... Senate Finance Committee staff delegation bios  
☒ D13/247... RE: Senate Finance staffdel - time change?  
☒ D13/246... US Senate Staff delegation visit  
☒ D13/237... US Senate Finance Committee Staff delegation visit details  
☒ D13/237... Confirmation of your room booking  
☒ D13/161... Discussion with Peter Thorin about US Senate Finance Committee visit  
☒ D13/159... US Senate Staffers visit - Ag stakeholders  
☒ D13/246266 TPP ministerial meetings  
☒ D13/166427 Information for Qld Government - TPP Stakeholder consultation presentation November 2012  
☒ D13/156247 FW: TPP chapters of interest.  
☒ D13/156223 TPP chapters of interest

 D13/145179 RE: PM Statement commemorating 50th anniversary of diplomatic relations with Peru - ITS TPP comments  
 D13/144766 130216 Drafts 50 Years of Diplomatic Relations between Australia and Peru (3) - ITS TPP comments  
 D13/144765 FW: PM Statement commemorating 50th anniversary of diplomatic relations with Peru  
 D13/144623 TPP - DoHA - List of chapters of interest - lead contacts - to DFAT leads for info [DLM=For-Official-Use-Only]  
 D13/143390 RE: List of chapters of interest and TPP Chapter leads to DoHA [DLM=For-Official-Use-Only]  
 D13/85698 RE: TPP cost for FY2012-13 - as at 31 January 2013  
 D13/78775 RE: Peterson seminar - books arrived - thanks  
 D13/22058 RE: TPP - new books from the Peterson Institute for International Economics - Post will send copies and cable report from launch  
 D13/20885 TPP - new books from the Peterson Institute for International Economics - Understanding the TPP and The Trans-Pacific Partners  
 D13/20794 Minute - TPP book purchases - approved - 9 January 2013  
 D13/18808 Minute - TPP book purchases - January 2013  
 D13/8812 FW: Mexico: Draft Introduction by Dr Emerson to Australia Day supplement - TPP suggested changes  
 D13/8336 Mexico - Reforma Australia Day Supplement - Emerson Introduction - TPP suggested changes - January 2013