

**Statement to the House of Representatives re. Customs
Amendment (Military End-Use) Bill 2011 and Defence Trade
Controls Bill 2011**

**Mr Michael Danby MP
Chair, JSCFADT
Monday, 21 November 2011**

On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I seek leave to make a statement on the Defence Trade Controls Bill 2011 and the Customs Amendment (Military End-Use) Bill 2011, in discharge of the Committee's requirement to provide an advisory report on the Bills and to present a copy of my statement.

[If leave is granted...]

Mr Speaker, the Committee has considered the content of this statement and unanimously endorses it.

On Thursday, 3 November the House of Representatives Selection Committee referred the Defence Trade Controls Bill 2011 and the Customs Amendment (Military End-Use) Bill 2011 to the Joint Standing Committee for inquiry and report.

The Defence Trade Controls Bill is intended to give effect to a Treaty between Australia and the United States Concerning Defense Trade Cooperation, which was examined and endorsed by the Parliament's Treaties Committee in September 2008. The US Senate recommended ratification of the Treaty last year and the Congress passed the Treaty's implementing legislation on 28 September.

In essence, the Treaty and its enabling legislation create a framework for two-way trade in eligible defence articles between trusted

communities of the two countries, without the need for licenses to be obtained for each export. For Australian companies that are part of the approved community, this will save time and money. For the Australian Defence Force, the legislation will also improve interoperability with US armed forces and defence industries.

The Treaty and the Bill will strengthen our alliance with the United States in defence capability and technology, which is clearly in our national interest.

The purpose of the Customs Amendment Bill, which complements the new powers in the Defence Trade Control Bill, is to strengthen Australia's defence export controls by providing measures to prohibit the export of goods where they may have a military end-use contrary to Australia's interests.

In view of the recent visit of the US President and the 60th Anniversary of the ANZUS Alliance, the Government has requested that these Bills be dealt with expeditiously by the Committee and that, if possible, an advisory report be presented to the House of Representatives this week.

The principle Bill, the Defence Trade Controls Bill 2011, has now been referred to the Senate Foreign Affairs, Defence and Trade Legislation Committee which has commenced its inquiry. Any concerns that stakeholders have in relation to the Bill may be considered by the Senate Committee.

Out of a desire to avoid needlessly duplicating the examination being conducted by the Senate Committee, to more efficiently progress the passage of the Bills through the Parliament and at the special request of the Government, the Committee has agreed not to further inquire into the Bills and recommends that the House of Representatives pass both Bills without amendment.

I wish to express my gratitude to the Opposition members of the Committee and, in particular, to the Deputy Chair of the Committee, Mrs Joanna Gash, for accommodating the Government's request on this occasion.
