

# **Dissenting Report**

## **Australian Greens and Liberal Senators**

1.1 The Defence Trade Control Bill 2011 is a complex and flawed piece of legislation that should not be rushed through the Parliament.

1.2 The Committee is tabling this report a full 20 days earlier than requested by the Senate. The government has not allowed the Committee time to review the government's amendments, which at the time of submission of this report, had not been sighted by any members of this committee. The Committee has not been given time to consult further with stakeholders and to examine legal advice received from a Washington DC-based law firm that submits Australian academic institutions will be subject to a more stringent control regime with a much broader scope than is the case in the US.

1.3 As this report notes, numerous recommendations made in its Preliminary Report are yet to be implemented. The Committee also notes that consultation efforts undertaken by Defence on this Bill were 'seriously deficient', resulting in unintended consequences for the university sector. Much of the consultation process ensued without participants having access to the proposed amendments to the Bill.

1.4 The Committee's Preliminary Report indicated that, "When the proposed legislation is no longer a work-in-progress, the committee's intention is then to reconsider the provisions of the bill, including any amendments proposed by the government, and present a final report to the Senate."

1.5 Without doubt, the Bill remains a work in progress.

### **Recommendation 1**

**1.6 The Committee undertake a further inquiry into the government's amendments to the bill, to ensure that serious concerns raised throughout the inquiry have been addressed, and that until this has occurred, the bill should not be debated.**

**Alan Eggleston (Deputy Chair)  
Liberal Senator for WA**

**Scott Ludlam  
Greens Senator for WA**

**David Fawcett  
Liberal Senator for SA**

**The Hon David Johnston  
Liberal Senator for WA**

