

Senate Standing Committee on Foreign Affairs, Defence and Trade

QUESTIONS ON NOTICE - COMMITTEES

Parliamentary Committee

Q24 Exclusions - Defence Trade Controls Bill 2011

Senator Fawcett provided in writing:

“WRT the issue of exclusions under the Defence Trade Controls Bill. Due to the technical language and complexity of many defence articles, further clarification on how exclusions will be interpreted is warranted. Could you consider asking Defence to provide an analysis of the attached list of exclusions and their assessment of the implications for Australia?”

Response:

The exempted technologies list identifies categories of defence articles such as missile technology, nuclear propulsion and submersible vessels, gas turbine hot engine sections, satellites and software source code. The list represents those technologies considered sensitive by the United States (US) and over which they desire to, at least initially, maintain higher levels of access control, rather than allowing them to be traded under the Treaty framework. Due to the complex nature of the articles identified on the list, a detailed analysis would take significant time and require highly skilled personnel to complete.

It is anticipated that the scope of the exempted technologies list will be regularly reviewed and that it should be reduced over time as confidence in the Treaty framework grows. Australia has not made any additions to the exempted technologies list.

The scope of the exempted technologies list has no effect on Australia's ability to continue to access US defence technology that is already available through existing non-Treaty arrangements.