THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION COMMITTEE

Defence Legislation Amendment (Aid to Civilian Authorities) Bill 2000

© Commonwealth of Australia
ISSN 1326-9348
This document is produced from camera-ready copy prepared by the Senate Foreign Affairs, Defence and Trade Legislation Committee Secretariat, and printed by the Senate Printing Unit, Parliament House, Canberra.

MEMBERSHIP OF THE COMMITTEE

Members:

Senator Sandy Macdonald, NPA, NSW (Chair) Senator John Hogg, ALP, QLD (Deputy Chair) Senator Vicki Bourne, AD, QLD Senator Alan Ferguson, LP, SA Senator Marise Payne, LP, NSW Senator the Hon Chris Schacht, ALP, SA

Participating Members:

Senator the Hon Eric Abetz, LP, TAS Senator the Hon Nick Bolkus, ALP, SA Senator the Hon Ron Boswell, NPA, QLD Senator Bob Brown, AG, TAS Senator Grant Chapman, LP, SA Senator the Hon Peter Cook, ALP, WA Senator Helen Coonan, LP, NSW Senator Winston Crane, LP, WA Senator Alan Eggleston, LP, WA Senator the Hon John Faulkner, ALP, NSW Senator Jeannie Ferris, LP, SA Senator Brenda Gibbs, ALP, QLD Senator the Hon Brian Gibson, LP, TAS Senator Brian Harradine, IND, TAS Senator Steve Hutchins, ALP, NSW Senator Susan Knowles, LP, WA Senator Brett Mason, LP, QLD Senator Julian McGauran, NPA, VIC Senator Shayne Murphy, ALP, TAS Senator Tsebin Tchen, LP, VIC Senator John Tierney, LP, NSW Senator John Watson, LP, TAS

Secretariat:

Mr Paul Barsdell, Secretary Dr Kathleen Dermody, Principal Research Officer Ms Pamela Corrigan, Research Officer Ms Laurie Cassidy, Executive Assistant

> Parliament House Canberra ACT 2600

Phone: (02) 6277 3535; Fax: (02) 6277 5818

fadt.sen@aph.gov.au

TABLE OF CONTENTS

Membership of the Committee	iii
Table of contents	ν
	1
Report of Committee	1
The inquiry	1
Overview—purpose of the Bill	1
Consultation with States and Territories	4
Section 51A—Commonwealth interests	6
Sections 51B and 51C—protect State or Territory against domestic violence	15
General security area	22
Publication of order and report	24
Sunset clause or review of the legislation	25
Miscellaneous	26
Addendum by Senator Vicki Bourne	29
Dissenting Report by Senator Bob Brown	31
Appendix 1: Submissions	35
Appendix 2: Witnesses	37
Appendix 3: Calling out the Defence Force	39
Appendix 4: Letter from the Attorney-General's Department	41
Appendix 5: Sections of the Commonwealth Constitution referred to in the Report but not given in the body of the Report	45
Appendix 6: Proposed amendment to proposed section 51X	47