

HOUSE OF REPRESENTATIVES

SELECTION COMMITTEE

REPORT No. 78

Private Members' business

and

referral of bills to committees

21 March 2013

MEMBERS OF THE COMMITTEE

Chair	Ms A. E. Burke, Speaker
Members	Mr A P Bandt MP
	Mr M M Coulton MP, Chief Nationals Whip
	Hon W G Entsch MP, Chief Opposition Whip
	Hon J L Fitzgibbon MP, Chief Government Whip
	Ms J G Hall MP
	Mr E N Husic MP
	Mr R J M Oakeshott MP
	Hon P M Ruddock MP
	Ms J A Saffin MP
	Mr P D Secker MP

	Hon B C Scott MP, Deputy Speaker

Secretary	Ms J Towner
Committee support	Mr J Rees
	Mr D Pecar
	Mr J Sherd
	Mrs A Fabbo

Report relating to private Members' business and the consideration of bills introduced 18 to 21 March 2013

1. The committee met in private session on 20 and 21 March 2013.
2. The committee determined that the following referrals of bills to committees be made—

Joint Select Committee on Broadcasting Legislation:

- Telecommunications Legislation Amendment (Consumer Protection) Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

There has not been the opportunity to properly scrutinise the changes proposed in the Bill or their potential impacts.

Standing Committee on Climate Change, Environment and the Arts:

- Australia Council Bill 2013
- Australia Council (Consequential and Transitional Provisions) Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

To determine the impact of the provisions contained in the bill on the Australia Council and on Australian arts and cultural organisations.

Parliamentary Joint Committee on Corporations and Financial Services:

- Corporations Amendment (Simple Corporate Bonds and Other Measures) Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

There should be an opportunity to ensure that the provisions of this Bill are in order through a committee process. This will allow for a public hearing by key stakeholders into the legislation and to ensure that some of the more controversial aspects of the Bill are workable in the eyes of industry such as the new definitional terms for 'financial adviser' and 'financial planner'.

- Corporations and Financial Sector Legislation Amendment Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

The bill deals with the regulation of financial markets and products. There should be an opportunity for a committee hearing and enquiry to ensure that market participants have actively been engaged through the legislative process, and that there are no unintended consequences in the drafting of this legislation.

Standing Committee on Economics:

- Tax and Superannuation Laws Amendment (2013 Measures No. 2) Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

Further scrutiny and road-testing is required, particularly in relation to the following schedules:

- Schedule 1 – after the two key changes proposed here, whether the film tax offset provisions remain properly targeted and consistent with policy intent;
- Schedule 5 – whether the enforced consolidation of multiple member accounts with certain super funds will be done efficiently, effectively, and in the best interests of members, without unnecessary costs or unintended consequences;
- Schedule 6 – proposed reductions in superannuation co-contributions for low income earners, including the freezing of the thresholds at which these co-contributions will begin phasing out (and end phasing out), are politically controversial, and where we have come from regarding co-contributions need ventilating;
- Schedule 7 – consolidation of eight separate tax offsets for dependents into one new tax offset from 1 July 2012 is controversial and may have unintended consequences; and
- Schedule 8 – complex matters regarding Taxation of Financial Arrangements (TOFA) regime, and changes apply retrospectively

Key concerns here generally involve:

- Whether legislative changes are hitting the mark in terms of policy intent and efficacy;
- Potential unintended consequences;
- Many complex subject matters exist here;
- Some parts apply retrospectively and may not be entirely beneficial to taxpayers; and
- Some parts are quite controversial (for other reasons).

Standing Committee on Education and Employment:

- Fair Work Amendment Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

The bill makes changes to the Fair Work Act that will have an impact on each employee and employer in Australia. It is important that the Parliament be fully aware of this bill and identify any unintended consequences.

Standing Committee on Social Policy and Legal Affairs:

- Public Interest Disclosure Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

Consideration of the circumstances in which a protected disclosure may be made.

- Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION:

Consideration of the adequacy of coverage of antidiscrimination protection.
Consideration of whether terminology is appropriate.

3. The committee recommends that the following items of private Members' business listed on the notice paper be voted on:

Orders of the Day

Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012 (Mr Bandt)

Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013
(Mr Abbott)

Anna Burke MP

Chair

21 March 2013