

SELECTION OF BILLS COMMITTEE

REPORT NO. 16 of 2012

29 November 2012

MEMBERS OF THE COMMITTEE

Senator Anne McEwen (Government Whip, Chair)

Senator Helen Kroger (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator Carol Brown

Senator David Bushby

Senator the Hon Jacinta Collins

Senator Mitch Fifield

Secretary: Maureen Weeks
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 16 OF 2012

1. The committee met in private session on Wednesday, 28 November 2012 at 6.22 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 be *referred immediately* to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 27 February 2013 (see appendices 1 and 2 for a statement of reasons for referral);
 - (b) the *provisions* of the Australian Education Bill 2012 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 13 March 2013 (see appendix 3 for a statement of reasons for referral);
 - (c) the Biosecurity Bill 2012 and the Inspector-General of Biosecurity Bill 2012 be *referred immediately* to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 27 February 2013 (see appendices 4 and 5 for a statement of reasons for referral);
 - (d) the *provisions* of the Crimes Legislation Amendment (Organised Crime and Other Measures) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 March 2013 (see appendix 6 for a statement of reasons for referral);
 - (e) the *provisions* of the Customs Amendment (Miscellaneous Measures) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 March 2013 (see appendix 7 for a statement of reasons for referral);
 - (f) the Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 25 February 2013 (see appendix 8 for a statement of reasons for referral);

- (g) the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2012 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 12 March 2013 (see appendix 9 for a statement of reasons for referral);
- (h) contingent upon its introduction in the House of Representatives, the *provisions* of the National Disability Insurance Scheme Bill 2012, be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 13 March 2013 (see appendices 10 and 11 for statements of reasons for referral);
- (i) the *provisions* of the Native Title Amendment Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 March 2013 (see appendix 12 for a statement of reasons for referral);
- (j) the Parliamentary Service Amendment Bill 2012 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 5 February 2013 (see appendix 13 for a statement of reasons for referral); and
- (k) the *provisions* of the Private Health Insurance Amendment (Lifetime Health Cover Loading and Other Measures) Bill 2012 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 12 March 2013 (see appendix 14 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012
 - Electoral and Referendum Amendment (Improving Electoral Administration) Bill 2012
 - Federal Circuit Court of Australia (Consequential Amendments) Bill 2012
 - Financial Framework Legislation Amendment Bill (No. 4) 2012
 - International Tax Agreements Amendment Bill 2012
 - Migration Amendment (Special Protection Scheme for Afghan Coalition Employees) Bill 2012.
 - Offshore Petroleum and Greenhouse Gas Storage Amendment (Compliance Measures) Bill 2012
 - Protection of Cultural Objects on Loan Bill 2012
 - Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2012
 - Social Security and Other Legislation Amendment (Income Support Bonus) Bill 2012
 - Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012
 - Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012
 - Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Bill 2012

- Tax Laws Amendment (2012 Measures No. 6) Bill 2012
- Water Amendment (Save the Murray-Darling Basin) Bill 2012.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
 - Environment Protection and Biodiversity Conservation Amendment (Prohibition of Live Imports of Primates for Research) Bill 2012.

(Anne McEwen)

Chair

29 November 2012

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Agricultural and Veterinary Chemicals Legislation Amendment Bill

Reasons for referral/principal issues for consideration:

Significant industry and other stakeholder concerns regarding the efficacy of the Bill and associated costs

Possible submissions or evidence from:

CropLife

WWF

Bayer CropScience

Committee to which bill is to be referred:

RRAT

Possible hearing date(s):

January 2013

Possible reporting date:

27 February 2013

Senator Fifield

(signed)

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Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Agricultural + Veterinary Chemicals Legislation Amendment Bill 2012.

Reasons for referral/principal issues for consideration:

Allow time for scrutiny of bill's provisions

Possible submissions or evidence from:

WWF, CropLife, Bayer, Pfizer, National Toxics Network, Unions.
AFF.

Committee to which bill is to be referred:

Rural and Regional Affairs and Transport Legislation Committee.

Possible hearing date(s):

Late January 2013

Possible reporting date:

27 February 2013.

(signed)

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Whip / Selection of Bills Committee member

Senator McEwen

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Australian Education Act

Reasons for referral/principal issues for consideration:

The bill to be examined against national reform agenda and Council of Australian Government objectives.

Possible submissions or evidence from:

States and Territories
Non-government sector authorities
Teacher associations
Parent Group representatives

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Committee

Possible hearing date(s):

January/February 2013

Possible reporting date:

March 2013

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Biosecurity Bill
Inspector-General Biosecurity Bill

Reasons for referral/principal issues for consideration:

Industry concerns regarding risk assessment process and consideration of new science in reviewing existing arrangements

Possible submissions or evidence from:

NFF
AusVeg

Committee to which bill is to be referred:

RRAT

Possible hearing date(s):

January 2013

Possible reporting date:

20 March 2013

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Biosecurity Bill 2012 and
INSPECTOR GENERAL OF BIOSECURITY Bill 2012

Reasons for referral/principal issues for consideration:
Scrutiny of the legislative proposals to manage
biosecurity risks.

Possible submissions or evidence from:
Primary Industry representatives; Retailers; Customs Brokers;
Shipping interests; Environment NGOs; Business representative.

Committee to which bill is to be referred:
Rural Affairs + Transport Leg. Committee.
+ Regional

Possible hearing date(s):

Possible reporting date:
~~#~~ 27 February 2013.

(signed)

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Whip / Selection of Bills Committee member

Senator McEwen

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Crimes Legislation Amendment (Organised Crime and Other Measures) Bill 2012

Reasons for referral/principal issues for consideration:

The bill introduces a range of new offences which need to be thoroughly examined.

Possible submissions or evidence from:

Law Council of Australia
Australian Commission for Law Enforcement Integrity
Australian Federal Police
Australian Crime Commission
Australian Customs and Border Protection Service

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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Whip / Selection of Bills Committee member



Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Customs Amendment (Miscellaneous Measures) Bill

Reasons for referral/principal issues for consideration:

The bill introduces a new offence of importing restricted goods which needs to be thoroughly examined.

Possible submissions or evidence from:

Australian Customs and Border Protection Service
Australian Federal Police

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*

Reasons for referral/principal issues for consideration:

Referral of this Bill will provide an important opportunity for the Australian community and relevant experts and industry representatives to input on the Bill's provisions.

Possible submissions or evidence from:

- Environmental and biodiversity scientists
- Heritage experts
- Environmental and planning legal experts
- Community members involved in the protection of EPBC protected matters
- State and federal government environmental regulators
- Relevant industry bodies

Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s):

Late January/ early February 2013.

Possible reporting date:

25 February 2013

(signed)



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Whip/ Selection of Bills Committee member

Senator Siewert

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2012

Reasons for referral/principal issues for consideration:

For detailed consideration of the provisions of the Bill including:

- Whether the penalties will act as a sufficient deterrent;
- The duties and obligations of the officers of registered organisations; and
- The regulatory regime governing registered organisations.

Possible submissions or evidence from:

- Registered Organisations
- State Governments
- Department of Education, Employment and Workplace Relations
- Interested parties

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

12 March 2013

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

National Disability Insurance Scheme Bill 2012

Reasons for referral/principal issues for consideration:

To fully examine and consult to ensure intended policy outcomes are given effect to by the legislation

Possible submissions or evidence from:

People with disability, their families and carers
Disability and carer sector peak bodies, advocacy groups, support groups, workers
Disability service organisations
Department of Families, Housing, Community Services and Indigenous Affairs
Department of Prime Minister and Cabinet
Department of Treasury
Department of Finance and Public Administration
Australian Government Actuary
State and Territory Governments
Productivity Commission
Other interested parties from legal, insurance and community sectors

Committee to which bill is to be referred:

Senate Community Affairs Legislation Committee

Possible hearing date(s):

January / February 2013

Possible reporting date:

25 February 2013

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

National Disability Insurance Scheme Bill 2012

Reasons for referral/principal issues for consideration:

Examination of the Bill, including provisions relating to:

- The goal-based planning process and support for NDIS participants to manage their individual plans and funding;
- The process and mechanisms for reviewing decisions of the NDIS Launch Transition Agency; and
- The interface between the NDIS and other service systems, and support for people in transitioning between service systems.

Possible submissions or evidence from:

- National Disability Peak bodies funded through FaHCSIA's National Secretariat Program, and the National Disability & Carer Alliance;
- Graeme Innes, Disability Discrimination Commissioner, Australian Human Rights Commission.

Committee to which bill is to be referred:

Senate Community Affairs Legislation Committee

Possible hearing date(s): January/February 2013

Possible reporting date: end February 2013 (25 FEB)

(signed)

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Whip / Selection of Bills Committee member

Senator McEwen

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Native Title Amendment Bill 2012*

Reasons for referral/principal issues for consideration:

Consideration of the measures proposed and implications for the Native Title system in Australia.

Possible submissions or evidence from:

- Attorney-General Department
- Law Council of Australia
- National Native Title Tribunal
- Aboriginal Legal Centres
- State and Territory Government
- Legal Practitioners engaged in Native Title
- Pastoral bodies

Committee to which bill is to be referred:

Legal and Constitutional Affairs Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Parliamentary Service Amendment Bill 2012

Reasons for referral/principal issues for consideration:

To compare the provisions of the bill with the Public Service Amendment Bill 2012.

Possible submissions or evidence from:

- Department of Parliamentary Services
- Public Service Commissioner, Parliamentary Services Commissioner
- Presiding officers

Committee to which bill is to be referred:

Senate Finance and Public Administration Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Private Health Insurance Amendment (Lifetime Health Cover Loading and Other Measures) Bill*

Reasons for referral/principal issues for consideration:

Consider the implications for the health system of Australia.

Possible submissions or evidence from:

Private Healthcare Australia

Australian Private Hospitals Association

Committee to which bill is to be referred:

Community Affairs

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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Whip / Selection of Bills Committee member

Senator Fifield