

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 3 of 2013*

*14 March 2013*

## **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. 3 OF 2013

1. The committee met in private session on Wednesday, 13 March 2013 at 7.20 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Aged Care (Living Longer Living Better) Bill 2013, the Australian Aged Care Quality Agency Bill 2013, the Australian Aged Care Quality Agency (Transitional Provisions) Bill 2013, the Aged Care (Bond Security) Amendment Bill 2013 and the Aged Care (Bond Security) Levy Amendment Bill 2013 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 17 June 2013 (see appendix 1 for a statement of reasons for referral);
  - (b) the Citizen Initiated Referendum Bill 2013 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 24 June 2013 (see appendix 2 for a statement of reasons for referral);
  - (c) the *provisions* of the Environment Protection and Biodiversity Conservation Amendment Bill 2013 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 14 May 2013 (see appendix 3 for a statement of reasons for referral);
  - (d) the *provisions* of the Tax Laws Amendment (Countering Tax Avoidance and Multinational Profit Shifting) Bill 2013 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 14 May 2013 (see appendix 4 for a statement of reasons for referral); and
  - (e) the *provisions* of the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 17 June 2013 (see appendix 5 for a statement of reasons for referral).
3. The committee recommends that the *provisions* of the Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013, the Broadcasting Legislation Amendment (News Media Diversity) Bill 2013, the Television Licence Fees Amendment Bill 2013, the News Media (Self-regulation) Bill 2013, the News Media (Self-regulation) (Consequential Amendments) Bill 2013 and the Public Interest Media Advocate Bill 2013, contingent upon their introduction in the House of Representatives, be referred to the Environment and Communications Legislation Committee for inquiry and report **but was unable to reach agreement on a reporting date** (see appendices 6 and 7 for statements of reasons for referral).

4. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Foreign Affairs Portfolio Miscellaneous Measures Bill 2013
  - International Monetary Agreements Amendment Bill 2013
  - Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013 [No. 2]
  - Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2013.

*The committee recommends accordingly.*

5. The committee considered the Broadcasting Services Amendment (Material of Local Significance) Bill 2013 and noted that the Senate had agreed to refer the bill and a related matter to the Environment and Communications Legislation Committee for inquiry and report.
6. The committee deferred consideration of the following bills to its next meeting:
- Financial Framework Legislation Amendment Bill (No. 2) 2013
  - International Organisations (Privileges and Immunities) Amendment Bill 2013
  - Not-for-profit Sector Freedom to Advocate Bill 2013
  - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2013
  - Social Security Legislation Amendment (Caring for People on Newstart) Bill 2013
  - Therapeutic Goods Amendment (Pharmaceutical Transparency) Bill 2013.

(Anne McEwen)

**Chair**

14 March 2013

## SELECTION OF BILLS COMMITTEE

### Proposal to refer a bill to a committee

#### Name of bill:

- Aged Care (Living Longer Living Better) Bill 2013
- Aged Care (Bond Security) Amendment Bill 2013
- Aged Care (Bond Security) Levy Amendment Bill 2013
- Australian Aged Care Quality Agency Bill 2013
- Australian Aged Care Quality Agency (Transitional Provision) Bill 2013

#### Reasons for referral/principal issues for consideration:

For detailed consideration of the provisions of the Bill including:

- Full impact on how these changes will affect providers, older Australians and their families and carers.

#### Possible submissions or evidence from:

- Aged and Community Services Australia (ACSA)
- Alzheimer's Australia
- Anglicare Australia
- ANZ
- Association of Independent Retirees Limited
- Attendant Care Industry Association
- Australian & New Zealand Society for Geriatric Medicine
- Australian Association of Gerontology
- Australian College of Nursing
- Australian Healthcare and Hospital Association
- Australian Medical Association (AMA)
- Australian Medicare Local Alliance
- Australian Nursing Federation
- Australian Physiotherapy Association
- Baptist Care Australia
- BUPA
- Carers' Australia
- Catholic Health Australia
- Consumer Health Forums
- COTA Australia
- Department of Health and Ageing
- Diversional Therapy Australia
- Domain Principle Group
- Exercise & Sports Science Australia

- Federation of Ethnic Communities' Councils of Australia
- Goldman Sachs
- Grant Thornton
- Health Services Union
- Home and Community Care (HACC) agencies
- Interested parties
- Leading Age Services Australia (LASA)
- Legacy Australia
- Lutheran Aged Care Australia
- Macular Degeneration Foundation
- National Aged Care Alliance (NACA)
- National LGBTI Health Alliance
- National Presbyterian Aged Care Network
- National Seniors Association
- National Stroke Foundation
- Occupational Therapy Australia
- Palliative Care Australia
- Pharmacy Guild of Australia
- Public Sector Residential Aged Care Leadership Committee
- Returned & Services League of Australia
- Royal Society for the Blind
- State Governments
- The Aged Care Guild
- The Salvation Army
- United Voice
- UnitingCare Australia
- Vision Australia

**Committee to which bill is to be referred:**

Senate Community Affairs Legislation Committee

**Possible hearing date(s):**

To be determined by the committee

**Possible reporting date:**

17 June 2013

(signed)

Senator Fifield

.....

Whip / Selection of Bills Committee member

**SELECTION OF BILLS COMMITTEE**  
**Proposal to refer a bill to a committee**

**Name of Bill:**

Citizen's Initiated Referendum Bill 2013

**Reasons for referral/principal issues for consideration:**

In undertaking the inquiry, the Committee should consider:

1. Citizens' Initiated Referendum (CIR) promotes greater openness and accountability in public decision-making.
2. Laws instituted as a result of a CIR are more clearly derived from the popular expression of the people's will
3. Government authority flows from the people and is based upon their consent
4. Citizens in a democracy have the responsibility to participate in the political system.
5. The Inter Parliamentary Union's call on member states to strengthen democracy through constitutional instruments including the citizen's right to initiate legislation.

**Possible submissions or evidence from:**

Legal and Constitutional reform groups

Citizens' rights groups

Political parties

Electoral reform groups

Individual Australian citizens

**Committee to which the bill is to be referred:**

Senate Standing Committee on Economics (Legislation)

**Possible hearing date(s):**

April 2013

May 2013

June 2013

**Possible reporting date:**

24th June 2013

Senator Bushby

(signed)

.....  
**Whip / Selection of Bills Committee Member**

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Environment Protection and Biodiversity Conservation Amendment Bill 2013

**Reasons for referral/principal issues for consideration:**

To give close scrutiny to this major change to the EPBC Act

**Possible submissions or evidence from:**

Minerals Council of Australia  
Victorian Farmers Federation  
National Farmers Federation  
NSW State Government  
QLD State Government  
AGL  
Australian Coal Association  
Any Coal Seam Gas Companies

**Committee to which bill is to be referred:**

Environment and Communications

**Possible hearing date(s):**

22, 27, 28 March.

4, 5 April

**Possible reporting date:**

April / May 2013

Senator Fifield

(signed)

.....  
Whip / Selection of Bills Committee member



**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Tax Laws Amendment (Countering Tax Avoidance and Multinational Profit Shifting) Bill 2013

**Reasons for referral/principal issues for consideration:**

Schedule 1

To examine whether Part IVA amendments are appropriately targeted

Schedule 2

To examine:

*De minimis* threshold

Documentation requirements

ATO's power to 'reconstruct'

Financial impact

**Possible submissions or evidence from:**

ATO

Treasury

Australian Tax Institute

Impacted companies

**Committee to which bill is to be referred:**

Senate Economics

**Possible hearing date(s):**

April 2013

**Possible reporting date:**

May 2013

Senator Fifield

(signed)

.....

**Whip / Selection of Bills Committee member**

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Water Efficiency Labelling and Standards (Registration Fees) Bill 2013

Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013

**Reasons for referral/principal issues for consideration:**

Examination of the proposed tax impost on the water supply industry as a means of collecting a fee.

**Possible submissions or evidence from:**

Water Supply Association of Australia

Australian Plumbing Association

State governments

Australian Water Association

**Committee to which bill is to be referred:**

Environment and Communications

**Possible hearing date(s):**

March / April

**Possible reporting date:**

April / May

Senator Fifield

(signed)

.....

**Whip / Selection of Bills Committee member**

**Proposal to refer a bill to a committee****Name of bill:**

Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013  
Television Licence Fees Amendment Bill 2013

Broadcasting Legislation Amendment (Media Diversity) Bill 2013  
Public Interest Media Advocate Bill 2013

News Media (Self-regulation) Bill 2013  
News Media (Self-regulation) (Consequential Amendments) Bill 2013

**Reasons for referral/principal issues for consideration:**

Referral is proposed because of the extremely short timeframe the Government has proposed for consideration of these laws. The Government's so-called 'media reforms' are the largest shakeup of media regulation since 2006. Some of the most important elements of these measures, such as the precise criteria defining the 'public interest' which the legislation will apply to changes of media ownership, have not been publicly disclosed prior to introduction of these bills. As a result there has been no opportunity to consider any unintended consequences or conflicts with existing laws and regulations. The laws also propose the first direct government controls over material published in newspapers in peace time in Australian history. To expect the Parliament to debate and vote on such far-reaching bills without the opportunity to call witnesses, to hear evidence and to undertake the detailed, objective scrutiny only a committee process provides would be an abuse of the democratic process.

**Possible submissions or evidence from:**

Free to air TV broadcasters  
Fairfax  
News Ltd  
ACCC  
Google  
Telstra  
Apple  
AIIA  
Foxtel  
Press Council  
ACMA

**Committee to which bill is to be referred:**

Environment and Communications Committee

**Possible hearing date(s):**

April / May

**Possible reporting date:**

17<sup>th</sup> June 2013

Senator Fifield

(signed)

.....  
**Whip / Selection of Bills Committee member**

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013  
Broadcasting Legislation Amendment (News Media Diversity) Bill 2013  
News Media (Self-regulation) Bill 2013  
News Media (Self-regulation) (Consequential Amendments) Bill 2013  
Public Interest Media Advocate Bill 2013  
Television Licence Fees Amendment Bill 2013

**Reasons for referral/principal issues for consideration:**

Legislative committee to examine bills for quick report.

**Possible submissions or evidence from:**

Media Organisations and Interest Groups  
The Department of Broadband, Communications and the Digital Economy  
The Australian Communications and Media Authority  
The Australian Press Council

**Committee to which bill is to be referred:**

Environment and Communications Legislation Committee

**Possible hearing date(s):** 15-19 March 2013

**Possible reporting date:** 9:30am 20 March 2013

Senator McEwen

(signed) .....

.....

**Whip / Selection of Bills Committee member**