

SELECTION OF BILLS COMMITTEE

REPORT NO. 4 of 2013

21 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. 4 OF 2013

1. The committee met in private session on Wednesday, 20 March 2013 at 7.25 pm.
2. The committee resolved to recommend—That—
 - (a) contingent upon its introduction in the House of Representatives, the *provisions* of the Aboriginal Land Rights and Other Legislation Amendment Bill 2013 be ***referred immediately*** to the Community Affairs Legislation Committee for inquiry and report 25 June 2013 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Asbestos Safety and Eradication Agency Bill 2013 be ***referred immediately*** to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 14 May 2013 (see appendix 2 for a statement of reasons for referral);
 - (c) the *provisions* of the Australia Council Bill 2013 and the Australia Council (Consequential and Transitional Provisions) Bill 2013 be ***referred immediately*** to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 9 May 2013 (see appendices 3 and 4 for statements of reasons for referral);
 - (d) the Environment Protection and Biodiversity Conservation Amendment (Great Barrier Reef) Bill 2013 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 16 May 2013 (see appendix 5 for a statement of reasons for referral);
 - (e) the *provisions* Export Finance and Insurance Corporation Amendment (New Mandate and Other Measures) Bill 2013 be ***referred immediately*** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 14 May 2013 (see appendix 6 for a statement of reasons for referral);
 - (f) contingent upon its introduction in the House of Representatives, the *provisions* of the Fair Work Amendment Bill 2013 be ***referred immediately*** to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 14 May 2013 (see appendix 7 for a statement of reasons for referral);
 - (g) the Health Insurance Amendment (Medicare Funding for Certain Types of Abortion) Bill 2013 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 25 June 2013 (see appendix 8 for a statement of reasons for referral);
 - (h) the *provisions* of the Insurance Contracts Amendment Bill 2013 be ***referred immediately*** to the Economics Legislation Committee for inquiry and report by 25 June 2013 (see appendix 9 for a statement of reasons for referral);
 - (i) the International Organisations (Privileges and Immunities) Amendment Bill 2013 be ***referred immediately*** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 25 June 2013 (see appendix 10 for a statement of reasons for referral);

- (j) the *provisions* of the Marriage Amendment (Celebrant Administration and Fees) Bill 2013 and the Marriage (Celebrant Registration Charge) Bill 2013 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 18 June 2013 (see appendix 11 for a statement of reasons for referral);
- (k) contingent upon its introduction in the House of Representatives, the *provisions* of the Public Interest Disclosure Bill 2013 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 25 June 2013 (see appendix 12 for a statement of reasons for referral);
- (l) the Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2012 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 24 June 2013 (see appendix 13 for a statement of reasons for referral);
- (m) contingent upon its introduction in the House of Representatives, the *provisions* of the Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report 17 June 2013 (see appendix 14 for a statement of reasons for referral);
- (n) the *provisions* of the Student Identifiers Bill 2013 be ***referred immediately*** to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 18 June 2013 (see appendix 15 for a statement of reasons for referral);
- (o) contingent upon its introduction in the House of Representatives, the *provisions* of the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 17 June 2013 (see appendix 16 for a statement of reasons for referral);
- (p) the Therapeutic Goods Amendment (Pharmaceutical Transparency) Bill 2013 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 17 June 2013 (see appendix 17 for a statement of reasons for referral);
- (q) the *provisions* of the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013 be ***referred immediately*** to the Community Affairs Legislation Committee for inquiry and report by 17 June 2013 (see appendix 18 for a statement of reasons for referral); and
- (r) the *provisions* of the Veterans' Affairs Legislation Amendment (Military Compensation Review and Other Measures) Bill 2013 be ***referred immediately*** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 14 May 2013 (see appendix 19 for a statement of reasons for referral).

3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Aviation Transport Security Amendment (Inbound Cargo Security Enhancement) Bill 2013
 - Corporations Amendment (Simple Corporate Bonds and Other Measures) Bill 2013
 - Corporations and Financial Sector Legislation Amendment Bill 2013
 - Court Security Bill 2013
 - Court Security (Consequential Amendments) Bill 2013
 - Financial Framework Legislation Amendment Bill (No. 2) 2013
 - Military Justice (Interim Measures) Amendment Bill 2013
 - National Measurement Amendment Bill 2013
 - Not-for-profit Sector Freedom to Advocate Bill 2013
 - Offshore Petroleum and Greenhouse Gas Storage Amendment (Compliance Measures No. 2) Bill 2013
 - Social Security Legislation Amendment (Disaster Recovery Allowance) Bill 2013
 - Statute Law Revision Bill 2013 and
 - Tax and Superannuation Laws Amendment (2013 Measures No. 2) Bill 2013.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
- Customs Tariff Amendment (Incorporation of Proposals) Bill 2013
 - Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Bill 2013
 - Indigenous Education (Targeted Assistance) Amendment Bill 2013
 - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2013 and
 - Social Security Legislation Amendment (Caring for People on Newstart) Bill 2013.

(Anne McEwen)

Chair

21 March 2013

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Aboriginal Land Rights and other amendments Bill

Reasons for referral/principal issues for consideration:

Land rights issues are very sensitive and topical in the Northern Territory and a number of stakeholders should have the opportunity to have their say.

Possible submissions or evidence from:

Northern Land Council
Energy Resources Australia
Traditional Owners
Business operators and residents of Jabiru
The Northern Territory Government

Committee to which bill is to be referred:

Community Affairs Legislation

Possible hearing date(s):

Possible reporting date:

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Asbestos Safety and Eradication Agency Bill 2013

Reasons for referral/principal issues for consideration:

This Bill establishes a new agency to implement recommendations of the Asbestos Management Review. It is important that the Parliament be fully aware of this Bill and identify any unintended consequences.

Possible submissions or evidence from:

- State and Territory Governments;
- Employer and employee representative groups; and the
- Department of Education, Employment and Workplace Relations.

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

14 May 2013

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Australia Council Bill 2013
Australia Council (consequential + transitional Provisions)
Bill 2013

Reasons for referral/principal issues for consideration:

To ensure the bills reflect government and parliamentary commitment to independent expert peer assessment of grants that build excellence in the creative arts.

Possible submissions or evidence from:

DRALGAS, Live Performance Australia, Media Entertainment and Arts Alliance, Major Performing Arts Group, Australia Society of Authors etc.

Committee to which bill is to be referred:

Rural And Regional Affairs Legislation Committee

Possible hearing date(s):

Possible reporting date:

9 May 2013.

(signed)

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

Senator McEwen

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Australia Council Bill;
Australia Council (Consequential and Transitional Provisions) Bill

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.

Possible submissions or evidence from:

The Australia Council
AMPAG
Regional Arts Australia

Committee to which bill is to be referred:

Senate Rural and Regional Affairs and Transport

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

.....
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 (Great Barrier Reef) Bill 2013

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
- Marine conservation experts
- Heritage experts
- Environmental and planning experts
- Community members concerned about the management of the Great Barrier Reef
- Environmental organisations engaged in protecting the Great 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 Legislative Committee

Possible hearing date(s): April, May TBC

Possible reporting date: 16 May 2013

(signed)

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

Senator Siewert

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Export Finance and Insurance Corporation Amendment (New Mandate and Other Measures) Bill 2013

Reasons for referral/principal issues for consideration:

There are numerous matter that have been raised in relation to the Productivity Commission's report which should be further considered in relation to this bill.

See: http://www.pc.gov.au/_data/assets/pdf_file/0003/113880/sub012.pdf

Possible submissions or evidence from:

Jubilee Australia
Overseas Aid advocacy groups

Committee to which bill is to be referred:

FADT

Possible hearing date(s):

Possible reporting date:

Report by 14 May 2013

(signed)

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 Amendment Bill 2013

Reasons for referral/principal issues for consideration:

This 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.

Possible submissions or evidence from:

- State and Territory Governments;
- Employer and employee representative groups; and the
- Department of Education, Employment and Workplace Relations.

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:

14 May 2013

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of Bill:

Health Insurance Amendment (Medicare Funding for Certain Types of Abortions) Bill 2013

Reasons for referral/principal issues for consideration:

In undertaking the inquiry, the Committee should consider:

The unacceptability to Australians of the use of Medicare funding for the purpose of gender selection abortions;

The prevalence of gender selection – with preference for a male child- amongst some ethnic groups present in Australia and the recourse to Medicare funded abortions to terminate female children

The use of Medicare funded gender-selection abortions for the purposes of ‘family-balancing’

Support for campaigns by United Nations agencies to end the discriminatory practice of gender-selection through implementing disincentives for gender-selection abortions

Concern from medical associations in first world countries about the practice of gender-selection abortion, viz. Canada, USA, UK

Possible submissions or evidence from:

State Government departments

Various Medical & Ethical Organisations:

Various Health organisations

Various Life Organisations

Various Legal organisations

Various Religious organisations

Representatives of various United Nations bodies

Human Rights groups

Individual Medical Practitioners & Health workers

Individual Australian citizens

Committee to which the bill is to be referred:

Senate Standing Committee on Finance and Public Administration (Legislation)

Possible hearing date(s):

April 2013, May 2013, June 2013

Possible reporting date:

25th June 2013

(signed)

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

Senator Bushby

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Insurance Contracts Amendment Bill 2013

Reasons for referral/principal issues for consideration:

Consider changes from 2010 Bill to current Bill

Possible submissions or evidence from:

Insurance Council

FSC

IAG

Choice

Law Council

Committee to which bill is to be referred:

Senate Economics

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

International Organisations (Privileges and Immunities) Amendment Bill 2013

Reasons for referral/principal issues for consideration:

It involves changes to legal immunity of international organisations, which potentially raises complex legal issues.

Possible submissions or evidence from:

International Committee of the Red Cross
International Criminal Court
Lawyers
Department of Foreign Affairs and Trade

Committee to which bill is to be referred:

Senate Standing Committee on Foreign Affairs, Defence and Trade

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Marriage Amendment (Celebrant Administration and Fees) Bill 2013

Marriage (Celebrant Registration Charge) Bill 2013

Reasons for referral/principal issues for consideration:

To review whether the fees and licensing requirements are appropriate.

Possible submissions or evidence from:

Marriage and Civil celebrant associations
Attorney-General's Department

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Public Interest Disclosure Bill 2013*

Reasons for referral/principal issues for consideration:

Consideration of the circumstances in which a public interest disclosure may be made;

Adequacy of countervailing considerations against protected disclosure;

Consideration of definitions provisions;

Possible submissions or evidence from:

Media organisations
Public Service Commission
Law Council of Australia

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s): --

To be determined by the committee

Possible reporting date: --

To be determined by the committee

(signed)

 **Whip / Selection of Bills Committee member**

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2012

Reasons for referral/principal issues for consideration:

To receive evidence on the proposed repeal of the *Euthanasia Laws Act 1997*.

Possible submissions or evidence from:

ACT Government
NT Government
Northern Territory Voluntary Euthanasia Society
Dying with Dignity ACT
Dying with Dignity Victoria
Dying with Dignity NSW
South Australian Voluntary Euthanasia Society
Doctors for Voluntary Euthanasia Choice
Neil Francis
Julian Burnside QC
Marshall Perron

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

24 or 26 April

Possible reporting date:

24 June 2013

(signed)

Whip / Selection of Bills Committee member

Senator Siewert

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

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

Reasons for referral/principal issues for consideration:

To review the extent of coverage is adequate and whether the use of terminology is appropriate.

Possible submissions or evidence from:

LGBTI Interests Groups
Australian Human Rights Commission
Human Rights Organisations

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Student Identifiers Bill 2013

Reasons for referral/principal issues for consideration:

There are extensive privacy related matters in the bill, as outlined in the compatibility with human rights statement, that are of concern to privacy experts and require further consideration.

Possible submissions or evidence from:

Privacy Foundation
Student groups
Education unions
Public policy

Committee to which bill is to be referred:

EEWR?

Possible hearing date(s):

Possible reporting date:

Report before 14 May 2013.

(signed)

Senator Siewert

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Telecommunications Legislation Amendment (Consumer Protection) Bill

Reasons for referral/principal issues for consideration:

To give opportunity to properly scrutinise the changes proposed in the Bill and their potential impacts.

Possible submissions or evidence from:

Telstra
Optus
Vodafone
ACCAN

Committee to which bill is to be referred:

Senate Environment and Communications Committee

Possible hearing date(s):

April / May 2013

Possible reporting date:

17 June 2013

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Therapeutic Goods Amendment (Pharmaceutical Transparency) Bill 2013

Reasons for referral/principal issues for consideration:

To receive evidence on the need for regulation of pharmaceutical industry conduct with regards to interactions with the medical profession, and the appropriateness of the provisions in the bill that place restrictions on these interactions.

Possible submissions or evidence from:

Medicines Australia
Generic Medicines Industry Association
Consumers Health Forum
Australian Medical Association
AstraZeneca
GlaxoSmithKline
Therapeutic Goods Administration
Australian Competition and Consumer Commission
Dr Ken Harvey

Committee to which bill is to be referred:

Finance and Public Administration

Possible hearing date(s):

3 May

Possible reporting date:

17 June 2013

(signed)

Whip / Selection of Bills Committee member

Senator Siewert

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013

Reasons for referral/principal issues for consideration:

- Consideration of a number of technical amendments that require further consideration.
- Specifically the changes to Schedule 14 regarding Public Notification and Recovery, and their impact and burden on industry.
- Specifically the changes to Schedule 3 – Goods that are not therapeutic goods
- Any other issues that the Committee or Submissions consider relevant

Possible submissions or evidence from:

Therapeutic Goods Administration

Pharmaceutical Companies

Medical Device Companies

Medicines Australia

Generic Medicines Industry of Australia

Medical Technology Association of Australia

Johnson & Johnson Medical

St. Jude Medical Australia

Stryker Australia

Medtronic

Committee to which bill is to be referred:

Senate Community Affairs Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

(signed)

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

Senator Fifield

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Veterans' Affairs Legislation Amendment (Military Rehabilitation Review and Other Measures) Bill 2013

Reasons for referral/principal issues for consideration:

To provide the veteran and ex-service community with the opportunity to provide comment about the proposed legislation and the scope of the legislation against the accepted recommendations of the Government's Review of Military Compensation Arrangements.

Possible submissions or evidence from:

The veteran and ex-service community, including but not limited to:

- The Returned and Services League of Australia
- Defence Force Welfare Association
- Australian Peacekeeper and Peacemaker Veterans' Association
- Vietnam Veterans' Association of Australia
- Vietnam Veterans' Federation of Australia
- Naval Association of Australia
- Australian Special Air Service Association
- Royal Australian Regiment Association
- Royal Australian Air Force Association
- Australian Veteran And Defence Services Council
- War Widows' Guild of Australia
- Partners of Veterans Association of Australia
- Legacy Australia
- Injured Servicepersons' Association of Australia
- Soldier On
- Young Diggers
- Australian Federation of Totally and Permanently Incapacitated Ex-servicemen and Women Ltd

Committee to which bill is to be referred:

Foreign Affairs, Defence and Trade

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

Tuesday, 14 May 2013

(signed)

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

Senator Fifield