

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 19 of 2009*

*30 November 2009*

## **MEMBERS OF THE COMMITTEE**

Senator Kerry O'Brien (Government Whip, Chair)

Senator Stephen Parry (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (The Australian Greens Whip)

Senator Steve Fielding (The Family First Party Whip)

Senator Judith Adams

Senator David Bushby

Senator the Hon. Joe Ludwig

Senator Anne McEwen

Secretary: Maureen Weeks  
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 19 OF 2009

1. The committee met in private session on Friday, 27 November 2009 at 12.08 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Do Not Call Register Legislation Amendment Bill 2009 be *referred immediately* to the Environment, Communications and the Arts Legislation Committee for inquiry and report by 24 February 2010 (see appendices 1 and 2 for statements of reasons for referral);
  - (b) the *provisions* of the Freedom of Information Amendment (Reform) Bill 2009 and the Information Commissioner Bill 2009 be *referred immediately* to the Finance and Public Administration Committee for inquiry and report by 16 March 2010 (see appendix 3 for a statement of reasons for referral);
  - (c) the *provisions* of the Occupational Health and Safety and Other Legislation Amendment Bill 2009 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 25 February 2010 (see appendix 4 for a statement of reasons for referral); and
  - (d) the Trade Practices Amendment (Material Lessening of Competition—Richmond Amendment) Bill 2009 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 18 March 2010 (see appendix 5 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2009
  - Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 [No. 2].
  - Trans-Tasman Proceedings (Transitional and Consequential Provisions) Bill 2009
  - Trans-Tasman Proceedings Bill 2009.

*The committee recommends accordingly.*

4. The committee deferred consideration of the following bills to its next meeting:
  - Britt Laphorne Bill 2009
  - Fisheries Legislation Amendment Bill 2009
  - Health Insurance Amendment (Diagnostic Imaging Accreditation) Bill 2009

- Keeping Jobs from Going Offshore (Protection of Personal Information) Bill 2009
- Therapeutic Goods (Charges) Amendment Bill 2009
- Therapeutic Goods Amendment (2009 Measures No. 3) Bill 2009.

(Kerry O'Brien)

**Chair**

30 November 2009

**SELECTION OF BILLS COMMITTEE**

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

**Name of bill:** DO NOT CALL REGISTER LEGISLATION AMENDMENT BILL 2009

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

To examine the implications of changes on Small Business.

**Possible submissions or evidence from:**

Department of Broadband, Communications and the Digital Economy  
Australian Direct Marketing Assoc,  
ACMA,  
Council of Small Business Organisations of Australia

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

Environment, Communications and the Arts Legislation Committee

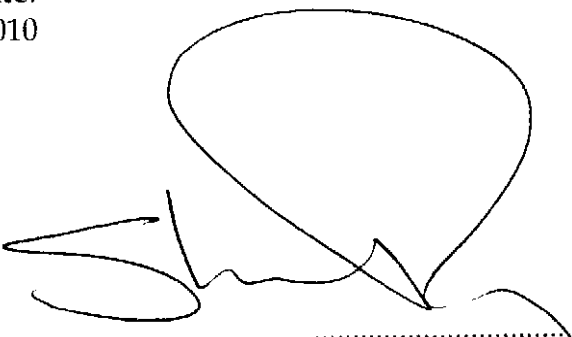
**Possible hearing date(s):**

Throughout summer break.

**Possible reporting date:**

Report 12 February 2010

(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:**

DO NOT CALL REGISTER LEGISLATION AMENDMENT BILL 2009

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

To establish whether the Bill adequately protects all Australians from unsolicited marketing calls

**Possible submissions or evidence from:**

Office of the Privacy Commissioner  
Australian Privacy Foundation  
Telecommunications Industry Ombudsman  
ACMA

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

Environment, Communication and the Arts Legislation Committee

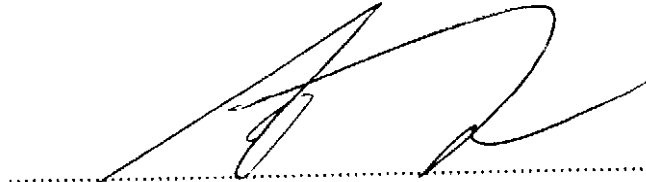
**Possible hearing date(s):**

February 5, February 16

**Possible reporting date:**

February 24 2010

(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:**

Freedom of Information Amendment (Reform) Bill 2009  
Information Commissioner Bill 2009

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

Whether the Bills contain measures effective to ensure that the right of access to documents is as comprehensive as it can be;

Whether improvements to the request process are efficient and could be further improved;

Whether the measures will assist in the creation of a pro-disclosure culture with respect to government and what further measures may be appropriate;

Assessment of the functions, powers and resources of the Information Commissioner

**Possible submissions or evidence from:**

Department of Prime Minister & Cabinet, Attorney-General's Department, the Privacy Commissioner, the Human Rights Commission, the Law Council of Australia and civil liberties organisations.

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

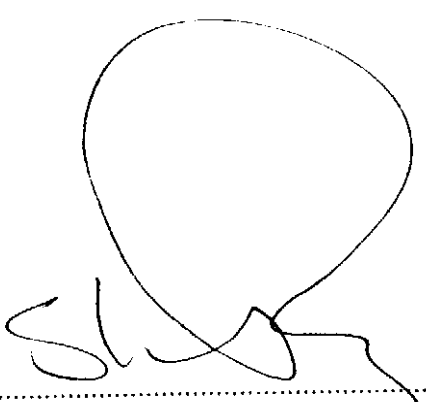
Finance and Public Administration Legislation

**Possible hearing date(s):**

**Possible reporting date:**

~~25 February 2010~~  
*End of spring session.*

(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:** Occupational Health and Safety and Other Legislation Amendment Bill 2009

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

To examine changes to benefits for employees and also impacts on the Consolidated Revenue Fund from claims from the past.

**Possible submissions or evidence from:**

Employee Advocacy Organisations  
ComCare Licencees  
Other Occupational Health & Safety Peak Groups

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

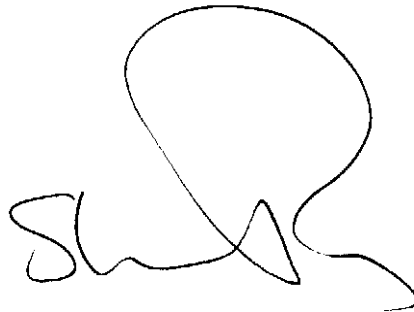
Education, Employment and Workplace Relations Legislation Committee

**Possible hearing date(s):**

Throughout summer break.

**Possible reporting date:**

Report 25 February 2010

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(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:**

Trade Practices Amendment (Material Lessening of Competition - Richmond Amendment) Bill 2009

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

In undertaking the inquiry, the Committee should consider:

- The current threshold for determining when mergers and acquisitions lessen competition;
- The impact of corporations with an already substantial share of a market acquiring assets/shares on small businesses within the same market;
- The role of small business in ensuring a competitive market;
- And related matters

**Possible submissions or evidence from:**

ACCC

Associate Professor Frank Zumbo, University of New South Wales

Australian Retailers Association

National Association of Retail Grocers of Australia

CHOICE

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

Senate Standing Committee on Community Affairs (Legislation)


**Possible hearing date(s):**

February/March 2010

**Possible reporting date:**

Thursday 18 March 2010

(signed)

  
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Whip / Selection of Bills Committee member