

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 10 OF 2016**

*1 December 2016*

## **MEMBERS OF THE COMMITTEE**

Senator David Bushby (Government Whip, Chair)

Senator Anne Urquhart (Opposition Whip)

Senator Brian Burston (Pauline Hanson's One Nation Whip)

Senator Derryn Hinch (Derryn Hinch's Justice Party Whip)

Senator Skye Kakoschke-Moore (Nick Xenophon Team Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator John Williams (The Nationals Whip)

Senator Catryna Bilyk

Senator David Fawcett

Senator Katy Gallagher

Senator the Hon Mitch Fifield

Secretary: Chris Reid  
 6277 3020

## SELECTION OF BILLS COMMITTEE

### REPORT NO. 10 OF 2016

1. The committee met in private session on Wednesday, 30 November 2016 at 7.31 pm.
2. The committee resolved to recommend—That—
  - (a) contingent upon its introduction in the House of Representatives, the *provisions* of the Competition and Consumer Amendment (Misuse of Market Power) Bill 2016 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 16 February 2017 (see appendix 1 for a statement of reasons for referral);
  - (b) the *provisions* of the Corporations Amendment (Crowd-sourced Funding) Bill 2016 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 13 February 2017 (see appendix 2 for a statement of reasons for referral);
  - (c) the *provisions* of the Crimes Legislation Amendment (International Crime Cooperation and Other Measures) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 16 February 2017 (see appendix 3 for a statement of reasons for referral);
  - (d) the *provisions* of the Migration Legislation Amendment (Code of Procedure Harmonisation) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 February 2017 (see appendix 4 for a statement of reasons for referral); and
  - (e) the *provisions* of the Veterans' Affairs Legislation Amendment (Digital Readiness and Other Measures) Bill 2016 be *referred immediately* to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 14 February 2017 (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:
  - Commonwealth Electoral Amendment (Donation Reform and Transparency) Bill 2016
  - Corporations Amendment (Professional Standards of Financial Advisers) Bill 2016
  - Income Tax Rates Amendment (Working Holiday Maker Reform) Bill 2016 (No. 2)
  - Passenger Movement Charge Amendment Bill (No. 2) 2016
  - Statute Update (A.C.T. Self-Government (Consequential Provisions) Regulations) Bill 2016
  - Telecommunications and Other Legislation Amendment Bill 2016
  - Veterans' Affairs Legislation Amendment (Budget and Other Measures) Bill 2016.

*The committee recommends accordingly.*

4. The committee deferred consideration of the following bills to its next meeting:
- Agriculture and Water Resources Legislation Amendment Bill 2016  
Excise Levies Legislation Amendment (Honey) Bill 2016
  - Airports Amendment Bill 2016
  - Customs and Other Legislation Amendment Bill 2016
  - Customs Tariff Amendment Bill 2016
  - End Cruel Cosmetics Bill 2014
  - National Health Amendment (Pharmaceutical Benefits) Bill 2016
  - National Integrity Commission Bill 2013
  - Racial Discrimination Amendment Bill 2016
  - Safety, Rehabilitation and Compensation Legislation Amendment (Defence Force) Bill 2016
  - Superannuation Amendment (PSSAP Membership) Bill 2016
  - Therapeutic Goods Amendment (2016 Measures No.1) Bill 2016
  - Transport Security Legislation Amendment Bill 2016
  - Treasury Laws Amendment (2016 Measures No. 1) Bill 2016.

(David Bushby)

**Chair**

1 December 2016

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

Name of bill:

- Competition and Consumer Amendment (Misuse of Market Power) Bill 2016

Reasons for referral/principal issues for consideration:

- Bill proposed a significant reform to competition policy that should be subject to public scrutiny.

Possible submissions or evidence from:

- Business sector
- Trade unions
- Academics
- Government agencies

Committee to which bill is to be referred:

- Economics

Possible hearing date(s):

- First quarter 2016

Possible reporting date:

- First quarter 2016

16/2/17

(signed)



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Rachel Siewert

Print name: \_\_\_\_\_

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

**Name of bill:** Corporations Amendment (Crowd-Sourced Funding) Bill 2016

**Reasons for referral/principal issues for consideration:** To apply proper scrutiny to the effect of the legislation. To give opportunity for affected stakeholders to provide evidence about how the legislation would operate. To ascertain the possible consequences of the program. To examine thoroughly the Bill to ensure there are no unforeseen or unintended consequences.

**Possible submissions or evidence from:**

Employee Ownership Australia Ltd  
Supplementary to submission  
Fat Hen Ventures Ltd  
Australian Private Equity & Venture Capital Association Limited (AVCAL)  
Confidential  
VentureCrowd  
Financial Ombudsman Service Australia  
Dr Marina Nehme  
Law Council of Australia (Corporations Committee, Business Law Section)  
Australian Small Scale Offerings Board (ASSOB)  
Business Council of Co-operatives and Mutuals (BCCM)  
Attachment 1  
ASX Ltd  
Pitcher Partners Advisors Proprietary Limited  
Solutions4Strategy  
Chartered Accountants Australia and New Zealand  
CrowdfundUP  
King & Wood Mallesons  
Macpherson Greenleaf  
BDO Australia  
CrowdReady  
Mills Oakley Lawyers  
Equitise  
Mr Paul Niederer

**Committee to which bill is to be referred:** Senate Economics Legislation Committee

**Possible hearing date(s):** to be determined by the committee

**Possible reporting date:** Monday 13 February

  
Senator Anne Urquhart

## SELECTION OF BILLS COMMITTEE

### Proposal to refer a bill to a committee

**Name of bill:** Crimes Legislation Amendment (International Crime Cooperation and Other Measures) Bill 2016

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

This is a large omnibus bill which updates 16 different pieces of Commonwealth legislation across 11 Schedules.

Given the complexity and volume of amendments to Commonwealth legislation contained in the Bill, it would be appropriate to refer the Bill to committee for careful consideration.

**Possible submissions or evidence from:**

Law Council of Australia, the Australian Federal Police, the Australian Federal Police Association, State, Territory and International Bar Associations, Anti-Slavery Australia, the Uniting Church, Australian Catholic Religious Against Trafficking in Humans, World Vision, the Red Cross and other advocacy organisations.

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

Senate Legal and Constitutional Affairs Legislation Committee

**Possible hearing date(s):** Can be done on the papers.

**Possible reporting date:** 16 February 2017

  
Senator Anne Urquhart

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

Name of bill:

- Migration Legislation Amendment (Code of Procedure Harmonisation) Bill 2016

Reasons for referral/principal issues for consideration:

- The complex nature of the Migration Act and the impact any change may have on people seeking a visa, industry bodies, Australian business and residents warrants further consultation and investigation.

Possible submissions or evidence from:

- Affected industry bodies.
- Concerned residents.

Committee to which bill is to be referred:

- Senate Legal and Constitutional Affairs Legislation Committee.

Possible hearing date(s):

- To be determined by the Committee.

Possible reporting date:

- 14 February 2016



Senator Anne Urquhart



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

Name of bill:

- Veterans' Affairs Legislation Amendment (Digital Readiness and Other Measures) Bill 2016

Reasons for referral/principal issues for consideration:

- Without the final guidelines for Schedule 2 of this bill it cannot be considered in detail;
- There needs to be a wider examination of the effects of Schedule 2 and its requirements, and whether there are sufficient legislative protections for the veterans' community to justify Schedule 2 of the bill,
- The circumstances should be provided in which the Department would find it necessary to publically release the personal details of veterans; and,
- Concerned the Government has not taken into consideration wider stakeholder engagement

Possible submissions or evidence from:

- Returned and Services League (RSL)
- Australian Defence Service Organisations (ADSO)

Committee to which bill is to be referred:

- Senate Foreign Affairs, Defence and Trade Legislation Committee

Possible hearing date(s): to be determined by the committee

Possible reporting date: 14 February 2017

  
Senator Anne Urquhart