

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Program All

Question No. 115

Senator Humphries asked the following question at the hearing on 18 October 2011:

Carbon Price Legislation

- a) How was your department/agency consulted in the development of the carbon price package?
- b) Is the carbon price package consistent with all of the policies in your department/agency?

The answer to the honourable senator's question is as follows:

Those Agencies that were consulted have provided the following replies:

Attorney-General's Department

- a) The Attorney-General's Department was consulted on policy issues during drafting of the legislation for the carbon price package.

Australian Customs and Border Protection Service

- a) The Clean Energy (Customs Tariff Amendment) Bill 2011 (Customs Tariff Amendment Bill) is one of the 18 bills in the clean energy or carbon price legislation package. The Office of Parliamentary Counsel drafted the bill in consultation with Customs and Border Protection, the Department of the Treasury and the Department of Climate Change and Energy Efficiency. The Customs Tariff Amendment Bill is one of the three taxing bills and mirrors the changes made in the Clean Energy (Excise Tariff Legislation Amendment) Bill 2011.

Australian Federal Police

- a) The AFP was consulted on section 55 of the Clean Energy Regulator Bill 2011 that allows protected information collected under the carbon pricing scheme to be disclosed for law enforcement purposes.

Australian Government Solicitor

- a) The Australian Government Solicitor assisted with the preparation of the draft legislation related to the carbon pricing scheme. This included providing constitutional advice on the legislation.

Commonwealth Director of Public Prosecutions

- a) The Commonwealth Director of Public Prosecutions provided comments through the public exposure draft process.

Office of Parliamentary Counsel

- a) The Office of the Parliamentary Counsel drafted the Bills for the carbon price package.

b) Consistent with Senate Resolution R.1.16, the Department and Agencies are not able to comment on government policy.