

SELECTION OF BILLS COMMITTEE

REPORT NO. 11 of 2013

11 December 2013

MEMBERS OF THE COMMITTEE

Senator Helen Kroger (Government Whip, Chair)

Senator Anne McEwen (Opposition Whip)

Senator Bridget McKenzie (The Nationals Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator Catryna Bilyk

Senator David Bushby

Senator the Hon Mitch Fifield

Senator Claire Moore

Secretary: Chris Reid
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 11 OF 2013

1. The committee met in private session on Wednesday, 11 December 2013 at 7.36 pm.
2. The committee resolved to recommend—That—
 - (a) the Environment Legislation Amendment Bill 2013 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by 12 February 2014 (see appendix 1 for a statement of reasons for referral);
 - (b) the Criminal Code Amendment (Harming Australians) Bill 2013 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 4 March 2014 (see appendices 2 and 3 for a statement of reasons for referral);
 - (c) contingent upon its introduction in the Senate, the Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 19 February 2014 (see appendix 4 for a statement of reasons for referral);
 - (d) contingent upon its introduction in the Senate, the Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013 be *referred immediately* to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 11 February 2014 (see appendices 5 and 6 for a statement of reasons for referral);
 - (e) contingent upon its introduction in the House of Representatives, the *provisions* of the Migration Amendment Bill 2013 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 12 February 2014 (see appendix 7 for a statement of reasons for referral); and
 - (f) the Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013 be referred immediately to the Economics Legislation Committee for inquiry and report by 26 March 2014 (see appendix 8 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Fair Trade (Workers' Rights) Bill 2013
 - Migration Amendment (Visa Maximum Numbers Determinations) Bill 2013
 - Private Health Insurance Legislation Amendment Bill 2013
 - Tax Bonus for Working Australians Repeal Bill 2013
 - Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013
 - Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:

- National Integrity Commission Bill 2013
- Landholders' Right to Refuse (Gas and Coal) Bill 2013
- Marriage Equality Amendment Bill 2013.

(Helen Kroger)

Chair

11 December 2013

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Environment Legislation Amendment Bill 2013

Reasons for referral/principal issues for consideration:

To allow stakeholder comment on the provisions of the legislation

Possible submissions or evidence from:

Department of the Environment
Minerals Council of Australia
Tasmanian Minerals Council
Australian Industry Group
Turtle and Dugong Taskforce
Indigenous Advisory Committee on Environment

Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s):

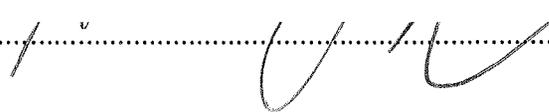
January 2014

Possible reporting date:

12 February 2014


Senator Fifield

(signed)



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

Name of Bill:

Criminal Code Amendment (Harming Australians) Bill 2013

Reasons for referral/principal issues for consideration:

In undertaking the inquiry, the Committee should consider:

1. The adequacy of current treaties and agreements with other countries in pursuing criminal matters;
2. The application of provisions in Division 115 of the *Criminal Code Act 1995*;
3. The ability of victims and victims' families to access justice where criminal actions occur overseas; and
4. Any related matters

Possible submissions or evidence from:

Attorney-General's Department
Australian Federal Police

Committee to which the bill is to be referred:

Senate Legal and Constitutional Affairs Committee (Legislation)

Possible hearing date(s):

January/February 2014

Possible reporting date:

March 2014

(signed) Senator Kroger

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Whip / Selection of Bills Committee Member

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SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: CRIMINAL CODE AMENDMENT (HARMING AUSTRALIANS) BILL 2013

Reasons for referral/principal issues for consideration:

The bill has retrospective application to criminal offences, and so has significant implications for civil liberties.

Possible submissions or evidence from:

- Law Council
- Human rights organisations (eg Human Rights Law Centre)
- Civil liberties groups (eg Civil Liberties Australia)

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): February

Possible reporting date: April 2014

Senator Siewert

(signed)

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Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

NOTE: contingent on introduction of bill on 12 December 2013

Name of Bill:

Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013

Reasons for referral/principal issues for consideration:

In undertaking the inquiry, the Committee should consider:

1. The amendments made to the bill following previous inquiries
2. The current levels of online crime, particularly in relation to crimes against minors
3. The prevalence of online communications between minors and adults, the purpose and content of those communications, and previous criminal offences where misrepresentation of age has occurred
4. The current offences in the *Criminal Code Act* and their effectiveness in preventing and punishing offences in relation to the evolving online environment.

Possible submissions or evidence from:

Attorney-General's Department
Australian Federal Police
National Children's Commissioner
Carly Ryan Foundation
Bravehearts
Australian Law Reform Commission
State and Territory Police

Committee to which the bill is to be referred:

Senate Standing Committee on Legal and Constitutional Affairs (Legislation)

Possible hearing date(s):

January/February 2014

Possible reporting date:

March 2014

(signed)

Senator Kroger

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Whip / Selection of Bills Committee Member

for Senator

Xenophon

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013

Reasons for referral/principal issues for consideration: To ensure proper scrutiny of the Bill and its impact on the Woomera Prohibited Area and current users.

Possible submissions or evidence from: Defence, Indigenous groups; South Australian Chamber of Mines and Energy; resource sector representatives.

Committee to which bill is to be referred: Foreign Affairs, Defence and Trade Legislation Committee

Possible hearing date(s):

Possible reporting date: February 11, 2014

Senator McEwen

(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: Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013.

Reasons for referral/principal issues for consideration:

While a review of the proposal to open up the Woomera area was canvassed by the Hawke Review, the exposure draft was open for public comment from 8-13 May, insufficient time to assess whether the recommendations of the Review have been adequately implemented.

Possible submissions or evidence from:

- Traditional owners of the area including representative bodies and individuals from
 - o Maralinga Tjarutja
 - o Anangu Pitjantjatjara Yankunytjatjara
 - o Kokotha Uwankara
- Peak environmental groups
- Corporations seeking to mine in the Woomera Prohibited area
- SA government

Committee to which bill is to be referred:

Senate Foreign Affairs, Defence and Trade Committee

Possible hearing date(s): February

Possible reporting date: April 2014

Senator Siewert

(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:

Migration Amendment Bill 2013

Reasons for referral/principal issues for consideration:

Court decisions carry with them implications which must be thoroughly explored.

Possible submissions or evidence from:

Department of Immigration and Border Protection
Refugee Review Tribunal
ASIO

Committee to which bill is to be referred:

Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s):

January 2014

Possible reporting date:

12 February 2014

Senator Fifield

(signed)

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

Name of Bill:

Reserve Bank Amendment (Australia Reconstruction and Development Board) Bill 2013

Reasons for referral/principal issues for consideration:

In undertaking the inquiry, the Committee should consider:

1. The need for financial support, reconstruction and development in Australian agricultural industries and associated industries;
2. The economic and social impact of unsuitable financial arrangements on these industries and individuals in these industries;
3. The need for a strong agricultural sector and the social and economic benefits this would bring to Australia;
4. The need for comprehensive, long-term policies in these areas; and
5. Any related matters

Possible submissions or evidence from:

Reserve Bank of Australia
Department of Agriculture, Fisheries and Forestry
Department of Treasury
Rural Finance Roundtable Working Group
Australian Bankers Association

Committee to which the bill is to be referred:

Senate Standing Committee on Economics (Legislation)

Possible hearing date(s):

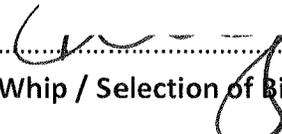
January/February 2014

Possible reporting date:

March 2014

Senator Kroger

(signed)


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Whip / Selection of Bills Committee Member

for Senator Xenophon