

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 14 of 2014**

*30 October 2014*

## **MEMBERS OF THE COMMITTEE**

Senator David Bushby (Government Whip, Chair)

Senator Anne McEwen (Opposition Whip)

Senator Barry O'Sullivan (The Nationals Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator Dio Wang (Palmer United Party Whip)

Senator Catryna Bilyk

Senator the Hon Mitch Fifield

Senator Claire Moore

Senator Anne Ruston

Secretary: Chris Reid  
 6277 3020

## SELECTION OF BILLS COMMITTEE

### REPORT NO. 14 OF 2014

1. The committee met in private session on Wednesday, 29 October 2014 at 7.21 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Acts and Instruments (Framework Reform) Bill 2014 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 25 November 2014 (see appendix 1 for a statement of reasons for referral);
  - (b) the *provisions* of the Australian Citizenship and Other Legislation Amendment Bill 2014 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 1 December 2014 (see appendix 2 for a statement of reasons for referral);
  - (c) the *provisions* of the Broadcasting and Other Legislation Amendment (Deregulation) Bill 2014 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 9 February 2015 (see appendix 3 for a statement of reasons for referral);
  - (d) the *provisions* of the Customs Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014 and the Customs Tariff Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014 be *referred immediately* to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 27 November 2014 (see appendix 4 for a statement of reasons for referral);
  - (e) the *provisions* of the Freedom of Information Amendment (New Arrangements) Bill 2014 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 25 November 2014 (see appendices 5 and 6 for a statement of reasons for referral);
  - (f) contingent upon its introduction in the House of Representatives, the *provisions* of the Tax and Superannuation Laws Amendment (2014 Measures No. 6) Bill 2014 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 25 November 2014 (see appendix 7 for a statement of reasons for referral); and
  - (g) the *provisions* of the Telecommunications Legislation Amendment (Deregulation) Bill 2014 and the Telecommunications (Industry Levy) Amendment Bill 2014 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 9 February 2015 (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:
  - Albury-Wodonga Development Corporation (Abolition) Bill 2014
  - Amending Acts 1970 to 1979 Repeal Bill 2014
  - Building Energy Efficiency Disclosure Amendment Bill 2014
  - Omnibus Repeal Day (Spring 2014) Bill 2014
  - Statute Law Revision Bill (No. 2) 2014.

*The committee recommends accordingly.*

4. The committee considered the following bill but was unable to reach agreement:
  - Counter-Terrorism Legislation Amendment Bill (No. 1) 2014
5. The committee deferred consideration of the following bills to its next meeting:
  - Australian War Memorial Amendment Bill 2014
  - Civil Law and Justice Legislation Amendment Bill 2014
  - Corporations Amendment (Publish What You Pay) Bill 2014
  - Corporations Legislation Amendment (Deregulatory and Other Measures) Bill 2014
  - Export Finance and Insurance Corporation Amendment (Direct Lending and Other Measures) Bill 2014
  - Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
  - Motor Vehicle Standards (Cheaper Transport) Bill 2014
  - Save Our Sharks Bill 2014
  - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
  - Treasury Legislation Amendment (Repeal Day) Bill 2014.

(David Bushby)

**Chair**

30 October 2014

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

Name of bill:

***Acts and Instruments (Framework Reform) Bill 2014***

Reasons for referral/principal issues for consideration:

***To ensure proper scrutiny of this Bill and its potential implications***

Possible submissions or evidence from:

***Relevant agencies, stakeholder groups and the public***

Committee to which bill is to be referred:

***Senate Legal & Constitutional Affairs Legislation Committee***

Possible hearing date(s):

***To be determined by the Committee***

Possible reporting date:

***26 November 2014***

(signed)

.....  
\_\_\_\_\_

Print name: \_\_\_\_\_ Senator Claire Moore

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

Name of bill: ***Australian Citizenship & Other Legislation Amendment Bill 2014***

Reasons for referral/principal issues for consideration:

***To allow detailed consideration of the provisions of the Bill to ensure it does not have unintended adverse consequences.***

***To facilitate public submissions to ensure stakeholders views can be taken into account.***

Possible submissions or evidence from:

***Department of Immigration and Border Protection***  
***Immigration stakeholders***

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: **Monday 1<sup>st</sup> December 2014**

(signed)

.....✓ / / .....  
/ /

Print name: \_\_\_\_\_ **Senator Claire Moore** \_\_\_\_\_

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

Name of bill: Broadcasting and Other Legislation Amendment Bill 2014

Reasons for referral/principal issues for consideration:

The removal of auditing requirements for Australian content has the potential to significantly impact the amount of Australian content in the local broadcast media landscape. In addition, there are significantly concerns over the legislation's changes to captioning requirements. Both have the potential to significantly impact the viewing experience of Australian television content for local audiences.

Possible submissions or evidence from:

- Television stations (Seven, Nine, Ten, ABC, SBS)
- Consumer groups such as CHOICE
- User groups of captioning services
- Media diversity and competition academics


Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s): 28 November

Possible reporting date: February 9, 2015

(signed)



.....

Print name: Senator Rachel Siewert.

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

**Name of bill:**

*Customs Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014*

*Customs Tariff Amendment (Japan-Australia Economic Partnership Agreement Implementation) Bill 2014*

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

- *To enable thorough scrutiny of the provisions of the legislation.*
- *To supplement the inquiry of the Joint Standing Committee on Treaties into the Agreement.*

**Possible submissions or evidence from:**

*Department of Foreign Affairs and Trade*

*Australian Customs and Border Protection Service*

*Customs Brokers and Forwarders Council of Australia*

*Export Council of Australia*

*Other industry groups and businesses affected by the Bill [see the Senate Legal and Constitutional Affairs Legislation Committee inquiry into the Customs Amendment (Korea-Australia Free Trade Agreement Implementation) Bill 2014]*

**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:**

*Monday 1 December 2014.*

(signed)

.....

.....

Print name: \_\_\_\_\_ Senator Claire Moore \_\_\_\_\_



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

Name of bill:

***Freedom of Information Amendment (New Arrangements) Bill 2014***

Reasons for referral/principal issues for consideration:

***To ensure proper scrutiny of this Bill and its potential implications***

Possible submissions or evidence from:

***Relevant agencies, stakeholder groups and the public***

Committee to which bill is to be referred:

***Senate Legal & Constitutional Affairs Legislation Committee***

Possible hearing date(s):

***To be determined by the Committee***

Possible reporting date:

***26 November 2014***

(signed)

..........

Print name: \_\_\_\_\_ Senator Claire Moore \_\_\_\_\_

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

Name of bill:

Freedom of Information Amendment (New Arrangements) Bill 2014.

Reasons for referral/principal issues for consideration:

The disbanding of the Office of the Australian Information Commissioner will result in a lack of independent review and no statutory body advocating on behalf of information access and open and transparent government. It will result in unaffordable review processes via the AAT. The implications of this bill on the democratic process and on the ability of the media and NGO's to review the decisions of government are unknown and a committee inquiry will help identify them.

Possible submissions or evidence from:

Media Entertainment and Arts Alliance  
NSW Council of Civil Liberties  
Office of the Australian Information Commissioner  
Right to Know  
Media organisations eg. The Guardian, Fairfax, New Matilda, The Australian.  
Human Rights Law Centre

Committee to which bill is to be referred:

Finance and Public Administration Legislation Committee

Possible hearing date(s):

November 4

Possible reporting date:

4 December 2014

(signed)

.....

Print name: Senator Rachel Siewert.

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

Name of bill: Tax and Superannuation Laws Amendment (2014 Measures No.6) Bill 2014

Reasons for referral/principal issues for consideration:

- Consider the appropriate rate of indexation for fuel and ensure fuel tax credit provisions operate efficiently (schedule 4), as do grants calculated by reference to the duty rates (schedule 5).
- Ensure that amendments have been effectively designed to remove tax impediments to certain business restructures (schedule 1), provide certainty for foreign pension fund investments in Australian managed investment trusts (schedule 2) and implement tax aspects of the Force Posture Agreement with the United States (schedule 3).

Possible submissions or evidence from:

- Australian Chamber of Commerce and Industry
- Business Council of Australia
- Australian Trucking Association
- National Farmers Federation
- Minerals Council of Australia
- Department of the Treasury
- Australian Taxation Office

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:

24 November 2014

(signed)

Print name:

Senator the Hon Mitch Fifield



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

Name of bill: Telecommunications Legislation Amendment (Deregulation Bill 2014  
Telecommunications (Industry Levy) Amendment Bill 2014

Reasons for referral/principal issues for consideration: This bill contains a number of legislative changes which have the potential to significantly change the operation of the telecommunications industry. Especially concerning is Schedule 5, which will remove a requirement for telcos to divulge the number of warrantless metadata requests they receive from law enforcement agencies. In order to ensure regulatory stability in the telecommunications industry and transparency of warrantless requests, the industry and consumers must be able to provide feedback on this bill in detail.

Possible submissions or evidence from:

- Telecommunications industry (eg Telstra, Optus, iiNet, Vodafone)
- Consumer representatives (eg ACCAN, Choice)
- Civil liberties organisations (eg Civil Liberties Australia, the NSW Council of Civil Liberties)

Committee to which bill is to be referred: Environment and Communications Legislation Committee

Possible hearing date(s):

28 November

Possible reporting date:

February 9, 2015

(signed)

.....

Print name:

Senator Rachel Siewert

**SELECTION OF BILLS COMMITTEE—  
PRESENTATION OF 14TH REPORT OF 2014—  
AMENDMENT AGREED TO BY THE SENATE ON 30 OCTOBER 2014**

---

In respect of the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014, the committee recommends that the bill *not* be referred to committees.