

# **SELECTION OF BILLS COMMITTEE**

**REPORT NO. 2 of 2015**

*5 March 2015*

## **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  
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## SELECTION OF BILLS COMMITTEE

### REPORT NO. 2 OF 2015

1. The committee met in private session on Wednesday, 4 March 2015 at 7.16 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Australian Border Force Bill 2015 and the Customs and Other Legislation Amendment (Australian Border Force) Bill 2015 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 7 May 2015 (see appendices 1 and 2 for a statement of reasons for referral);
  - (b) the Corporations Amendment (Financial Advice) Bill 2014 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 11 August 2015 (see appendix 3 for a statement of reasons for referral);
  - (c) the Landholders' Right to Refuse (Gas and Coal) Bill 2015 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 7 August 2015 (see appendix 4 for a statement of reasons for referral);
  - (d) the *provisions* of the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 12 May 2015 (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 (Strengthening Biometrics Integrity) Bill 2015 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 12 May 2015 (see appendix 7 for a statement of reasons for referral);
  - (f) the *provisions* of the Private Health Insurance Amendment Bill (No. 2) 2014 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 12 May 2015 (see appendix 8 for a statement of reasons for referral);
  - (g) the *provisions* of the Public Governance and Resources Legislation Amendment Bill (No. 1) 2015 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 23 March 2015 (see appendix 9 for a statement of reasons for referral); and
  - (h) the *provisions* of the Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill 2015 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 23 March 2015 (see appendix 10 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Aboriginal and Torres Strait Islander Peoples Recognition (Sunset Extension) Bill 2015

- Australian River Co. Limited Bill 2015
- Defence Trade Controls Amendment Bill 2015
- Limitation of Liability for Maritime Claims Amendment Bill 2015
- National Vocational Education and Training Regulator Amendment Bill 2015
- Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Matters) Bill 2015
- Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Matters) Bill 2015
- Tax and Superannuation Laws Amendment (2014 Measures No. 7) Bill 2014
- Excess Exploration Credit Tax Bill 2014.

*The committee recommends accordingly.*

4. The committee deferred consideration of the following bills to its next meeting:
- Australian Centre for Social Cohesion Bill 2015
  - Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
  - Corporations Amendment (Publish What You Pay) Bill 2014
  - Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015
  - Customs Tariff (Anti-Dumping) Amendment Bill 2015
  - Defence Amendment (Fair Pay for Members of the ADF) Bill 2014
  - Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2015
  - Motor Vehicle Standards (Cheaper Transport) Bill 2014
  - Safety, Rehabilitation and Compensation Legislation Amendment (Exit Arrangements) Bill 2015
  - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
  - Succession to the Crown Bill 2015.

(David Bushby)

**Chair**

5 March 2015

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

Name of bill:

Australian Border Force Bill 2015  
Customs and Other Legislation Amendment (Australian Border Force) Bill 2015

Reasons for referral/principal issues for consideration:

Determine the impact the Bill will have on the Immigration Department and the Australian Customs and Border Protection Service.

Possible submissions or evidence from:

Australian Customs and Border Protection Service  
Department of Immigration and Border Protection  
Human Rights Law Centre of Australia  
Law Council  
Refugee and Immigration Legal Centre

Committee to which bill is to be referred:

Legal and Constitutional Affairs Committee



Possible hearing date(s):

4-8 May 2015

Possible reporting date:

~~7~~  
~~19~~ May

(signed)

  
  
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Print name:

Senator Rachel Siewert

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

**Name of bill:**

*Australian Border Force Bill 2015*  
*Customs and Other Legislation Amendment (Australian Border Force) Bill 2015*

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

*To further investigate potential impacts of the Bill*

**Possible submissions or evidence from:**

*Australian Customs and Border Protection Service*  
*Department of Immigration and Border Protection*  
*Law Council of Australia*  
*Community and Public Sector Union*

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

*Senate Legal and Constitutional Affairs Legislation Committee*

**Possible hearing date(s):**

*Determined by Committee*

**Possible reporting date:**

*7*  
*12 May 2015*

(signed)

Print name:

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\_\_\_\_\_  
Senator Anne McEwen

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

Name of bill:

- Corporations Amendment (Financial Advice) Bill 2014

Reasons for referral/principal issues for consideration:

- Successive reports of misconduct in financial advice sector related, in part, to the provision of general advice (e.g. NAB, CBA).
- It is not yet clear if FOFA — a relatively new piece of legislation — is adequately addressing issues related to general advice.

Possible submissions or evidence from:

- Consumer advocates
- Financial advice sector
- Banks and other financial institutions
- Government agencies (e.g. ASIC, CAMAC)

Committee to which bill is to be referred:

- Economics

Possible hearing date(s): 20-21 April 2015 (flexible)

Possible reporting date: <sup>11 August</sup>~~4 June~~ 2015 (flexible)

(signed)

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Print name:

Senator Rachel Siewert

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

Name of bill:

*Landholders' Right to Refuse (Gas and Coal) Bill 2015*

Reasons for referral/principal issues for consideration:

*Giving landholder the right to refuse coal and gas activity on their land, ban on hydraulic fracturing.*

Possible submissions or evidence from:

*Lock the Gate Alliance, other community and grassroots environment groups, Department of Environment, landholders affected by coal and gas, traditional owners affected by coal and gas*

Committee to which bill is to be referred:

*Environment and Communications Legislation Committee*

Possible hearing date(s):

*July 2015*

Possible reporting date:

*7 August 2015*

(signed)

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Print name: Senator Rachel Siewert.



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

**Name of bill:**

*Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015*

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

*To further investigate potential impacts and unintended consequences of the Bill*

**Possible submissions or evidence from:**

*Department of Immigration and Border Protection  
United Nations High Commissioner for Refugees  
Australian Human Rights Commissioner  
Law Council of Australia*

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

*Senate Legal and Constitutional Affairs Legislation Committee*

**Possible hearing date(s):**

*Determined by Committee*

**Possible reporting date:**

*12 May 2015*

(signed)

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Print name: \_\_\_\_\_ Senator Anne McEwen

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

Name of bill:

Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities)  
Bill 2015

Reasons for referral/principal issues for consideration:

Determine the implications of the Bill on asylum seekers detained in Australia's immigration detention centres

Possible submissions or evidence from:

Amnesty International Australia  
Human Rights Law Centre  
Law Council  
Refugee Council of Australia  
Refugee and Immigration Legal Centre

Committee to which bill is to be referred:

Legal and Constitutional Affairs Committee

Possible hearing date(s):

<sup>12</sup>  
~~18-22~~ May 2015

Possible reporting date:

4 June 2015

(signed)

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Print name: Senator Rachel Siewert

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

**Name of bill:**

*Migration Amendment (Strengthening Biometrics Integrity) Bill 2015*

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

*To further investigate potential impacts of the Bill*

**Possible submissions or evidence from:**

*Australian Customs and Border Protection Service  
Department of Immigration and Border Protection  
Law Council of Australia*

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

*Senate Legal and Constitutional Affairs Legislation Committee*

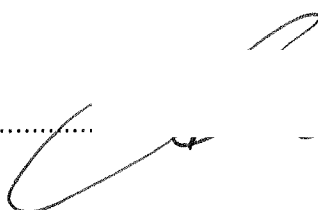
**Possible hearing date(s):**

*Determined by Committee*

**Possible reporting date:**

*12 May 2015*

(signed)

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Print name: \_\_\_\_\_ Senator Anne McEwen \_\_\_\_\_

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

**Name of bill:** Private Health Insurance Amendment Bill (No. 2) 2014

**Reasons for referral/principal issues for consideration:** To better understand the impact of the proposed merger, especially in light of the limited feedback from external stakeholders. In particular, to understand the impact of some powers that will not be transferred to the Commonwealth Ombudsman including the ability for the Minister to refer complaints or instruct the Ombudsman conduct an investigation, as well as changes to penalties under the Act.

**Possible submissions or evidence from:**

Consumers Health Forum, HIRMAA, Public Health Association of Australia, Private Healthcare Australia, private health insurers, Australian Healthcare and Hospitals Association, Department of Health

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

Senate Community Affairs Legislation Committee

**Possible hearing date(s):**

To be determined by the Committee

**Possible reporting date:**

12 May 2015

(signed)



Print name:

Senator Anne McEwen

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

**Name of bill:**

*Public Governance and Resources Legislation Amendment Bill (No. 1) 2015*

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

*To ensure complete understanding of impact of some measures contained in the bill*

**Possible submissions or evidence from:**

*Department of Finance*

*Australian National Audit Office*

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

*Senate Finance and Public Administration Legislation Committee*

**Possible hearing date(s):**

To be determined by the committee

**Possible reporting date:**

~~12 May 2015~~

*23 March*

(signed)

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Print name: \_\_\_\_\_ Senator Anne McEwen

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

**Name of bill:**

Seafarers Rehabilitation and Compensation and Other Legislation Amendment Bill 2015

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

To ensure thorough scrutiny of the impact of the bill on the industry.

**Possible submissions or evidence from:**

The Department of Employment  
Relevant industry and employee associations  
Relevant employers

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

Senate Education and Employment Legislation Committee

**Possible hearing date(s):**

**Possible reporting date:**

March 23<sup>rd</sup> 2015

(signed)

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Print name: \_\_\_\_\_ Senator Anne McEwen \_\_\_\_\_