

SELECTION OF BILLS COMMITTEE

REPORT NO. 4 of 2015

26 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
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 4 OF 2015

1. The committee met in private session on Wednesday, 25 March 2015 at 7.23 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 8 May 2015 (see appendices 1, 2 and 3 for statements of reasons for referral);
 - (b) the *provisions* of the Competition and Consumer Amendment (Deregulatory and Other Measures) Bill 2015 be ***referred immediately*** to the Economics Legislation Committee for inquiry and report by 13 May 2015 (see appendices 4 and 5 for statements of reasons for referral);
 - (c) the Construction Industry Amendment (Protecting Witnesses) Bill 2015 be ***referred immediately*** to the Education and Employment Legislation Committee for inquiry and report by 8 May 2015 (see appendix 6 for a statement of reasons for referral);
 - (d) contingent upon its introduction in the House of Representatives, the *provisions* of the Copyright Amendment (Online Infringement) Bill 2015 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 May 2015 (see appendices 7, 8 and 9 for statements of reasons for referral);
 - (e) the *provisions* of the Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 May 2015 (see appendix 10 for a statement of reasons for referral);
 - (f) contingent upon its introduction in the Senate, the Food Standards Amendment (Fish Labelling) Bill 2015 be ***referred immediately*** to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 12 May 2015 (see appendix 11 for a statement of reasons for referral);
 - (g) the *provisions* of the Governance of Australian Government Superannuation Schemes Legislation Amendment Bill 2015 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 7 May 2015 (see appendix 12 for a statement of reasons for referral);
 - (h) the International Aid (Promoting Gender Equality) Bill 2015 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 17 June 2015 (see appendix 13 for a statement of reasons for referral);

- (i) the *provisions* of the Safety, Rehabilitation and Compensation Amendment (Improving the Comcare Scheme) Bill 2015 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 16 June 2015 (see appendix 14 for a statement of reasons for referral); and
 - (j) the *provisions* of the Social Services Legislation Amendment Bill 2015 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 15 June 2015 (see appendices 15 and 16 for statements of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Amending Acts 1980 to 1989 Repeal Bill 2015
 - Food Standards Australia New Zealand Amendment Bill 2015
 - Norfolk Island Legislation Amendment Bill 2015
 - Tax and Superannuation Laws Amendment (Norfolk Island Reforms) Bill 2015
 - A New Tax System (Medicare Levy Surcharge Fringe Benefits) Amendment Bill 2015
 - Health and Other Services (Compensation) Care Charges Amendment (Norfolk Island) Bill 2015
 - Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment (Norfolk Island) Bill 2015
 - Health Insurance (Pathology)(Fees) Amendment (Norfolk Island) Bill 2015
 - Aged Care (Accommodation Payment Security) Levy Amendment (Norfolk Island) Bill 2015
 - Private Health Insurance (Risk Equalisation Levy) Amendment (Norfolk Island) Bill 2015
 - Statute Law Revision Bill (No. 2) 2015.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
- Australian Centre for Social Cohesion Bill 2015
 - Automotive Transformation Scheme Amendment (Sustainable Jobs in the Auto Component Industry) Bill 2015
 - Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
 - Corporations Amendment (Publish What You Pay) Bill 2014
 - Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2015
 - Defence Legislation (Enhancement of Military Justice) Bill 2015
 - Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2]
 - Judiciary Amendment Bill 2015
 - Law Enforcement Legislation Amendment (Powers) Bill 2015
 - Motor Vehicle Standards (Cheaper Transport) Bill 2014

- Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
- Tax and Superannuation Laws Amendment (Employee Share Schemes) Bill 2015.

(David Bushby)

Chair

26 March 2015

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

Name of bill: Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015

Reasons for referral/principal issues for consideration: This bill has the potential to drastically increase the amount of advertising carried by one of Australia's two public broadcasters, SBS. This will have a significantly detrimental impact upon the commercial broadcasting sector and has also been strenuously objected to by consumer groups.

Possible submissions or evidence from: Seven, Nine and Ten television stations, FreeTV, Save our SBS, SBS, the ABC, the Department of Communications.

Committee to which bill is to be referred: Senate Standing Committee on Environment and Communications.

Possible hearing date(s): May and June 2015

Possible reporting date: August 11, 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:

Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015

Reasons for referral/principal issues for consideration:

To allow consideration of proposed changes to allow greater flexibility for SBS in relation to advertising.

Possible submissions or evidence from:

SBS
FreeTV
Department of Communications
Federation of Ethic Community Council
Advertising Agencies
Save Our SBS
Screen Producer Australia (independent producers' especially documentary makers)

Committee to which bill is to be referred:

Senate Environment and Communications Legislation Committee

Possible hearing date(s):

To be determined by the committee

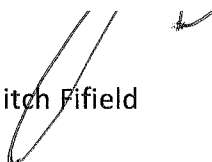
Possible reporting date:

8 May 2015

(signed)

Print name:

Senator the Hon Mitch Fifield



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

Name of bill:

Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures)
Bill 2015

Reasons for referral/principal issues for consideration:

- To consider the impact on the Australian broadcasting industry, in particular commercial television networks.
- To assess the impact on the budget of the Special Broadcasting Service
- To assess the impact of advertising changes on the ability of the SBS to fulfil its charter obligations.

Possible submissions or evidence from:

- Department of Communications
- SBS
- Free TV Australia
- Save our SBS inc.
- Free-to-air Network (Seven, Nine, Ten)
- Advertising companies

Committee to which bill is to be referred:

Senate Environment and Communications Legislation Committee

Possible hearing date(s):

Possible reporting date:

8 May
~~15 June 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:

Competition and Consumer Amendment (Deregulatory and Other Measures) Bill 2015

Reasons for referral/principal issues for consideration:

To consider the potential food safety and regulatory impacts of the bill

Possible submissions or evidence from:

ACCC, food safety authorities, consumer protection organisations and experts, industry representatives.

Committee to which bill is to be referred:

Senate Economics Legislation Committee

Possible hearing date(s):

Determined by committee

Possible reporting date:

~~15 June 2015~~

13 May

(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:

- Competition and Consumer Amendment (Deregulatory and Other Measures) Bill 2015

Reasons for referral/principal issues for consideration:

- It is not clear that the current requirements to report some types of food related deaths, injury and illnesses (events) to the ACCC are duplicative of other requirements, or whether the reporting to the ACCC is the only reporting of such events and/or the only national data collection of such events.

Possible submissions or evidence from:

- Australian Competition and Consumer Commission (ACCC)
- Food Standards Australia New Zealand (FSANZ)
- Choice

Committee to which bill is to be referred:

- Economics

Possible hearing date(s):

- 29 May 2015

Possible reporting date:

- ~~25 June 2015~~ 13 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:

Construction Industry Amendment (Protecting Witnesses) Bill 2015

Reasons for referral/principal issues for consideration:

To ensure a thorough and complete assessment of the potential impact of the bill on workers' rights

Possible submissions or evidence from:

Unions, employers, academics, civil libertarians, Department of Employment

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s):

Possible reporting date:

8 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: Copyright Amendment (Online Infringement) Bill 2015

Reasons for referral/principal issues for consideration: It is anticipated that this bill will detail highly controversial measures relating to the ability of the entertainment industry to apply for court orders to force Internet service providers to block overseas file-sharing websites, in order to stop copyright infringement.

It is anticipated that there will be strongly divergent views from different industry sectors, civil society and consumer groups over this legislation, and so the Senate should inquire into the legislation in detail.

In addition, the Government has stated that this legislation is closely linked to a telecommunications industry code currently being considered by industry self-regulatory body the Communications Alliance. The Communications Alliance has published a draft of this code. It is requested that the terms of reference for this bill inquiry include consideration of this industry code, as it is explicitly linked with the Copyright Amendment (Online Infringement) Bill 2015 and they are planned to work in tandem.

Possible submissions or evidence from: Telcos such as Telstra, Optus, iiNet, Vodafone and TPG, film and TV industry associations and studios, television stations such as Seven, Nine, Ten, SBS and the ABC, Electronic Frontiers Australia, Choice, ACCAN, other consumer organisations, civil liberties groups, search giants and social networking companies such as Google and Facebook and the AIMIA Digital Policy Group.

Committee to which bill is to be referred: Senate Standing Committee on Legal and Constitutional Affairs.

Possible hearing date(s): May and June 2015

Possible reporting date: September 8, 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:

Copyright Amendment (Online Infringement) Bill 2015

Reasons for referral/principal issues for consideration:

- Adequacy of proposed measures to prevent online copyright infringement;
- Adequacy of proposed measures to ensure that injunctions will not apply to non-infringing online locations.

Possible submissions or evidence from:

Australian Communications Alliance
Australian Digital Alliance
ARIA
APRA
Australian Federation against Copyright Theft
Australian Consumers Association
AIMIA
AHEDA
Australian Publishers Association
Australian Society of Authors

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:

12 May 2015

(signed)

Print name: Senator the Hon Mitch Fifield

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

Name of bill: *Copyright Amendment (Online Infringement) Bill 2015*

Reasons for referral/principal issues for consideration:

To scrutinise detail of proposed injunction scheme and consider effectiveness and any unintended consequences.

Possible submissions or evidence from:

Attorney-General's Department, Department of Communications, telcos, digital companies, education sector, entertainment industry, the arts community.

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:

13 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:

Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015

Reasons for referral/principal issues for consideration:

To explore the purpose and effect of Schedule 5 and 6, and to hear from relevant stakeholders regarding their view of the implications of these matters

Possible submissions or evidence from:

Attorney General's Department
Law Council of Australia
State Attorney's General
Bar Council
Rob Hulls (Centre for Innovative Justice)

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:

~~15 June 2015~~

13 May

(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:

Food Standards Amendment (Fish Labelling) Bill 2015

Reasons for referral/principal issues for consideration:

In undertaking the inquiry, the Committee should consider:

1. The previous inquiry into the labelling of seafood and seafood products by the Senate Rural and Regional Affairs and Transport References Committee;
2. The need for consumers to have access to accurate country of origin labelling for food provided for immediate consumption;
3. The need to support Australian products and producers, and how country of origin labelling can assist in this aim;
4. The current fish country of origin labelling requirements in the Northern Territory; and
5. Any related matters

Possible submissions or evidence from:

Northern Territory Seafood Council

Wildcatch SA

Australian Barramundi Farmers Association

Australian Prawn Farmers Association

Restaurant and Catering Australia

Committee to which the bill is to be referred:

Senate Rural and Regional Affairs and Transport Committee (Legislation)

Possible hearing date(s):

April 2015

Possible reporting date:

12 May 2015

(signed)

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Whip / Selection of Bills Committee Member

Senator Rachel Siewert

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

Name of bill:

Governance of Australian Government Superannuation Schemes Legislation Amendment Bill 2015

Reasons for referral/principal issues for consideration:

To consider the impact of this Bill on the employment conditions and future employment opportunities within the Australian Public Service (APS) of ComSuper employees who will be impacted by the provisions of bill

Possible submissions or evidence from:

CSC
ComSuper
CPSU

Committee to which bill is to be referred:

F + PA
Senate ~~Economics~~ Legislation Committee

Possible hearing date(s):

Possible reporting date:

7 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: International Aid (Promoting Gender Equality) Bill 2015

Reasons for referral/principal issues for consideration:

Two of the Millennium Development Goals (3 and 5) state the importance of gender equality and the empowerment of all women and girls. Our Foreign Minister has stated a recognition that the empowerment of women and girls is fundamental to promoting economic growth and stronger aid-recipient communities.

An inquiry offers the chance to investigate the following:

- Australia's official development and humanitarian assistance does not recognise that simply increasing economic activity in the recipient country fails to address the specific historical and cultural bases for gender inequality.
- There is no legislated requirement that gender equality be considered in the delivery of aid programs, regardless of any stated intention.
- In some cases, projects with a simple aim of increasing economic activity may indeed exacerbate these problems.

Possible submissions or evidence from: Aidwatch, International Women's Development Agency, Care Australia, Action Aid, Micah Challenge, Scarlett Alliance, Aidwatch, Plan International, The Oaktree Foundation, APHEDA, Results International, ACFID, Oxfam, World Vision, Global Poverty Project, ActNowPNG, Save the Children, Jubilee Australia, Medicin sans Frontiere Sydney.

Committee to which bill is to be referred: Joint Standing Committee on Foreign Affairs, Defence and Trade (Lee to participate or sub)

Possible hearing date(s): Post budget, June/August

Possible reporting date: Post budget, August.

17 June

(signed)

Print name:

Senator Rachel Siewert.

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

Name of bill:

Safety, Rehabilitation and Compensation Amendment (Improving the Comcare Scheme) Bill
2015

Reasons for referral/principal issues for consideration:

To ensure a thorough and complete assessment of its potential impact on workers' compensation rights and entitlements, occupational health and safety coverage for workers, and to examine any unforeseen consequences arising from the Bill.

Possible submissions or evidence from:

Unions, employers, academics, Comcare, Department of Employment

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s):

Possible reporting date:
10 August 2015

16 June

(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:

Social Services Legislation Amendment Bill 2015

Reasons for referral/principal issues for consideration:

To better scrutinise the purpose and effects of the Bill.

Possible submissions or evidence from:

Department of Social Services

Patrick McGee, Aboriginal Disability Justice Campaign

ACOSS

Uniting Care

Frank Quinlan, Mental Health Australia

Committee to which bill is to be referred:

Senate Community Affairs Legislation Committee

Possible hearing date(s):

Possible reporting date:

15th June 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: Social Services Legislation Amendment Bill 2015

Reasons for referral/principal issues for consideration:

Denying people in incarceration (but not sentenced to a crime) social security may have a serious impact on their ability to maintain a basic standard of living as they transition out of secure facilities. It may also be a violation of human rights under Australia's international commitments. These issues should be considered

Possible submissions or evidence from:

- Australian Lawyers for Human Rights Northern Territory
- Blake Dawson Legal Firm of Sydney
- Brain Injury Australia
- Central Australian Aboriginal Legal Aid Service
- Darwin Community Legal Centre
- First People's Disability Network Australia
- Maurice Blackburn Legal Firm of Melbourne
- National Council of Intellectual Disability
- Northern Australian Aboriginal Justice Agency
- Northern Territory Council of Social Services
- Northern Territory Legal Aid
- Northern Territory Public Guardian (Alice Springs office)
- NSW Council for Intellectual Disability
- People with Disability Australia

- Synapse of Queensland
- Patrick McGee, Guardian, ADJC Coordinator
- Professor Eileen Baldry, University of New South Wales and President of the New South Wales Council of Social Services
- Dr Leanne Dowse, University of New South Wales
- The Honourable Mr Alistair Nicholson, retired Chief Justice of the Family Court

Committee to which bill is to be referred:

- Community Affairs

Possible hearing date(s):

19 May

Possible reporting date:

June 18th 2015

(signed)

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Print name: Senator Rachel Siewert