

SELECTION OF BILLS COMMITTEE

REPORT NO. 5 OF 2017

11 May 2017

MEMBERS OF THE COMMITTEE

Senator David Bushby (Government Whip, Chair)

Senator Anne Urquhart (Opposition Whip)

Senator Brian Burston (Pauline Hanson's One Nation Whip)

Senator Derryn Hinch (Derryn Hinch's Justice Party Whip)

Senator Skye Kakoschke-Moore (Nick Xenophon Team Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator John Williams (The Nationals Whip)

Senator Sam Dastyari

Senator David Fawcett

Senator Katy Gallagher

Senator the Hon Mitch Fifield

Secretary: Chris Reid
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 5 OF 2017

1. The committee met in private session on Wednesday, 10 May 2017 at 7.16 pm.
2. The committee recommends that—
 - (a) contingent upon introduction in the House of Representatives, the *provisions* of the Australian Education Amendment Bill 2017 be *referred immediately* to the Education and Employment Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 1, 2 and 3 for a statement of reasons for referral);
 - (b) the *provisions* of the Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 8 August 2017 (see appendix 4 and 5 for a statement of reasons for referral);
 - (c) contingent upon introduction in the House of Representatives, the *provisions* of the Higher Education Support Legislation Amendment (A More Sustainable, Responsive and Transparent Higher Education System) Bill 2017 be *referred immediately* to the Education and Employment Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 6, 7 and 8 for a statement of reasons for referral); and
 - (d) the *provisions* of the Prime Minister and Cabinet Legislation Amendment (2017 Measures No. 1) Bill 2017 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 13 June 2017 (see appendix 9 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
 - ASIC Supervisory Cost Recovery Levy Bill 2017
ASIC Supervisory Cost Recovery Levy (Collection) Bill 2017
ASIC Supervisory Cost Recovery Levy (Consequential Amendments) Bill 2017
 - Communications Legislation Amendment (Deregulation and Other Measures) Bill 2017
 - Competition and Consumer Amendment (Competition Policy Review) Bill 2017
 - Defence Legislation Amendment (2017 Measures No. 1) Bill 2017
 - Electoral and Other Legislation Amendment Bill 2017
 - Primary Industries Research and Development Amendment Bill 2017
 - Social Services Legislation Amendment (Seasonal Worker Incentives for Jobseekers) Bill 2017
 - Treasury Laws Amendment (2017 Enterprise Incentives No. 1) Bill 2017.
4. The committee deferred consideration of the following bills to its next meeting:
 - End Cruel Cosmetics Bill 2014
 - Comcare and Seacare Legislation Amendment (Pension Age and Catastrophic injury) Bill 2017

- National Vocational Education and Training Regulator Amendment (Annual Registration Charge) Bill 2017
National Vocational Education and Training Regulator (Charges) Amendment (Annual Registration Charge) Bill 2017
- Ozone Protection and Synthetic Greenhouse Gas Management Legislation Amendment Bill 2017
- Petroleum and Other Fuels Reporting Bill 2017
Petroleum and Other Fuels Reporting (Consequential Amendments and Transitional Provisions) Bill 2017.

(David Bushby)

Chair

11 May 2017

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

Name of bill: Australia Education Amendment Bill 2017

Reasons for referral/principal issues for consideration:

- The Bill amends the principal legislation underpinning the provision of Australian Government recurrent funding for schooling.
- This principle legislation – *the Australian Education Act 2013* - has been the subject of detailed reviews by the Senate, including by the Senate Select Committee into School funding and the Senate Scrutiny of Government Budget measures First Interim Report.
- The Senate Education and Employment Legislation and References committees have also considered schools funding in the context of a number of reviews, for example, funding for students with disability.
- Parents and schools have called for certainty of funding arrangements for schools, which apply from 1 January 2018. Any delay to the passage of legislation will delay certainty, with some schools already enrolling students for the 2018 school year.

Possible submissions or evidence from:

Stakeholders including individual schools; school authorities (eg Independent Schools Council of Australia, National Catholic Education Commission, Association of Heads of Independent Schools); Australian Parents Council; The Mitchell Institute, the Grattan Institute, State School Organisations; Principals bodies such as the Primary Principals' Association of Australia; Indigenous education organisations, Representatives for students with disabilities

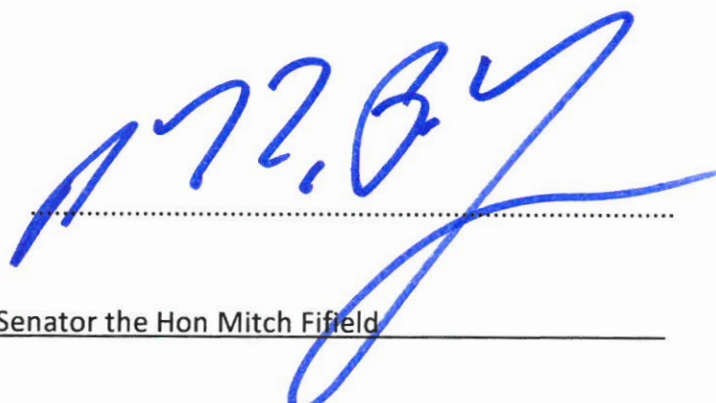
Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s): 5-6 June 2017

Possible reporting date: By 14 June 2016.

(signed)

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Print name: Senator the Hon Mitch Fifield

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

Name of bill: Australian Education Amendment Bill 2017

Reasons for referral/principal issues for consideration:

- Consideration of significant changes to school funding across Australia
- Analysis of overall funding allocation
- Analysis of operation of grants, loadings and other funding allocations
- Impact on schools, systems and curriculum

Possible submissions or evidence from:

- Teachers
- Unions
- State governments
- Representatives from Catholic, independent schools
- Special schools
- Parent Groups

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

8 August 2017


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Senator Anne Urquhart

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

Name of bill: Australian Education Amendment Bill 2017

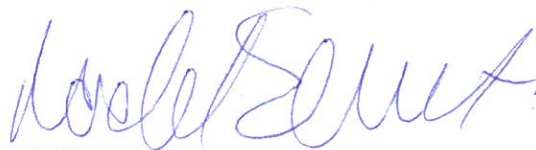
Reasons for referral/principal issues for consideration: To analyse the government's proposed funding model.

Possible submissions or evidence from: AEU, Australian Principals Association (Primary and Secondary), Catholic Education Commission, Independent Schools Association, Australian Council of State School Organisations, Grattan Institute, University of Melbourne Laureate Professor John Hattie Director Melbourne Education Research Institute, Save our Schools.

Committee to which bill is to be referred: Education and Employment Legislation

Possible hearing date(s): 15-19 May 2017, 5-9 June 2017

Possible reporting date: 14th June 2017



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Print name: _____

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Crimes Legislation Amendment (Powers, Offences and Other Measures Bill) 2017

Reasons for referral/principal issues for consideration:

This is an omnibus bill which contains a range of measures relating to Commonwealth criminal justice arrangements. The Bill would create new offences, increase penalties for certain offences, expand access to personal information and alter the procedural protections for Aboriginal and Torres Strait Islanders in the Crimes Act.

Given the complexity of these areas and the capacity for this Bill to significantly affect individuals' rights and freedoms, it would be appropriate to refer the Bill to committee for careful consideration.

Possible submissions or evidence from:

The Aboriginal Legal Service, the Australian Federal Police, the Australian Federal Police Association, the Attorney-General's Department, Law Council of Australia, State and Territory Bar Associations, Law Institute of Victoria, Legal Aid, the New South Wales Law Enforcement Conduct Commission, and the Media, Entertainment and Arts Alliance.

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: 8 August 2017



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Senator Anne Urquhart

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

Name of bill:

Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2017

Reasons for referral/principal issues for consideration:

- Amends legislation which is culturally sensitive
- Impacts of increased penalties and disclosure of potentially sensitive information

Possible submissions or evidence from:

ATSI groups, civil liberties groups

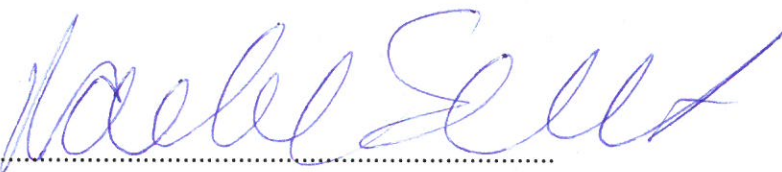
Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

Possible reporting date:

(signed)


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Print name: _____

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

Name of bill: Higher Education Support Legislative Amendment (A More Sustainable, Responsive and Transparent Higher Education System) Bill 2017

Reasons for referral/principal issues for consideration:

- The Bill underpins the provision of taxpayer funding for higher education
- Proposed amendments implement the Government's commitment to higher education reform to ensure the system remains accessible, affordable, high quality and fair for students and transparent, sustainable and accountable for taxpayers and providers.
- Higher education reform has been the subject of numerous reviews since 2014, including by the Senate Education and Employment committees and the Senate Scrutiny of Government Budget Measures committee.
- Universities have called for certainty following years of deferred implementation of Budget measures and legislative arrangements. Implementation of these proposed higher education reforms will commence from 1 January 2018.

Possible submissions or evidence from:

Universities and their peak and sub-peak groups, industry organisations, students and institutes

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s): 5-6 June 2017

Possible reporting date: By 16 June 2017

(signed)



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Print name: Senator the Hon Mitch Fifield

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

Name of bill: Higher Education Support Legislation Amendment (A More Sustainable, Responsive and Transparent Higher Education) Bill 2017

Reasons for referral/principal issues for consideration:

- Analyse the substantial cuts to higher education \$3.8 billion
- Impact on students
- Impact on universities
- Reflect and analyse the impact of significant program changes

Possible submissions or evidence from:

- Universities
- Student Groups
- Academics

Committee to which bill is to be referred:

- Senate Education and Employment Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

8 August 2017

.....*A. E. Urquhart*.....

Senator Anne Urquhart

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

Name of bill: Higher Education Support Legislation Amendment (A More Sustainable, Responsive and Transparent Higher Education) Bill 2017

Reasons for referral/principal issues for consideration: To analyse the impact of the legislation on students and universities.

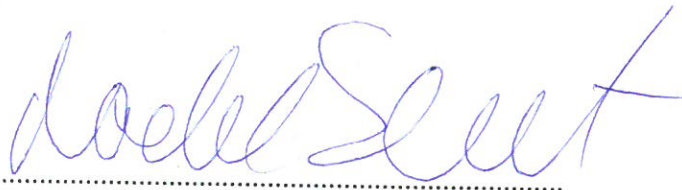
Possible submissions or evidence from: NTEU, Universities Australia, Regional Universities Australia, Council of Australian Postgraduate Associations, Group of Eight.

Committee to which bill is to be referred: Education and Employment Legislation

Possible hearing date(s): July

Possible reporting date: 9th August 2017

(signed)



A handwritten signature in blue ink, appearing to read 'David Scott', is written over a dotted horizontal line.

Print name: _____

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

Name of bill: Prime Minister and Cabinet Legislation Amendment (2017 Measures No 1) Bill 2017

Reasons for referral/principal issues for consideration:

The legislation has complex implications for a range of portfolio agencies in Indigenous Affairs that necessitates consultative processes to ensure unintended consequences.

Possible submissions or evidence from:

Indigenous Land Corporation, Indigenous Business Australia, Dept of PM&C, Indigenous Community Housing Organisations, Attorney Generals' Department

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:

20 June 2017


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Senator Anne Urquhart

**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 5 REPORT OF 2017—
AMENDMENT AGREED TO BY THE SENATE ON
11 MAY 2017**

At the end of the motion, add, “but,

- (a) in respect of the provisions of the Australian Education Amendment Bill 2017, the Education and Employment Legislation Committee report by 14 June 2017; and
- (b) in respect of the provisions of the Higher Education Support Legislation Amendment (A More Sustainable, Responsive and Transparent Higher Education System) Bill 2017, the Education and Employment Legislation Committee report by 9 August 2017.”.