



21 June 2018

Introduction

This newsletter highlights key aspects of the work of the Senate Scrutiny of Bills Committee and the Senate Regulations and Ordinances Committee. It has a particular focus on information that may be useful while bills are under consideration and legislative instruments are subject to disallowance, and seeks to raise awareness about the committees' scrutiny principles (see Senate Standing Orders 23 and 24).

For more detail and discussion of these matters see the committees' [Scrutiny Digests](#) and [Delegated legislation monitors](#).

Key scrutiny issues: Bills ([Scrutiny Digest No. 7 of 2018](#))

Migration (Validation of Port Appointment) Bill 2018:

- Retrospective validation: the committee is seeking advice as to the number of persons affected by, and the extent of any detriment that may arise from, the retrospective validation of an appointment of an area within the Territory of Ashmore and Cartier Islands for the purposes of the Migration Act.

Unexplained Wealth Legislation Amendment Bill 2018

- Retrospective application: the committee leaves to the Senate the appropriateness of retrospectively applying amendments widening the scope of the unexplained wealth regime.
- Abrogation of privileges: the committee is seeking advice as to the appropriateness of abrogating the privilege against self-incrimination and legal professional privilege.
- Significant matters in delegated legislation: the committee is seeking a detailed justification for allowing regulations to prescribe who may exercise coercive evidence-gathering powers.
- Immunity from liability: the committee is seeking advice as to why it is appropriate to confer immunity from civil and criminal liability in relation to certain actions.
- Privacy: the committee leaves to the Senate the appropriateness of expanding telecommunications interception disclosure laws to cover information relevant to the unexplained wealth regime.

Other bills commented on ([Scrutiny Digest No. 7 of 2018](#))

- **Water Amendment Bill 2018**: the committee received advice regarding the appropriateness of disapplying consultation requirements for Basin Plan amendments.

Legislative instruments commented on (*Delegated legislation monitor 7 of 2018*)

- The Regulations and Ordinances committee commented on 4 legislative instruments registered on the Federal Register of Legislation between 10 May and 23 May 2018. The committee concluded its interest in 1 instrument on which the committee had previously commented.
- All legislative instruments subject to a notice of motion for disallowance in either House of Parliament are listed in the [Disallowance Alert](#).

This document contains a very brief summary of some recent comments made by the Senate Scrutiny of Bills Committee (Chair: Senator Helen Polley and Deputy Chair: Senator John Williams) and the Senate Regulations and Ordinances Committee (Chair: Senator John Williams and Deputy Chair: Senator Gavin Marshall).

For any comments or questions, please contact:

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