

## Executive Summary

This report provides the Parliamentary Joint Committee on Human Rights' view on the compatibility with human rights as defined in the *Human Rights (Parliamentary Scrutiny) Act 2011* of bills introduced into the Parliament during the period 11 to 27 February 2014 and legislative instruments received during the period 1 to 21 February 2014. The committee has also considered responses to the committee's comments made in previous reports.

### **Bills introduced 11 to 27 February 2014**

The committee considered seventeen bills, all of which were introduced with a statement of compatibility. Of these seventeen bills, seven of the bills considered do not require further scrutiny as they do not appear to give rise to human rights concerns.

The committee has identified nine bills that it considers require further examination and for which it will seek further information.

Of the bills considered, those which are scheduled for debate during the sitting week commencing 3 March 2014 include:

- Tax and Superannuation Laws Amendment (2014 Measures No. 1) Bill 2014;<sup>1</sup> and
- Tertiary Education Quality and Standards Agency Amendment Bill 2014.<sup>2</sup>

The committee has decided to defer its consideration of the Fair Work Amendment Bill 2014, which was introduced on 27 February 2014, to enable closer consideration of the issues.

### **Legislative instruments received between 1 and 21 February 2014**

The committee considered 87 legislative instruments received between 1 and 21 February 2014. The full list of instruments scrutinised by the committee can be found in Appendix 1 to this report.

Of these 87 instruments, 81 (or approximately 93 percent) do not appear to raise any human rights concerns and are accompanied by statements of compatibility that are adequate. A further four instruments do not appear to raise any human rights concerns but are not accompanied by statements of compatibility that fully meet the committee's expectations. As the instruments in question do not appear to raise human rights compatibility concerns, the committee has written to the relevant

---

1 See pp 19 - 26 of this report.

2 See pp 27 - 30 of this report.

Ministers in a purely advisory capacity providing guidance on the preparation of statements of compatibility. The committee has decided to seek further information from the relevant Minister in relation to the remaining two instruments before forming a view about their compatibility with human rights.

### **Responses**

The committee has considered seven responses which related to 20<sup>3</sup> bills and legislative instruments and were in response to the committee's comments in its *First Report of the 44<sup>th</sup> Parliament*. The committee has concluded its consideration of three bills and eight instruments.

The committee has deferred its consideration of the Minister's response to the committee's comments on a further two legislative instruments to enable closer examination of the issues raised in light of information requested of the Minister in relation to related legislation considered in the committee's *Second Report of the 44<sup>th</sup> Parliament*.<sup>4</sup>

The committee notes that a number of responses to comments in its *Second Report of the 44<sup>th</sup> Parliament* were not received in time to be considered in this report. The committee will consider these responses in its next report.

**Senator Dean Smith**  
**Chair**

---

3 This figure does not include the eleven related bills to the DisabilityCare Australia Fund Bill 2013.

4 Migration Amendment (Subclass 050 and Subclass 051 Visas) Regulations 2013 and Migration Amendment (Temporary Protection Visas) Regulation 2013