

## **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 3 to 6 March 2014 and legislative instruments received during the period 22 to 28 February 2014. The committee has also considered responses to the committee's comments made in previous reports.

### **Bills introduced 3 to 6 March 2014**

The committee considered seventeen bills, all of which were introduced with a statement of compatibility; however one of these did not meet the committee's expectations for statements to read as stand-alone documents.<sup>1</sup> Of these seventeen bills, nine do not require further scrutiny as they do not appear to give rise to human rights concerns. The committee has decided to further defer its consideration of one bill to enable closer consideration of the human rights issues.<sup>2</sup>

The committee has identified eight 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 17 March 2014 include:

- Farm Household Support Bill 2014;
- Farm Household Support (Consequential Amendments) Bill 2014;
- Quarantine Charges (Collection) Bill 2014 and three related bills;
- Export Market Development Grants Bill 2014; and
- Civil Aviation Amendment (CASA Board) Bill 2014.

The Qantas Sale Amendment Bill 2014 is currently before the Senate, having been introduced in and passed by the House of Representatives on 6 March 2014.

### **Legislative instruments received between 22 and 28 February 2014**

The committee considered 49 legislative instruments received between 22 and 28 February 2014. The full list of instruments scrutinised by the committee can be found in Appendix 1 to this report.

Of these 49 instruments, none appear to raise any human rights concerns and all are accompanied by statements of compatibility that are adequate. However, the committee notes that a number of exempt instruments were not accompanied by a statement of compatibility. While such instruments are not required to be

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1 Export Market Development Grants Bill 2014.

2 See Fair Work Amendment Bill 2014, p 35.

accompanied by a statement of compatibility under the *Human Rights (Parliamentary Scrutiny) Act 2011*, the committee is required to assess all legislative instruments for compatibility with human rights and regards the preparation of a statement of compatibility for exempt instruments, particularly where they involve limitations on human rights, as a best-practice approach.

### **Responses**

The committee has considered 12 responses relating to matters raised in relation to bills and legislative instruments in previous reports. Of these, the responses relating to one bill and one instrument appear to have adequately addressed the committee's concerns.<sup>3</sup>

The committee retains concerns and/or has sought further information or the inclusion of safeguards in relation to three bills and seven instruments. The committee will write again to the relevant Ministers in relation to these matters where further information is required.

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

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<sup>3</sup> See Native Title (Assistance for Attorney-General) Amendment Guidelines 2013, pp 137-140 and Social Services and Other Legislation Amendments Bill 2013, pp 141-146.