Senate Standing Committee for the Scrutiny of Bills

No. 7 of 2001

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Senate Standing Committee

for the

Scrutiny of Bills

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Senate Standing Committee for the Scrutiny of Bills

Members of the Committee

Senator B Cooney (Chairman)
Senator W Crane (Deputy Chairman)
Senator T Crossin
Senator J Ferris
Senator B Mason
Senator A Murray

Terms of Reference

Extract from **Standing Order 24**

(1) (a) At the commencement of each parliament, a Standing Committee for the Scrutiny of Bills shall be appointed to report, in respect of the clauses of bills introduced into the Senate, and in respect of Acts of the Parliament, whether such bills or Acts, by express words or otherwise:

(i) trespass unduly on personal rights and liberties;

(ii) make rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;

(iii) make rights, liberties or obligations unduly dependent upon non-reviewable decisions;

(iv) inappropriately delegate legislative powers; or

(v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.

(b) The committee, for the purpose of reporting upon the clauses of a bill when the bill has been introduced into the Senate, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Senate.

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Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

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Appropriation Bill (No. 1) 2001-2002

This bill was introduced into the House of Representatives on 22 May 2001 by the Treasurer. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling $41,425.2 million out of the Consolidated Revenue Fund to meet payments for the ordinary annual services of the government for the year ending on 30 June 2002.

The Committee has no comment on this bill.

Appropriation Bill (No. 2) 2001-2002

This bill was introduced into the House of Representatives on 22 May 2001 by the Minister for Finance and Administration. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling $4,524.6 million out of the Consolidated Revenue Fund to meet payments to or for the States and Territories, and payments for administered items, administered capital items and departmental capital items for the year ending on 30 June 2002.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Appropriation (HIH Assistance) Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister for Financial Services and Regulation. [Portfolio responsibility: Treasury]

The bill proposes to provide for an appropriation out of the Consolidated Revenue Fund to fund a scheme to pay financial assistance to certain persons with a claim upon a policy of insurance issued by the HIH Insurance Group. The moneys proposed to be appropriated in this bill are in addition to appropriations made in other Appropriation bills.

The Committee has no comment on this bill.

Appropriation (Parliamentary Departments) Bill (No. 1) 2001-2002

This bill was introduced into the House of Representatives on 22 May 2001 by the Minister for Finance and Administration. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling $164.76 million out of the Consolidated Revenue Fund to meet the expenses of the parliamentary departments for the year ending on 30 June 2002.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Bankruptcy (Estate Charges) Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Attorney-General. [Portfolio responsibility: Attorney-General]

The bill proposes to amend the *Bankruptcy (Estate Charges) Act 1997* to:

- exempt any surplus in a bankrupt estate from the scope of the realisation charge;
- remove current payment obligations for the interest charge and the realisations charge if the amount otherwise payable is less than $10 in a charge period;
- close some charge-avoidance opportunities; and
- simplify some machinery provisions of the Act.

The bill also contains transitional provisions.

The Committee has no comment on this bill.

Bankruptcy Legislation Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Attorney-General. [Portfolio responsibility: Attorney-General]

The bill proposes to amend the *Bankruptcy Act 1966* to:

- introduce, in relation to most debtors, a mandatory 30 day cooling-off period under which the debtor may withdraw the petition, and repeal the existing optional 7 day cooling-off period;
- give Official Receivers a discretion to reject a debtor's petition in certain circumstances;
- abolish early discharge from bankruptcy;
- strengthen the objection-to-discharge provisions of the Act;
- make clear that a bankruptcy can be annulled by the Court whether or not the bankrupt was insolvent when a debtor's petition for bankruptcy was accepted;
- double the current income threshold for debt agreements, to allow and encourage many more debtors to choose this particular alternative to bankruptcy; and
- make consequential amendments to streamline the operation of the Act, or which are a consequence of the Insolvency and Trustee Service of Australia having become an executive agency.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Compensation (Japanese Internment) Bill 2001

This bill was introduced into the House of Representatives on 22 May 2001 by the Minister for Veterans' Affairs. [Portfolio responsibility: Veterans' Affairs]

The bill proposes an appropriation out of the Consolidated Revenue Fund for a once only payment of $25,000 to certain Australian civilians detained or interned by Japan, their widows and widowers, and the widow or widower of a veteran prisoner of war, where the widow or widower is not eligible for payment under the Veterans' Entitlements (Compensation – Japanese Internment) Regulations 2001.

The Committee has no comment on this bill.

Corporations (Compensation Arrangements Levies) Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister representing the Minister for Financial Services and Regulation. [Portfolio responsibility: Treasury]

Part of a package of bills to complement the Financial Services Reform Bill 2001, this bill imposes levies to fund compensation arrangements for financial services market participants not covered by the National Guarantee Fund. The bill also supersedes the proposed *Corporations (Futures Organisations Levies) Act 2001* and the proposed *Corporations (Securities Exchanges Levies) Act 2001*, and contains transitional provisions.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Corporations (Fees) Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister representing the Minister for Financial Services and Regulation. [Portfolio responsibility: Treasury]

Part of a package of bills to complement the Financial Services Reform Bill 2001, this bill proposes to amend the proposed *Corporations (Fees) Act 2001* to accommodate fees which the Australian Securities and Investments Commission (ASIC) will charge in relation to two functions for which the proposed *Financial Services Reform Act 2001* provides in relation to financial market supervision.

The Committee has no comment on this bill.

Corporations (Fees) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Community Services. [Portfolio responsibility: Treasury]

This bill is one of a further package of bills responding to the High Court's decisions in *Re Wakim*; *ex parte McNally* and *R v Hughes*.

The bill proposes to re-enact the provisions of the corporations legislation in relation to the imposition of fees and charges payable to the Australian Securities and Investments Commission (ASIC) in the form of taxation legislation that complies with Commonwealth constitutional requirements. The bill also establishes certain transitional arrangements.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Corporations (Futures Organisations Levies) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Community Services. [Portfolio responsibility: Treasury]

This bill is one of a further package of bills responding to the High Court's decisions in *Re Wakim*; *ex parte McNally* and *R v Hughes*.

The bill proposes to re-enact the provisions of the corporations legislation in relation to the imposition and amounts of levies and contributions payable to futures organisations in the form of taxation legislation that complies with Commonwealth constitutional requirements. The bill also establishes certain transitional arrangements.

The Committee has no comment on this bill.

Corporations (National Guarantee Fund Levies) Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister representing the Minister for Financial Services and Regulation. [Portfolio responsibility: Treasury]

Part of a package of bills to complement the Financial Services Reform Bill 2001, the bill proposes to amend the proposed *Corporations (National Guarantee Fund Levies) Act 2001* to accommodate the changes to the levy arrangements in connection with the National Guarantee Fund for which the Financial Services Reform Bill 2001 provides. The bill also contains transitional provisions.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Corporations (National Guarantee Fund Levies) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Community Services. [Portfolio responsibility: Treasury]

This bill is one of a further package of bills responding to the High Court's decisions in *Re Wakim*; *ex parte McNally* and *R v Hughes*).

The bill proposes to re-enact the provisions of the corporations legislation in relation to the imposition and rates of levies (contributions) payable to the National Guarantee Fund in the form of taxation legislation that complies with Commonwealth constitutional requirements. The bill also establishes certain transitional arrangements.

The Committee has no comment on this bill.

Corporations (Repeals, Consequentials and Transitionals) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Community Services. [Portfolio responsibility: Treasury]

This bill is one of a further package of bills responding to the High Court's decisions in *Re Wakim*; *ex parte McNally*, and *R. v Hughes*.

The bill proposes to:

- repeal the *Australian Securities and Investments Commission Act 1989*, the *Corporations Act 1989*, and 10 other Acts which comprised the former cooperative scheme of Commonwealth Acts for corporate regulation;
- make amendments to 128 Acts to take account of the enactment of the new corporations legislation, reflect new Act titles and remove references to repealed Acts;
- make amendments to the proposed *Corporations Act 2001* to update transitional provisions in response to the High Court's decision in *Edensor*, to make drafting corrections; and make a consequential amendment;
- makes technical changes to the transitional provisions of the proposed *Corporations Act 2001* and the proposed *Australian Securities and Investments Commission Act 2001* and proposed *Administrative Review Tribunal (Consequential and Transitional Provisions) Act 2001* contingent upon the commencement of the proposed Administrative Review Tribunal legislation; and
- makes changes to the proposed *Corporations Act 2001* to apply the *Criminal Code* to offence provisions.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Corporations (Securities Exchanges Levies) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Community Services. [Portfolio responsibility: Treasury]

This bill is one of a further package of bills responding to the High Court's decisions in *Re Wakim*; *ex parte McNally* and *R. v Hughes*.

The bill proposes to re-enact the provisions of the corporations legislation in relation to the imposition and rates of levies and contributions payable to securities exchanges in the form of taxation legislation that complies with Commonwealth constitutional requirements. The bill also establishes certain transitional arrangements.

The Committee has no comment on this bill.

Customs Tariff Amendment Bill (No. 3) 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Justice and Customs]

Introduced with the Excise Tariff Amendment Bill (No. 2) 2001, the bill proposes to amend the *Customs Tariff Act 1995* to remove indexation of customs duty on certain imported petroleum fuel products in respect of indexation periods that occur on or after 1 August 2001.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Dairy Produce Legislation Amendment (Supplementary Assistance) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Agriculture, Fisheries and Forestry. [Portfolio responsibility: Agriculture, Fisheries and Forestry]

The bill proposes to amend the *Dairy Produce Act 1986* and the *Farm Household Support Act 1992* to provide a framework for the implementation of additional, targeted funding for Australian dairy farmers and regions dependent on the dairy industry which are experiencing greater than anticipated adjustment pressure following the deregulation of the dairy industry by all Australian States in June 2000.

The Committee has no comment on this bill.

Defence Act Amendment (Victoria Cross) Bill 2001

This bill was introduced into the House of Representatives on 4 June 2001 by Mr Sidebottom as a Private Member's bill.

The bill proposes to amend the *Defence Act 1903* to declare the Parliament's intention with respect to the award of the Victoria Cross to certain persons in recognition of their bravery and valour.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Bill 2001

This bill was introduced into the Senate on 24 May 2001 by the Parliamentary Secretary to the Minister for Communications, Information Technology and the Arts. [Portfolio responsibility: Environment and Heritage]

The bill proposes to:

- incorporate amended provisions of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* into the *Environment Protection and Biodiversity Conservation Act 1999* and to provide for effective savings and transitional arrangements for decisions and processes previously falling under the former Act;
- repeal the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*;
- introduce three minor, technical amendments to the *Environment Protection and Biodiversity Conservation Act 1999* to improve the operation of the environmental assessment and approval process in the Act; and
- make minor consequential amendments to the *Biological Control Act 1984* following the repeal of the Wildlife Protection Act.

The Committee has no comment on this bill.

Excise Tariff Amendment Bill (No. 2) 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Introduced with the Customs Tariff Amendment Bill (No. 3) 2001, the bill proposes to amend the *Excise Tariff Act 1921* to remove the automatic indexation of excise duty on certain refined petroleum fuel products in respect of indexation periods that occur on or after 1 August 2001.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Export Market Development Grants Amendment Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister for Trade. [Portfolio responsibility: Foreign Affairs and Trade]

The bill proposes to amend the *Export Market Development Grants Act 1997* to extend the Export Market Development Grants (EMDG) Scheme for another five years to 2005/6 and provide for its review by June 2005.

The bill also proposes to improve the flexibility of the Scheme, provides better access for small business and emerging exporters, and contains application provisions.

The Committee has no comment on this bill.

Family and Community Services and Veterans' Affairs Legislation Amendment (Further Assistance for Older Australians) Bill 2001

This bill was introduced into the House of Representatives on 22 May 2001 by the Minister for Community Services. [Portfolio responsibility: Family and Community Services]

The Bill proposes to amend the:

- *Social Security Act 1991* to exempt superannuation from the social security means test for people aged between 55 and age pension age, from 1 July 2001;
- *Social Security Act 1991*, the *Social Security (Administration) Act 1999* and the *Veterans' Entitlements Act 1986* to extend the telephone allowance to holders of seniors health cards, from 1 September 2001; and
- *Social Security Act 1991* and the *Veterans' Entitlements Act 1986* to increase the income limits under which a person may qualify for the seniors health card, from 1 July 2001.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Family and Community Services Legislation Amendment (One-off Payment to the Aged) Bill 2001

This bill was introduced into the House of Representatives on 22 May 2001 by the Minister for Community Services. [Portfolio responsibility: Family and Community Services]

The bill proposes to amend the *Social Security Act 1991*, the *Social Security (Administration) Act 1999* and the *Income Tax Assessment Act 1997* to provide for a one-off payment of $300 to the aged to be paid to those people who, on 22 May 2001, were of age pension age and in receipt of a social security pension or benefit.

The Committee has no comment on this bill.

Family and Community Services Legislation (Simplification and Other Measures) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Minister representing the Minister for Family and Community Services. [Portfolio responsibility: Family and Community Services]

The bill proposes to amend the *Social Security Act 1991* to repeal Part 3.14 of that Act, which relates to compensation recovery, and to substitute a new Part 3.14. This new Part simplifies provisions dealing with compensation recovery and implements initiatives to remove existing direct deduction rules for the partners of compensation recipients and provide for the recovery of debts arising from the payment of arrears of periodic compensation payments.

The bill also proposes amendments to the *Social Security Act 1991* and the *Taxation Administration Act 1953* to:

- simplify measures relating to the treatment of gross rental income;
- streamline deeming exemption provisions;
- amend the means test treatment of income streams;
- allow 'compensation arrears debts' to be recovered directly from compensation payers and insurers;
- change the taper rate for the income cut-out formula that is used to calculate the preclusion period for lump sum compensation recipients; and
- make minor technical amendments, including one to a commencement provision in subsection 2(11) of the *A New Tax System (Family Assistance and Related Measures) Act 2001*.

Retrospective commencement
Subclauses 2(3), (5) and (6)

By virtue of subclauses 2(3), (5) and (6), various provisions of this bill will commence retrospectively. However, the Explanatory Memorandum states that the retrospective commencement provided for in subclause 2(3) is beneficial to social security recipients, and that the retrospective

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

commencements provided for by subclauses 2(5) and (6) are "purely technical and will have no adverse impact on anyone".

In these circumstances, the Committee makes no further comment on these provisions.

Financial Services Reform (Consequential Provisions) Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister representing the Minister for Financial Services and Regulation. [Portfolio responsibility: Treasury]

Part of a package of bills to complement the Financial Services Reform Bill 2001, the bill proposes consequential amendments to 26 Acts and proposed Acts to provide for the transition to the new financial services regulatory regime.

The bill also proposes the repeal of the *Insurance (Agents and Brokers) Act 1984*; and the repeal of the proposed *Corporations (Futures Organisations Levies) Act 2001* and the proposed *Corporations (Securities Exchanges Levies) Act 2001* two years after the commencement of Schedule 1 to the proposed *Financial Services Reform Act 2001*.

No review of decisions
Schedule 1, item 1

Item 1 in Schedule 1 to this bill provides that certain decisions are not decisions to which the *Administrative Decisions (Judicial Review) Act 1977* (the ADJR Act) applies.

The Explanatory Memorandum simply notes that these amendments will ensure that decisions of the Securities Exchanges Guarantee Corporation under Part 7.5 of the *Corporations Act 2001* (which deal with compensation arrangements), and decisions by the Minister under Division 1 of Part 7.4 of the Corporations Act (dealing with the 15 percent voting power limitation on prescribed market and clearing and settlement facility licensees) will not be subject to review under the ADJR Act.

The Committee **seeks the Minister's advice** as to why these particular decisions should not be subject to review under the ADJR Act.

Pending the Minister's advice, the Committee draws Senators' attention to this provision, as it may be considered to make rights,

liberties or obligations unduly dependent upon non-reviewable decisions, in breach of principle 1(a)(iii) of the Committee's terms of reference.

Strict liability offences
Schedule 1, various items

Among other things, Schedule 1 to this bill proposes to amend the *Australian Securities and Investment Commission Act 2001*. A number of these amendments will create offences of strict liability. These amendments are found in items 32, 36, 39, 43, 47, 49, 66, 83, 123, 132, 134, 136, 138-141, 158, 161, 162, 164, 166, 168, 172, 190-192, 200, 208 and 215 of that Schedule.

Item 8 in Schedule 1 ensures that the *Criminal Code* applies to that Act. It may therefore be assumed that the above amendments simply restate the existing law. The Committee **seeks the Treasurer's confirmation** that this bill will create no new offences of strict liability.

Pending the Treasurer's advice, the Committee draws Senators' attention to these provisions, as they may be considered to trespass unduly on personal rights and liberties, in breach of principle 1(a)(i) of the Committee's terms of reference.

Governor-General Legislation Amendment Bill 2001

This bill was introduced into the House of Representatives on 6 June 2001 by the Minister for Defence. [Portfolio responsibility: Prime Minister]

The bill proposes to amend the *Governor-General Act 1974* to:

- set the official salary for the next Governor-General and provide that this salary will not take effect during the continuance in office of the current Governor-General;
- ensure that the reduction in a retiring allowance payable to a former Governor-General or the allowance to the spouse of a deceased Governor-General or former Governor-General following the payment of a surcharge liability by the trustee will not exceed 15% of the allowance; and
- allow the trustee to pay surcharge liabilities arising after the retirement or death of a Governor-General or former Governor-General subject to a reduction in the retirement or spouse allowance.

The bill also proposes to amend the *Income Tax Assessment Act 1997* to remove income tax exemptions which currently apply to Vice-Regal representatives (the Governor-General and State Governors), and makes consequential amendments to the *Income Tax Assessment Act 1936*.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Health Legislation Amendment (Medical Practitioners' Qualifications and Other Measures) Bill 2001

This bill was introduced into the House of Representatives on 6 June 2001 by the Minister for Health and Aged Care. [Portfolio responsibility: Health and Aged Care]

Similar in content to the Health Legislation Amendment (Minimum Proficiency Requirements for Medical Practitioners) Bill 2000, resulting from the division by the Senate of the Health Legislation Amendment Bill (No. 4) 1999, this bill proposes to amend the *Health Insurance Act 1973* to:

- provide the legislative framework for the new specimen collection centre arrangements under the Medicare Benefits Scheme to apply to both public and private sectors which will commence on a day fixed by proclamation;
- simplify and clarify the rules relating to temporary resident doctors (TRDs) and overseas trained doctors (OTDs) and the circumstances in which they can access Medicare;
- remove the 1 January 2002 sunset clause from section 19AA in relation to the minimum proficiency requirements for new medical practitioners to participate in Medicare so that the current level of regulation of doctors' access to Medicare benefits to be maintained; and
- make a number of technical amendments.

The bill also repeals the *Health Insurance (Pathology) (Licence Fee) Act 1991*.

The Committee has no comment on this bill.

Higher Education Funding Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister for Education, Training and Youth Affairs. [Portfolio responsibility: Education, Training and Youth Affairs]

The bill proposes to amend the *Higher Education Funding Act 1988* to vary funding levels to provide for:

- an additional 670 new student places to be allocated to regional universities and campuses;
- include additional support for people with disabilities;
- provide supplementation for price movements;
- reflect revised estimates for Higher Education Contribution Scheme (HECS) receipts for the 2000, 2001 and 2002 funding years and the Commonwealth's superannuation liability for the 2001 and 2002 funding years;
- reflect the transfer of funds to the *Australian Research Council Act 2001* to enable the Institute of Advanced Studies of the Australian National University to access ARC competitive grant programs;
- reflect a transfer of innovation program funds for 2000 to 2001;
- remove an ambiguity concerning the operation of HECS in relation to the *Bankruptcy Act 1966*;
- broaden the Minister's guideline making power in relation to HECS and work experience in industry;
- enable the Commissioner of Taxation to apply any refunds of HECS repayment credits of less than $50 to existing outstanding taxation debts; and
- remove references to the now repealed *Overseas Students Charge Act 1979*.

The bill also proposes amendments to the:

- proposed *Innovation and Education Legislation Amendment Act 2001* to correct a drafting error;

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

- *Australian Research Council Act 2001* to vary funding levels to provide for additional funding; supplementation for price movements; and to reflect a transfer of funds to enable the Institute of Advanced Studies of the Australian National University to access ARC competitive grant programs; and the
- *Australian National University Act 1991* to enable the University to establish a new advisory/committee structure.

The Committee has no comment on this bill.

Indigenous Education (Targeted Assistance) Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister for Education, Training and Youth Affairs. [Portfolio responsibility: Education, Training and Youth Affairs]

The bill proposes to amend the *Indigenous Education (Targeted Assistance) Act 2000* to provide additional funding:

- for projects involving partnerships between communities, industry and education providers, and support for vocational learning for Indigenous secondary school students and to encourage student progression to tertiary and further education; and
- to address adverse effects that amendments to the *Fringe Benefits Tax Assessment Act 1986* have had on non-profit Aboriginal and Torres Strait Islander organisations.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

New Business Tax System (Capital Allowances) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the *Income Tax Assessment Act 1997* to introduce a simplified and more neutral Uniform Capital Allowance System (UCAS) that will replace the existing separate capital allowance regimes. The proposals will simplify the tax law by streamlining the tax treatment of depreciating assets (with certain assets excluded), and will apply to all taxpayers, except those small businesses participating in the Simplified Tax System.

Retrospective commencement
Subclause 2(2) and Schedule 2

Schedule 2 to this bill amends the *Income Tax Assessment Act 1997* with regard to the effective life of plant, and deductions for low-cost equipment. Subclause 2(2) will permit these amendments to commence retrospectively on 1 July 2000. However, Chapter 9 of the Explanatory Memorandum indicates that these amendments are beneficial to taxpayers.

> *In these circumstances, the Committee makes no further comment on these provisions*

Retrospective commencement
Subclause 2(3) and Schedule 3

Schedule 3 to this bill amends the *Income Tax Assessment Act 1997* with regard to plant acquired from an associate. Subclause 2(3) will permit these amendments to commence retrospectively on 9 May 2001, and item 3 of that Schedule provides that the amendments apply from 10am on that date.

In his Second Reading Speech, the Minister states that these provisions are intended “to prevent taxpayers obtaining artificially accelerated deductions in

circumstances where they acquire assets from an associate or where the end user of the asset does not change" (under, for example, a sale and lease-back arrangement). In these circumstances, the new owner or the continuing end user "must use the same depreciation method as the previous holder". To limit artificial deductions, the amendments are to commence retrospectively from 9 May 2001 "as announced by the Treasurer". The Minister concludes that this "is principally a revenue protection measure". However, neither the Explanatory Memorandum nor the Second Reading Speech discusses any potential adverse effect of the retrospective commencement.

The Committee notes that this legislation, though retrospective in operation, has been introduced within 6 months of the date of its announcement. The Committee also notes that the legislation is intended to prevent the use of artificial changes in the ownership of equipment to achieve accelerated deductions. However, the Committee **seeks the Treasurer's advice** as to the effect of the bill's retrospective commencement and, in particular, whether anyone will be adversely affected by this.

Pending the Treasurer's advice, the Committee draws Senators' attention to the provisions, as they may be considered to trespass unduly on personal rights and liberties, in breach of principle 1(a)(i) of the Committee's terms of reference.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

New Business Tax System (Capital Allowances—Transitional and Consequential) Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Introduced with the New Business Tax System (Capital Allowances) Bill 2001, this bill proposes to amend 14 Acts to ensure the transition to the new uniform capital allowance regime. The bill also proposes amendments to various provisions of the income tax and other legislation to align the terminology used in the generalised regime with that used in the other Acts.

The Committee has no comment on this bill.

Passenger Movement Charge Amendment Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Justice and Customs]

The bill proposes to amend the *Passenger Movement Charge Act 1978* to increase the rate of passenger movement charge by $8, to $38, with effect from 1 July 2001. The additional revenue will fund increased passenger processing costs as part of Australia's response to the threat of the introduction of Foot and Mouth Disease into Australia.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Patents Amendment Bill 2001

This bill was introduced into the House of Representatives on 24 May 2001 by the Parliamentary Secretary to the Minister for Industry, Science and Resources. [Portfolio responsibility: Industry, Science and Resources]

The bill proposes to amend the *Patents Act 1990* to strengthen Australia's patents system by:

- expanding the scope of the information against which an invention can be compared to ensure it complies with the novelty and inventiveness tests of the Patents Act;
- replacing with a more stringent test the requirement that a patent applicant be given the benefit of the doubt in relation to these tests;
- introducing a requirement for applicants to provide the Commissioner of Patents with the results of any searches they may have carried out that may be relevant in determining whether an invention meets these tests;
- making two minor amendments to bring the provisions of the Patents Act into compliance with the proposed Patent Law Treaty, pursuant to Australia's possible future accession to that treaty; and
- making a number of minor and technical amendments to the Patents Act to better protect the interests of third parties where they have begun to use an invention before the patent owner sought patent protection for that invention.

The bill also contains application provisions.

Retrospective commencement
Subclause 2(4) and Schedule 2

Subclause 2(4) of this bill will permit the amendments proposed in Schedule 2 to commence retrospectively on the commencement of the *Patents Amendment (Innovation Patents) Act 2000*. However, these amendments do no more than correct two incorrect cross-references in that Act, and make no change to the substantive law.

> *In these circumstances, the Committee makes no further comment on these provisions.*

Reconciliation and Aboriginal and Torres Strait Islander Affairs Legislation Amendment (Application of Criminal Code) Bill 2001

This bill was introduced into the House of Representatives on 6 June 2001 by the Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs. [Portfolio responsibility: Reconciliation and Aboriginal and Torres Strait Islander Affairs]

The bill proposes to amend seven Acts within the Reconciliation and Aboriginal and Torres Strait Islander Affairs portfolio to reflect the application of the *Criminal Code Act 1995* to existing offence provisions from 15 December 2001.

Schedule 1 to the bill amends existing offence provisions under various Commonwealth Acts to:

- apply the *Criminal Code* to all offences;
- clarify whether certain offence provisions create offences of strict liability;
- clarify the physical and fault elements for certain offences, including removing and replacing inappropriate fault elements where necessary;
- ensure that the defendant bears only an evidential burden of proof in relation to offences;
- remove parts of offence provisions which duplicate the general offence provisions in the Criminal Code; and
- replace references to certain general offence provisions in the *Crimes Act 1914* with references to the equivalent provisions of the *Criminal Code*.

Schedule 2 removes gender specific language in the *Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-Management) Act 1978*, *Aboriginal Councils and Associations Act 1976* and the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Strict liability offences
Various provisions

The effect of this bill is to include in legislation within the Reconciliation and Aboriginal and Torres Strait Islander Affairs portfolio a number of offences which are specified as being offences of strict liability.

The Minister's Second Reading Speech notes that this bill "does not change the current law and does not create any new strict or absolute liability offences". In similar terms, the Committee **seeks the Minister's confirmation** that the bill does not convert an offence which previously was not an offence of strict liability into a strict liability offence.

Pending the Minister's confirmation, the Committee draws Senators' attention to these provisions, as they may be considered to trespass unduly on personal rights and liberties, in breach of principle 1(a)(i) of the Committee's terms of reference.

Space Activities Amendment (Bilateral Agreement) Bill 2001

This bill was introduced into the House of Representatives on 6 June 2001 by the Minister for Community Services. [Portfolio responsibility: Industry, Science and Resources]

The bill proposes to amend the *Space Activities Act 1998* to:

- create a new Part to provide a framework for the implementation of specified space cooperation agreements for both public and private sector organisations;
- incorporate a copy of the text of the *Agreement between the Government of Australia and the Government of the Russian Federation on Cooperation in the Field of the Exploration and Use of Outer Space for Peaceful Purposes*, done at Canberra on 23 May 2001 as Schedule 6 of the Act; and
- include a power for the Governor-General to make regulations for the purpose of giving effect to one or more provisions of the Agreement or amending Schedule 6.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

States Grants (Primary and Secondary Education Assistance) Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister for Education, Training and Youth Affairs. [Portfolio responsibility: Education, Training and Youth Affairs]

The bill proposes to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000* to provide an additional $33.3 million based on 2000 prices, over the period 2001-2002 to 2002-03 for grants to improve learning outcomes of educationally disadvantaged students, particularly in literacy and numeracy. The increase will fund grants for strategic assistance for government and non-government education authorities, and grants to support strategic national literacy and numeracy research and development initiatives.

The bill also makes consequential amendments to the proposed *Innovation and Education Legislation Amendment Act 2001* if it commences after the commencement of section 1 of this proposed Act.

The Committee has no comment on this bill.

Taxation Laws Amendment Bill (No. 2) 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister representing the Minister for Agriculture, Fisheries and Forestry. [Portfolio responsibility: Treasury]

The bill proposes to amend the following Acts:

- *Fringe Benefits Tax Assessment Act 1986* to exempt from fringe benefits tax (FBT) certain free public transport provided to police officers, and to provide for consistent application of FBT to nominated State and Territory bodies;
- *Income Tax Assessment Act 1936* to allow all resident companies to transfer genuine share premiums and capital redemption reserves to their share capital account without tainting that account provided certain criteria are satisfied, and to correct certain anomalies in the dividend imputation provisions that apply to life insurance companies;
- *Fringe Benefits Tax Assessment Act 1986*, the *Income Tax Assessment Act 1936*, the *Income Tax Assessment Act 1997* and the *Sales Tax (Exemptions and Classifications) Act 1992* to extend the taxation treatment currently given to public benevolent institutions to charitable institutions whose principal activity is promoting the prevention or control of disease in humans; and
- *Income Tax Assessment Act 1936* and the *Income Tax Rates Act 1986* to decrease the upper limit of the shading-in range for trustees of certain resident deceased estates, to increase the existing monthly allowance of tax-free threshold, and to replace a superseded term in the definition of 'separate net income' in respect of dependent rebates.

Retrospective application
Schedule 1, Part 1

The amendments proposed in Part 1 of Schedule 1 to this bill will apply retrospectively from 1 April 2000 (see item 2). However, these amendments are beneficial to those who pay fringe benefits tax.

> *In these circumstances, the Committee makes no further comment on these provisions.*

Retrospective application
Schedule 2

The amendments proposed in Schedule 2 to this bill will apply retrospectively from 1 July 1998 (see item 3). However, these amendments are beneficial to taxpayers.

In these circumstances, the Committee makes no further comment on these provisions.

Retrospective application
Schedule 3

The amendments proposed in Schedule 3 to this bill will (by virtue of proposed new subsection 160AQKAE(9) of the *Income Tax Assessment Act 1936)* apply from 4 May 1999. The Explanatory Memorandum states that these amendments are necessary to "correct certain anomalies in the dividend imputation provisions that apply to life assurance companies".

These amendments were announced in a Press Release issued by the Assistant Treasurer on 4 May 1999. This Schedule is, therefore, another example of 'legislation by press release'. In this regard, the Committee notes the terms of the Senate Resolution of 8 November 1988, that where there has been an announcement of an intention to introduce a bill to amend taxation law, and no bill is introduced or made available in draft form within 6 calendar months of the date of that announcement then, subject to any further resolution, "the Senate shall amend the bill to provide that the commencement date of the Bill shall be a date that is no earlier than either the date of introduction of the Bill into the Parliament or the date of publication of the draft Bill."

This bill has been introduced a considerable time after the 6 months referred to in the above resolution. The Committee, therefore, **seeks the Minister's advice** as to the applicability of the Senate Resolution of 8 November 1988 to the commencement date of this bill.

Pending the Minister's advice, the Committee draws Senators' attention to these provisions, as they may be considered to trespass

unduly on personal rights and liberties, in breach of principle 1(a)(i) of the Committee's terms of reference.

Retrospective application
Schedule 4

The amendments proposed in Schedule 4 to this bill will apply retrospectively from a variety of dates. However, these amendments are beneficial to taxpayers.

In these circumstances, the Committee makes no further comment on these provisions.

Taxation Laws Amendment (Changes for Senior Australians) Bill 2001

This bill was introduced into the House of Representatives on 22 May 2001 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the:

- *Income Tax Assessment Act 1936* to provide for an increase, by regulation, in the tax rebates for certain senior Australians, including self-funded retirees and people who are of pension age, and receiving a Commonwealth pension;
- *Medicare Levy Act 1986* to ensure that senior Australians entitled to the increased rebates are not liable for the Medicare levy if their taxable income is less than $20,000 and increase the Medicare levy low income threshold to $15,970 for pensioners under age pension age; and
- *Income Tax Assessment Act 1997* to exempt from income tax the 'one off payment to the aged' of $300 provided for in the *Family and Community Services Legislation Amendment (One-off Payment to the Aged) Act 2001*.

The bill also contains application and transitional provisions.

The Committee has no comment on this bill.

Vocational Education and Training Funding Amendment Bill 2001

This bill was introduced into the House of Representatives on 7 June 2001 by the Minister for Education, Training and Youth Affairs. [Portfolio responsibility: Education, Training and Youth Affairs]

The bill proposes to amend the *Australian National Training Authority Act 1992* to give effect to the new Australian Training Authority (ANTA) Agreement for 2001-2003; and the *Vocational Education and Training Funding Act 1992* to:

- supplement 2001 funding in line with real price movements;
- appropriate general vocational education and training funding for 2002; and
- provide additional growth funding in 2001 and 2002 for those States and Territories that have endorsed the new ANTA Agreement and satisfy the provisions set out in that Agreement.

The Committee has no comment on this bill.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2001

This bill was introduced into the House of Representatives on 23 May 2001 by the Minister for Employment, Workplace Relations and Small Business. [Portfolio responsibility: Employment, Workplace Relations and Small Business]

The bill proposes to amend the *Workplace Relations Act 1996* to prevent the inclusion of clauses in certified agreements which purport to require payment of fees for the provision of bargaining services, and prohibit action by unions to collect fees which have not been agreed in writing in advance.

The Committee has no comment on this bill.

Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001

This bill was introduced into the House of Representatives on 23 May 2001 by the Minister for Employment, Workplace Relations and Small Business. [Portfolio responsibility: Employment, Workplace Relations and Small Business]

The bill proposes to amend the *Workplace Relations Act 1996* to:

- make consequential amendments arising from provisions of the proposed *Workplace Relations (Registered Organisations) Act 2001*, including the repeal of certain provisions of the *Workplace Relations Act 1996* that are to be replaced by the proposed *Workplace Relations (Registered Organisations) Act 2001*, correct errors and omissions, remove obsolete references and make technical and consequential amendments to 23 other Acts; and
- provide transitional and saving provisions for the smooth transition to the proposed *Workplace Relations (Registered Organisations) Act 2001*.

Retrospective commencement
Subclause 2(2)

Subclause 2(2) of this bill will permit the amendments proposed by various items in Schedule 3 to commence retrospectively, immediately after the commencement of the *Workplace Relations and Other Legislation Amendment Act 1996*. However, the only change proposed by these items is the replacement of "Industrial Relations Act" with "Workplace Relations Act".

In these circumstances, the Committee makes no further comment on these provisions.

Any Senator who wishes to draw matters to the attention of the Committee under its terms of reference is invited to do so.

Retrospective commencement
Subclause 2(3)

Subclause 2(3) of this bill will permit the amendment proposed by item 29 in Schedule 3 to commence retrospectively, immediately after the commencement of section 15 of the *Industrial Relations Legislation Amendment Act 1990*. However, this amendment does no more than correct an incorrect cross-reference in that Act, and makes no change to the substantive law.

> *In these circumstances, the Committee makes no further comment on this provision,*

PROVISIONS OF BILLS WHICH IMPOSE CRIMINAL SANCTIONS FOR A FAILURE TO PROVIDE INFORMATION

REPORT NO 4/2001

The Committee's *Eighth Report of 1998* dealt with the appropriate basis for penalty provisions for offences involving the giving or withholding of information. In that Report, the Committee recommended that the Attorney-General develop more detailed criteria to ensure that the penalties imposed for such offences were "more consistent, more appropriate, and make greater use of a wider range of non-custodial penalties". The Committee also recommended that such criteria be made available to Ministers, drafters and to the Parliament.

The Government responded to that Report on 14 December 1998. In that response, the Minister for Justice referred to the ongoing development of the Commonwealth *Criminal Code*, which would include rationalising penalty provisions for "administration of justice offences". The Minister undertook to provide further information when the review of penalty levels and applicable principles had taken place.

For information, the following Table sets out penalties for 'information-related' offences in the legislation covered in this *Digest*. The Committee notes that imprisonment is still prescribed as a penalty for some such offences.

TABLE

Bill/Act	**Section/Subsection**	**Offence**	**Penalty**
Environment Protection and Biodiversity Conservation Act 1999	Proposed new subsection 443A(4)	Intentionally refuse or fail to answer question	not exceeding 10 penalty units
Family Law Legislation Amendment (Superannuation) Bill 2000	Proposed new section 90MZB	Trustee fail to provide information about superannuation interest to applicant	50 penalty units (250 penalty units for body corporate)

PARLIAMENTARY AMENDMENTS AND THE COMMITTEE'S TERMS OF REFERENCE

AMENDMENTS IN THE HOUSE OF REPRESENTATIVES (22 May – 7 June)

Family and Community Services and Veterans' Affairs Legislation Amendment (Further Assistance for Older Australians) Bill 2001: On 23 May, the House of Representatives agreed to amend this bill. These amendments raised no issues within the Committee's terms of reference.

Export Market Development Grants Amendment Bill 2001: On 6 June, the House of Representatives agreed to amend this bill. These amendments raised no issues within the Committee's terms of reference.

Taxation Laws Amendment (Superannuation Contributions) Bill 2000: On 23 May, the House of Representatives disagreed with certain Senate amendments to this bill. These amendments proposed to increase the period of retrospective operation of the bill (and were the subject of comment by the Committee at p 10 of *Alert Digest No 2 of 2001*).

AMENDMENTS IN THE SENATE (22 May – 24 May)

Australia New Zealand Food Authority Amendment Bill 2001: On 22 and 23 May, the Senate agreed to amend this bill. These amendments raised no issues within the Committee's terms of reference.

Great Barrier Reef Marine Park Amendment Bill 2001: On 24 May, the Senate agreed to amend this bill. This amendment raised no issues within the Committee's terms of reference.

AMENDMENTS RAISING ISSUES WITHIN THE COMMITTEE'S TERMS OF REFERENCE

Family Law Legislation Amendment (Superannuation) Bill 2000

Commencement
Clause 2

The Committee considered this bill in *Alert Digest No 6 of 2000* in which it made certain comments in relation to clause 2 of the bill which deals with its commencement.

On 24 May, the House of Representatives agreed to amend this bill. The majority of these amendments raised no issues within the Committee's terms of reference. However, the House of Representatives agreed to amend the commencement clause, which originally provided for a 12 month delay in commencement to permit industry bodies and government agencies to adjust their information technology and administrative systems. Under the amendment, the commencement of the bill may now be delayed for up to 18 months after assent.

In introducing the amendment, the Attorney-General noted (at House of Representatives *Hansard* p. P25965) that this amendment, among others, had been introduced in response to a report of the Senate Select Committee on Superannuation and Financial Services. The Committee notes that that Committee received some representations concerning possible delays in the gazettal of regulations to accompany the bill. However, in its Final Report that Committee simply recommended that "the date for commencement of the new regime be clearly stated".

Given that the bill's commencement may now be further delayed, the Committee **seeks the Attorney's advice** as to the reasons for now providing for a possible 18 month delay in the commencement.

> *Pending the Attorney's advice, the Committee draws Senators' attention to this provision, as it may be considered to inappropriately delegate legislative power, in breach of principle 1(a)(iv) of the Committee's terms of reference.*

Retrospective application
Proposed clause 5

On 24 May 2001, the House of Representatives also agreed to amend clause 5 of the bill which deals with its application.

Clause 5 originally provided that the bill applied to all marriages, including those that were dissolved prior to the bill's commencement, except where there was an existing approved section 87 agreement or section 79 order or financial agreement in relation to the marriage.

Clause 5 has now been amended so that the superannuation amendments made by the bill apply where an existing section 79 order is later set aside, or an existing section 87 agreement is later revoked by the Court. This amendment, therefore, increases the bill's retrospective application.

The Committee notes that this amendment was supported in representations made to the Senate Select Committee on Superannuation and Financial Services. Specifically the Law Council suggested that where, because of a miscarriage of justice, the court orders that original property orders be set aside "what the court does is start all over again and look at the value of things as at the date they are doing the rehearing … why in those circumstances shouldn't those parties be entitled to the advantages of this new legislation".

> *Given that the legislation already contemplates a measure of retrospective application in these circumstances, the Committee makes no further comment on this amendment.*

20 June 2001

STANDING COMMITTEE FOR THE SCRUTINY OF BILLS

INDEX OF BILLS COMMENTED ON AND MINISTERIAL RESPONSES SOUGHT/RECEIVED - 2001

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
Bills Carried over from 1999/2000							
Aboriginal and Torres Strait Islander Commission Amendment Bill 2000	18(6.12.00)	29.11.00	6.2.01	Aboriginal and Torres Strait Islander Affairs	7.12.00	15.1.01 27.2.01	1(7.2.01) 2(28.2.01)
Administrative Review Tribunal Bill 2000	10(16.8.00)	28.6.00	6.2.01	Attorney-General	17.8.00		NEG26.2.01
Administrative Review Tribunal (Consequential and Transitional Provisions) Bill 2000	15(1.11.00)	12.10.00	6.2.01	Attorney-General	2.11.00		NEG26.2.01
Aviation Noise Ombudsman Bill 2000	13(4.10.00)	4.9.00		Mr Albanese MP	5.10.00	6.10.00	DNP 2.4.01
Broadcasting Services Amendment Bill 2000 (previous citation: Broadcasting Services Amendment Bill (No. 4) 1999)	1(16.2.00)	9.12.99	7.11.00	Communications, Information and the Arts	17.2.00 9.11.00	4.5.00 8.1.01	16(8.11.00) 1(7.2.01)
Convention on Climate Change (Implementation) Bill 1999	14(22.9.99)		2 .9.99	Senator Brown	3.9.99		
Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Bill 1999 (new citation: Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Bill 2000)	19(1.12.99)	24.11.99	30.10.00	Justice and Customs	2.12.99	15.3.00 11.00	15(1.11.00) 2(28.2.01)
Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Bill 2000	17(29.11.00)	9.11.00	7.2.01	Defence	30.11.00 1.3.01	5.12.00 7.3.01	2(28.2.01) 3(7.3.01)

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
Job Network Monitoring Authority Bill 2000	16(8.11.00)	30.10.00		Ms Kernot	9.11.00		
Job Network Monitoring Authority Bill 2000 [No. 2]	16(8.11.00)		31.10.00	Senator Collins	9.11.00		
Migration Legislation Amendment Bill (No. 1) 2001 (previous citation: Migration Legislation Amendment Bill (No. 2) 2000)	4(5.4.00)	14.3.00	26.2.01	Immigration and Multicultural Affairs	6.4.00 1.3.01	26.4.00 20.4.01	2(28.2.01) 6(23.5.01)
Migration Legislation Amendment (Integrity of Regional Migration Schemes) Bill 2000	18(6.12.00)	9.11.00	27.3.01	Immigration and Multicultural Affairs	7.12.00	5.2.01	4(28.3.01)
Pig Industry Bill 2000	18(6.12.00)	30.11.00	8.3.01	Agriculture, Fisheries and Forestry	7.12.00	14.2.01	4(28.3.01)
Postal Services Legislation Amendment Bill 2000	5(12.4.00)	6.4.00	--	Communications, Information Technology and the Arts	13.4.00	--	DC
Remuneration Tribunal Amendment Bill 2000	18(6.12.00)	29.11.00	8.3.01	Finance and Administration	7.12.00	31.1.01	4(28.3.01)
Roads to Recovery Bill 2000	18(6.12.00)	30.11.00	5.12.00	Transport and Regional Services	7.12.00	6.4.01	6(23.5.01)
Bills being dealt with in 2001							
Australia New Zealand Food Authority Amendment Bill 2001	2(28.2.01)	24.5.01	8.2.01	Health and Aged Care	1.3.01	26.3.01	4(28.3.01)
Australian Securities and Investments Commission Bill 2001	6(23.5.01)	4.4.01	18.6.01	Treasurer	24.5.01	18.6.01	7(20.6.01)
Aviation Legislation Amendment Bill (No. 2) 2001	6(23.5.01)	5.4.01		Transport and Regional Services	24.5.01		

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
Communications and the Arts Legislation Amendment (Application of Criminal Code) Bill 2000	1(7.2.01)	30.11.00	8.2.01	Communications, Information Technology and the Arts	8.2.01	26.2.01	2(28.2.01)
Copyright Amendment (Parallel Importation) Bill 2001	3(7.3.01)	28.2.01		Attorney-General	8.3.01	15.501	6(23.5.01)
Crimes Amendment (Age Determination) Bill 2001	4(28.3.01)	7.3.01	4.4.01	Justice and Customs	29.3.01	2.4.01	5(4.4.01)
Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2000	1(7.2.01) 4(28.3.01)	6.12.00	27.3.01	Justice and Customs	8.2.01 29.3.01	27.3.01 12.6.01	4(28.3.01) 7(20.6.01)
Customs Tariff Amendment Bill (No.2) 2001	4(28.3.01)	8.3.01	29.3.01	Justice and Customs	29.3.01	27.4.01	6(23.5.01)
Dried Vine Fruits (Rate of Primary Industry (Customs) Charge) Validation Bill 2001	5(4.4.01)	29.3.01	18.6.01	Agriculture, Fisheries and Forestry	5.4.01	14.6.01	7(20.6.01)
Dried Vine Fruits (Rate of Primary Industry (Excise Levy) Validation Bill 2001	5(4.4.01)	29.3.01	18.6.01	Agriculture, Fisheries and Forestry	5.4.01	14.6.01	7(20.6.01)
Electoral and Referendum Amendment Bill (No. 1) 2001	4(28.3.01)	7.3.01	2.4.01	Finance and Administration	29.3.01	4.5.01	6(23.5.01)
Environment and Heritage Legislation Amendment (Application of Criminal Code) Bill 2000	1(7.2.01)	8.2.01	6.12.00	Environment and Heritage	8.2.01	26.2.01	2(28.2.01)
Excise Tariff Amendment Bill (No. 1) 2001	4(28.3.01)	8.3.01	29.3.01	Treasurer	29.3.01	27.4.01	6(23.5.01)

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
Financial Sector (Collection of Data) Bill 2001	6(23.5.01)	5.4.01		Treasurer	24.5.01		
Financial Services Reform Bill 2001	6(23.5.01)	5.4.01		Treasurer	24.5.01		
Foreign Affairs and Trade Legislation Amendment (Application of Criminal Code) Bill 2000	1(7.2.01)	6.12.00	5.4.01	Foreign Affairs and Trade	8.2.01	2.4.01	5(4.4.01)
Great Barrier Reef Marine Park Amendment Bill 2001	6(23.5.01)	4.6.01	5.4.01	Environment and Heritage	24.5.01		
Health Legislation Amendment Bill (No. 2) 2001	6(23.5.01)	5.4.01	18.6.01	Health and Aged Care	24.5.01		
International Maritime Conventions Legislation Amendment Bill 2001	6(23.5.01)	4.4.01		Transport and Regional Services	24.5.01		
Law and Justice Legislation Amendment (Application of Criminal Code) Bill 2000	1(7.2.01)	5.3.01	6.12.00	Justice and Customs	8.2.01	20.2.01	2(28.2.01)
Migration Legislation Amendment (Application of Criminal Code) Bill 2001	6(23.5.01)	5.4.01	18.6.01	Immigration and Multicultural Affairs	24.5.01	13.6.01	7(20.6.01)
Migration Legislation Amendment (Electronic Transactions and Methods of Notification) Bill 2001	6(23.5.01)	5.4.01	18.6.01	Immigration and Multicultural Affairs	24.5.01	13.6.01	7(20.6.01)
National Crime Authority Legislation Amendment Bill 2000 [2001]	1(7.2.01)		7.12.00	Justice and Customs	8.2.01	13.2.01	7(20.6.01)

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
Parliamentary (Choice of Superannuation) Bill 2001	4(28.3.01)	5.3.01		Mr P Andren MP	29.3.01	3.4.01	
Petroleum (Submerged Lands) Legislation Amendment Bill (No. 3) 2000	1(7.2.01)	6.12.00	5.4.01	Industry, Science and Resources	8.2.01	5.3.01	5(4.4.01)
Prime Minister and Cabinet Legislation Amendment (Application of Criminal Code Bill 2001	4(28.3.01)	24.5.01	8.3.01	Prime Minister	29.3.01	27.4.01	6(23.5.01)
Roads to Recovery Act 2000	*18.6.12.00)	30.11.00	5.12.00	Justice and Customs	7.12.00	3.4.01	6(23.5.01)
Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2000	1(7.2.01)	7.12.00	24.5.01	Employment, Workplace Relations and Small Business	8.2.01	2.4.01	7(20.6.01)
Superannuation Legislation Amendment (Post-retirement Commutations) Bill 2000	1(7.2.01)	7.12.00	1.3.01	Finance and Administration	8.2.01	28.2.01	3(7.3.01)
Taxation Laws Amendment (Superannuation Contributions) Bill 2000	*14(11.10.00) 4(28.3.01)	7.9.00	5.10.00	Treasurer	12.10.00 1.3.01	31.10.01	*15(1.11.00)
Therapeutic Goods Amendment Bill (No. 4) 2000	1(7.2.01)	5.3.01	7.12.00	Health and Aged Care	8.2.01	20.2.01	2(28.2.01)
Therapeutic Goods Amendment (Medical Devices) Bill 2001	5(4.4.01)	29.3.01		Health and Aged Care	5.4.01	13.6.01	
Treasury Legislation Amendment (Application of Criminal Code) Bill (No. 2) 2001	6(23.5.01)	5.4.01		Treasurer	24.5.01		