

**Senate Standing Committee
for the
Scrutiny of Bills**



Alert Digest

No. 13 of 2003

29 October 2003

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Members of the Committee

Senator T Crossin (Chair)
Senator B Mason (Deputy Chairman)
Senator G Barnett
Senator D Johnston
Senator J McLucas
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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- **The Committee has commented on these bills**

This Digest is circulated to all Honourable Senators.
Any Senator who wishes to draw matters to the attention of the
Committee under its terms of reference is invited to do so.

Intelligence Services Amendment Bill 2003

[Introduced into the House of Representatives on 15 October 2003. Portfolio: Foreign Affairs]

The bill amends the *Intelligence Services Act 2001* to allow the Australian Secret Intelligence Service (ASIS) to enhance its protection of staff and agents while maintaining current legislative limitations on the functions of the agency.

The bill allows ASIS to accept protection from other agencies, including armed protection, for its staff and agents; and allows its staff and agents to defend themselves more adequately through training in self-defence and the provision of weapons solely for the purposes of defence outside Australia.

The bill also contains an application provision.

The Committee has no comment on this bill.

Social Security Amendment (Further Simplification) Bill 2003

[Introduced into the House of Representatives on 16 October 2003. Portfolio: Family and Community Services]

The bill amends the *Social Security Act 1991* (the Act) to:

- consolidate and simplify the rent assistance provisions within a new Part 3.7;
- amend the definition of ‘compensation affected payments’ and clarify which payments are recoverable when customers receive an economic loss compensation payment;
- amend the definition of ‘independent’ to include disability support pension youth customers, so that their treatment is consistent with that applied to youth allowance customers; and
- make technical amendments to clarify the operation of the income and assets tests provisions of Chapter 3 of the Act.

The bill also contains application provisions.

The Committee has no comment on this bill.

Truth in Food Labelling Bill 2003

[Introduced into the Senate on 13 October 2003 by Senator Brown as a Private Senator's bill]

The bill provides for a comprehensive food labelling system for Australia that requires the labelling of all genetically modified foods and not just those foods that still have detectable levels of genetically modified protein or DNA left after processing. The bill also requires the Minister to establish a monitoring plan and establishes the public's right of access to information on food products; and residues and contaminants in foods.

The Committee has no comment on this bill.

PARLIAMENTARY AMENDMENTS AND THE COMMITTEE'S TERMS OF REFERENCE

AMENDMENTS IN THE HOUSE OF REPRESENTATIVES

(7-9 October)

Civil Aviation Amendment Bill 2003: The House of Representatives amended this bill on 8 October 2003. The amendments raise no issues within the Committee's terms of reference.

AMENDMENTS IN THE SENATE

(7-9 October)

Superannuation (Government Co-contribution for Low Income Earners) Bill 2003: The Senate amended this bill on 7 October 2003. The Senate also requested that the House of Representatives make two amendments to this bill. The amendments raise no issues within the Committee's terms of reference.

Superannuation (Government Co-contributions for Low Income Earners) (Consequential Amendments) Bill 2003: The Senate amended this bill on 7 October 2003. The amendments raise no issues within the Committee's terms of reference.

Superannuation (Surcharge Rate Reduction) Amendment Bill 2003: The Senate amended this bill on 7 October 2003. The amendments raise no issues within the Committee's terms of reference.

Taxation Laws Amendment Bill (No.7) 2003: The Senate amended this bill on 7 October 2003. The amendments raise no issues within the Committee's terms of reference.

Australian Protective Service Amendment Bill 2003: The Senate amended this bill on 8 and 13 October 2003. The amendments raise no issues within the Committee's terms of reference.

(13-16 October)

Family Assistance Legislation Amendment (Extension of Time Limits) Bill 2003. The Senate amended this bill on 13 and 14 October 2003. The Senate also requested that the House of Representatives make eight amendments to this bill. The amendments raise no issues within the Committee's terms of reference.

STANDING COMMITTEE FOR THE SCRUTINY OF BILLS

INDEX OF BILLS COMMENTED ON AND MINISTERIAL RESPONSES SOUGHT/RECEIVED - 2003

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE SOUGHT RECEIVED		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Bills dealt with in 2002							
<i>Charter of the United Nations Amendment Act 2002</i>	15(4.12.02)	14.11.02	5.12.02	Foreign Affairs	5.12.02	20.5.03	5(18.6.03)
Communications Legislation Amendment Bill (No. 1) 2002	7(21.8.02)	27.6.02	13.5.03	Communications, Information Technology and the Arts	22.8.02	16.9.02	4(14.5.03)
<i>Crimes Legislation Amendment (People Smuggling, Firearms Trafficking and Other Measures) Act 2002</i>	16(11.12.02)	4.12.02	12.12.02	Justice and Customs	17.12.02	11.2.03	2(5.3.03)
<i>Criminal Code Amendment (Offences Against Australians) Act 2002</i>	15(4.12.02)	12.11.02	13.11.02	Attorney-General	5.12.02	3.2.03	1(5.2.03)
Electoral and Referendum Amendment (Roll Integrity and Other Measures) Bill 2002	3(20.3.02)	14.3.02		Special Minister of State	21.3.02	30.4.02	
Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill 2002	15(4.12.02)		19.11.02	Senator Bartlett	5.12.02	4.2.03	1(5.2.03)
Fuel Quality Standards (Renewable Content of Motor Vehicle Fuel) Amendment Bill 2002	13(13.11.02)	21.10.02	--	Mr Katter	14.11.02		DNP

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Health Insurance Amendment (Professional Services Review and Other Matters) Bill 2002	15(4.12.02)	27.6.02	11.11.02	Health and Ageing re Amendments	5.12.02	31.1.03	1(5.2.03)
Intellectual Property Laws Amendment Bill 2002	7(21.8.02)	27.6.02	16.6.03	Industry, Tourism and Resources	22.8.02	17.9.02	5(18.6.03)
<i>International Criminal Court Act 2002</i>	7(21.8.02)	25.6.02	26.6.02	Attorney-General	22.8.02	13.1.03	1(5.2.03)
<i>International Criminal Court (Consequential Amendments) Act 2002</i>	7(21.8.02)	25.6.02	26.6.02	Attorney-General	22.8.02	13.1.03	1(5.2.03)
Migration Legislation Amendment Bill (No. 1) 2002	3(20.3.02)	13.3.02	5.2.03	Immigration and Multicultural and Indigenous Affairs	21.3.02	27.5.02	2(5.3.03)
<i>Quarantine Amendment Act 2002</i>	3(20.3.02)	14.3.02	21.3.02	Agriculture, Fisheries and Forestry	21.3.02	24.1.03	1(5.2.03)
Superannuation Legislation (Commonwealth Employment) Repeal and Amendment Bill 2002	2(13.3.02)	21.2.02	19.6.02	Finance and Administration	14.3.02 20.6.02	16.5.02 20.12.02	5(19.6.02) 1(5.2.03)
Taxation Laws Amendment Bill (No. 8) 2002 (new citation) Taxation Laws Amendment Bill (No. 3) 2003	16(11.12.02)	5.12.02	15.9.03	Treasury	12.12.02	30.1.03	9(10.9.03)
<i>Taxation Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Act 2002</i>	5(19.6.02)	14.5.02	19.6.02	Treasurer	20.6.02	24.12.02	1(5.2.03)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Bills introduced 2003							
A Better Future for Our Kids Bill 2003	6(18.6.03)	26.5.03		Ms Roxon MP	19.6.03		
Age Discrimination Bill 2003	8(13.8.03)	26.6.03		Attorney-General	14.8.03	17.9.03	
Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2002	1(5.2.03)	12.12.02	3.3.03	Agriculture, Fisheries and Forestry	6.2.03	24.2.03	2(5.3.03)
Australian National Training Authority Amendment Bill 2003	9(20.8.03)	14.8.03	10.9.03	Education, Science and Training	21.8.03	8.9.03	9(10.9.03)
Australian Protective Service Amendment Bill 2003	8(13.8.03)		26.6.03	Justice and Customs	14.8.03	9.9.03	9(10.9.03)
Aviation Transport Security Bill 2003	5(14.5.03)	27.3.03		Transport and Regional Services	15.5.03	20.6.03	
Civil Aviation Legislation Amendment Bill 2003	5(14.5.03)	27.3.03	11.8.03	Transport and Regional Services	15.5.03	6.6.03	7(13.8.03)
Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003	8(13.8.03)	25.6.03		Transport and Regional Services	14.8.03		
Communications Legislation Amendment Bill (No. 2) 2003	8(13.8.03)	26.6.03	19.8.03	Communications, Information Technology and the Arts	14.8.03	19.8.03	8(20.8.03)
Communications Legislation Amendment Bill (No. 3) 2003	7(25.6.03)	19.6.03	21.8.03	Communications, Information Technology and the Arts	26.6.03	6.8.03	9(10.9.03)
Corporate Responsibility and Employment Security Bill 2003	10(10.9.03)	18.8.03		Hon S F Crean MP	11.9.03		

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
		HOUSE	SENATE				
Crimes (Overseas) Amendment Bill 2003	11(17.9.03)	11.09.03	18.9.03	Attorney-General	18.9.03	7.10.03	11(8.10.03)
Criminal Code Amendment (Hezbollah External Terrorist Organisation) Bill 2003	6(18.6.03)	2.6.03		Hon S F Crean MP	19.6.03		
Criminal Code Amendment (Hizballah) Bill 2003	6(18.6.03)	29.5.03	16.6.03	Attorney-General	19.6.03		
Criminal Code Amendment (Terrorism) Bill 2002	1(5.2.03)	12.12.02	13.5.03	Attorney-General	6.2.03	7.5.03	4(14.5.03)
Customs Amendment Bill (No. 1) 2003	6(18.6.03)	15.5.03	16.6.03	Justice and Customs	19.6.03	24.6.03	6(25.6.03)
Dairy Industry Service Reform Bill 2003	2(5.3.03)	12.2.03	19.3.03	Agriculture, Fisheries and Forestry	6.3.03	9.4.03	4(14.5.03)
Electoral Amendment (Political Honesty) Bill 2003	5(14.5.03)		27.3.03	Senator Murray		28.4.03	4(14.5.03)
Energy Grants (Credits) Scheme Bill 2003	2(5.3.03)	13.2.03	26.3.03	Treasurer	6.3.03	24.3.03	3(26.3.03)
Family and Community Services and Veterans' Affairs Legislation Amendment (2003 Budget and Other Measures) Bill 2003	12(8.10.03)	18.9.03	8.10.03	Family and Community Services	9.10.03	14.10.03	12(15.10.03)
Family Law Amendment Bill 2003	2(5.3.03)	12.2.03	20.8.03	Attorney-General	6.3.03	20.7.03	8(20.8.03)
Financial Services Reform Amendment Bill 2003	8(13.8.03)	26.6.03		Treasurer	21.8.03	11.9.03	10(17.9.03)
					14.8.03	12.9.03	

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		HOUSE	SENATE			
Higher Education Support (Transitional Provisions and Consequential Amendments) Bill 2003	12(8.10.03)	17.9.03	27.10.03	Education, Science and Training	9.10.03	
Late Payment of Commercial Debts (Interest) Bill 2003	3(19.3.03)		6.3.03	Senator Conroy	27.3.03	
Legislative Instruments Bill 2003	8(13.8.03)	26.6.03	9.9.03	Attorney-General	14.8.03	11(8.10.03)
Maritime Transport Security Bill 2003	12(8.10.03)	18.9.03	9.10.03	Transport and Regional Services	9.10.03	
Migration Legislation Amendment (Identification and Authentication) Bill 2003	9(20.8.03)	26.6.03	7.10.03	Immigration and Multicultural and Indigenous Affairs	21.8.03	
National Animal Welfare Bill 2003	9(20.8.03)		11.8.03	Senator Bartlett	21.8.03	10(17.9.03)
National Transport Commission Bill 2003	6(18.6.03)	4.6.03	14.8.03	Transport and Regional Services	19.6.03	8(20.8.03)
Offshore Petroleum (Safety Levies) Bill 2003	12(8.10.03)	17.9.03	14.10.03	Industry, Tourism and Resources	9.10.03	12(15.10.03)
Ozone Protection and Synthetic Greenhouse Gas Legislation Amendment Bill 2003	6(18.6.03)	5.6.03		Environment and Heritage	19.6.03	4.8.03
Petroleum (Timor Sea Treaty) Bill 2003	3(19.3.03)	5.3.03	6.3.03	Industry, Tourism and Resources	27.3.03	4(14.5.03)
Petroleum (Timor Sea Treaty) (Consequential Amendments) Bill 2003	3(19.3.03)	5.3.03	6.3.03	Industry, Tourism and Resources	27.3.03	4(14.5.03)
Private Health Insurance (Reinsurance Trust Fund Levy) Bill 2003	5(14.5.03)	26.3.03	23.6.03	Health and Ageing	15.5.03	6(25.6.03)
					18.6.03	
					24.6.03)	

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Student Assistance Amendment Bill 2003	8(13.8.03)	26.6.03	15.9.03	Education, Science and Training	14.8.03	15.9.03	10(17.9.03)
Taxation Laws Amendment Bill (No. 4) 2003	2(5.3.03)	13.2.03	19.3.03	Treasurer	6.3.03	18.3.03	3(26.3.03)
Textbook Subsidy Bill 2003	7(25.6.03)		18.6.03	Senator Stott Despoja	26.6.03	25.7.03 9.10.03	7(13.8.03) 12(15.10.03)
Trade Practices Amendment (Public Liability Insurance) Bill 2003	10(10.9.03)	18.8.03		Mr A Griffin MP	11.9.03		