

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



Alert Digest

No. 3 of 2004

10 March 2004

Senate Standing Committee
for the
Scrutiny of Bills

Alert Digest No. 3 of 2004

10 March 2004

ISSN 1329-668X

Senate Standing Committee for the Scrutiny of Bills

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.

TABLE OF CONTENTS

Euthanasia Laws (Repeal) Bill 2004	5
Invasion of Iraq Royal Commission (Restoring Public Trust in Government) Bill 2004	6
Telstra (Transition to Full Private Ownership) Bill 2003 [No. 2]	7
Veterans' Entitlements Amendment (Electronic Delivery) Bill 2004	8
Parliamentary amendments and the Committee's terms of reference	9

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.

Euthanasia Laws (Repeal) Bill 2004

[Introduced into the Senate on 3 March 2004 by Senator Allison as a Private Senator's bill.]

The bill repeals the *Euthanasia Laws Act 1997* which prevents the Legislative Assemblies of the Australian Capital Territory, Northern Territory and Norfolk Island from legalising voluntary euthanasia.

The Committee has no comment on this bill.

Invasion of Iraq Royal Commission (Restoring Public Trust in Government) Bill 2004

[Introduced into the Senate on 3 March 2004 by Senator Brown and Senator Nettle as a Private Senator's bill.]

The bill provides for the appointment of a Royal Commission of Inquiry to investigate the accuracy, independence and use of intelligence information provided to the Commonwealth Government that contributed to its decision to commit Australian military forces to the war against Iraq in 2003.

The Committee has no comment on this bill.

Telstra (Transition to Full Private Ownership) Bill 2003 [No. 2]

[Introduced into the House of Representatives on 4 March 2004. Portfolio: Communications, Information Technology and the Arts]

The bill amends the *Telstra Corporation Act 1991* to:

- repeal provisions requiring the Commonwealth to retain 50.1 per cent of its equity in Telstra Corporation Limited;
- cease the requirement for Ministerial directions and reporting obligations once the Commonwealth's equity falls below certain percentages;
- provide for foreign ownership limits, regular independent reviews of regional telecommunications; and
- provide for sale provisions.

The bill also amends the *Telecommunications Act 1997* to permit the imposition of licence conditions on Telstra to ensure that it maintains a local presence in regional, rural and remote parts of Australia. The bill also makes transitional and consequential amendments to a further three Acts and five regulations.

The Committee has no comment on this bill.

Veterans' Entitlements Amendment (Electronic Delivery) Bill 2004

[Introduced into the House of Representatives on 4 March 2004. Portfolio: Veterans' Affairs]

The bill amends the *Veterans' Entitlements Act 1986* to provide for the electronic communication of claims, applications and other documents to the Department of Veterans' Affairs.

The Committee has no comment on this bill.

PARLIAMENTARY AMENDMENTS AND THE COMMITTEE'S TERMS OF REFERENCE

AMENDMENTS IN THE HOUSE OF REPRESENTATIVES

(1 to 4 March 2004)

Privacy Amendment Bill 2003: The House of Representatives amended this bill on 4 March 2004. The amendment raises no issues within the Committee's terms of reference.

Taxation Laws Amendment Bill (No.9) 2003: The House of Representatives amended this bill on 3 March 2004. The amendment raises no issues within the Committee's terms of reference.

AMENDMENTS IN THE SENATE

(1 to 4 March 2004)

Agriculture, Fisheries and Forestry Legislation Amendment Bill (No.2) 2003: The Senate amended this bill on 1 March 2004. The amendments raise no issues within the Committee's terms of reference.

Criminal Code Amendment (Terrorist Organisations) Bill 2003: The Senate amended this bill on 4 March 2004. The amendments raise no issues within the Committee's terms of reference.

Workplace Relations Amendment (Codifying Contempt Offences) Bill 2003: The Senate amended this bill on 3 March 2004. The amendments raise no issues within the Committee's terms of reference.

Workplace Relations Amendment (Improved Remedies for Unprotected Action) Bill 2002: The Senate amended this bill on 2 March 2004. The amendment raises no issues within the Committee's terms of reference.

Workplace Relations Amendment (Transmission of Business) Bill 2002: The Senate amended this bill on 1 March 2004. 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 - 2004

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	SENATE	MINISTER	RESPONSE SOUGHT RECEIVED	REPORT NUMBER
Bill dealt with in 2002 still awaiting reporting						
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	
Bills dealt with in 2003 still awaiting reporting						
<i>ASIO Legislation Amendment Act 2003</i>	16(3.12.03)	27.11.03	3.12.03	Attorney-General	4.12.03 9.2.04	1(11.2.04)
Australian Protective Service Amendment Bill 2003 Amendments	8(13.8.03)	15.10.03	26.6.03	Justice and Customs	14.8.03 9.9.03 27.11.03 4.2.04	9(10.9.03) 1(11.2.04)
Aviation Transport Security Bill 2003 Amendments	5(14.5.03) 1(11.2.04)	27.3.03	10.2.04	Transport and Regional Services	15.5.03 20.6.03 12.2.04 27.2.04	1(11.2.04) 2(3.3.04)
Broadcasting Services Amendment (Media Ownership) Bill 2002 [No. 2]	15(26.11.03)	5.11.03	2.12.03	Communications, Information Technology and the Arts	27.11.03	
Building and Construction Industry Improvement Bill 2003	15(26.11.03)	6.11.03	10.2.04	Employment and Workplace Relations	27.11.03 12.1.04	1(11.2.04)
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 29.10.03	

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Corporate Responsibility and Employment Security Bill 2003	10(10.9.03)	18.8.03		Hon S F Crean MP	11.9.03		
Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Bill 2003	16(3.12.03)	16.2.04	28.11.03	Agriculture, Fisheries and Forestry	4.12.03	5.2.04	1(11.2.04)
Late Payment of Commercial Debts (Interest) Bill 2003	3(19.3.03)		6.3.03	Senator Conroy	27.3.03		
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	10.2.04	1(11.2.04)
Sexuality and Gender Identity Discrimination Bill 2003	16(3.12.03)		25.11.03	Senator Greig	4.12.03		
Superannuation Safety Amendment Bill 2003	16(3.12.03)	27.11.03	11.2.04	Treasurer/Revenue	4.12.03	1.3.04	2(3.3.04)
Trade Practices Amendment (Public Liability Insurance) Bill 2003	10(10.9.03)	18.8.03		Mr A Griffin MP	11.9.03		
Bills dealt with in 2004							
Australian Crime Commission Amendment Bill 2004	1(11.2.04)		4.12.03	Attorney-General/Justice & Customs	12.2.04	1.3.04	2(3.3.04)
Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Bill 2003	1(11.2.04)	4.12.03		Justice and Customs	12.2.04	8.03.04	
Dairy Produce Amendment Bill 2003	1(11.2.04)	3.12.03		Agriculture, Fisheries and Forestry	12.2.04		

NAME OF BILL	ALERT DIGEST	INTRODUCED HOUSE	INTRODUCED SENATE	MINISTER	RESPONSE SOUGHT	RESPONSE RECEIVED	REPORT NUMBER
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	2(3.3.04)	28.6.99	12.11.98	Environment and Heritage	4.3.04		
Military Rehabilitation and Compensation Bill 2003	1(11.2.04)	4.12.03	1.3.04	Veterans' Affairs	12.2.04		