

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 3 of 2005*

*16 March 2005*

## **MEMBERS OF THE COMMITTEE**

Senator Jeannie Ferris (Government Whip, Chair)

Senator George Campbell (Opposition Whip)

Senator Bartlett (Australian Democrats Whip)

Senator Julian McGauran (The Nationals Whip)

Senator Alan Eggleston

Senator the Hon C Ellison

Senator Joseph Ludwig

Senator R Webber

Secretary: Rosemary Laing  
☎ 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 3 OF 2005

1. The committee met in private session from 4.20 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Building and Construction Industry Improvement Bill 2005 and the Building and Construction Industry Improvement (Consequential and Transitional) Bill 2005 to be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 10 May 2005 (see appendix 1 for statement of reasons for referral);
  - (b) the *provisions* of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 to be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 10 May 2005 (see appendix 2 for statement of reasons for referral);
  - (c) the *provisions* of the Migration Litigation Reform Bill 2005 to be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 11 May 2005 (see appendix 3 for statement of reasons for referral);
  - (d) the *provisions* of the National Security Information Legislation Amendment Bill 2005 to be *referred immediately* to the Legal and Constitutional Legislation Committee for inquiry and report by 11 May 2005 (see appendix 4 for statement of reasons for referral);
  - (e) the *provisions* of the Occupational Health and Safety (Commonwealth Employment) Amendment (Promoting Safer Workplaces) Bill 2005 to be *referred immediately* to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 10 May 2005 (see appendix 5 for statement of reasons for referral); and
  - (f) the *provisions* of the Telecommunications Legislation Amendment (Regular Reviews and Other Measures) Bill 2005 to be *referred immediately* to the Environment, Communications, Information Technology and the Arts Legislation Committee for inquiry and report by 11 May 2005 (see appendix 6 for statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Customs Tariff Amendment Bill (No. 1) 2005
  - Higher Education Legislation Amendment (2005 Measures No. 2) Bill 2005
  - Payment Systems (Regulation) Amendment Bill 2005
  - Primary Industries (Excise) Levies Amendment (Rice) Bill 2005
  - Workplace Relations Amendment (Better Bargaining) Bill 2005.

*The committee recommends accordingly.*

4. The committee *deferred* consideration of the following bill to the next meeting:

*Bill deferred from meeting of 8 February 2005*

- Trade Practices Amendment (Personal Injuries and Death) Bill 2004.

(Jeannie Ferris)

**Chair**

16 March 2005



THE SENATE

CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Building & Construction Industry Improvement Bill 2005  
Building & Construction Industry Improvement (Consequential & Transitional)  
Reasons for referral/principal issues for consideration: Bill 2005

The bill introduces retrospective penalties for unions & employees. To investigate any adverse consequences

Possible submissions or evidence from: Employers ORG.  
Unions. State/Territory Govts.

Committee to which bill is to be referred: Senate EWRE leg.

Possible hearing date(s): April/May

Possible reporting date: 10 May

(signed)

[Signature] 15/3/05.  
Whip / Selection of Bills Committee member



THE SENATE

CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Criminal Code Amendment (Suicide Related Material Offence Bill 2005)

Reasons for referral/principal issues for consideration: Referred 5 August 2004. Dissolved proposition of 40th Parliament. The Bill will insert new offences into the Criminal Code dealing with the use of a carriage service, including the Internet, to access, transmit or otherwise make available suicide related material, & possession, production, supplying or obtaining suicide related material for use through a carriage service

Possible submissions or evidence from: Various interested parties

Committee to which bill is to be referred: Senate Legal & Constitutional Legislation Committee

Possible hearing date(s): \_\_\_\_\_

Possible reporting date: May

(signed)

[Signature] 15/3/05  
Whip / Selection of Bills Committee member

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OIL D T FERGUSON MP

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APPENDIX 3



THE SENATE  
CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Migrator Litigation Reform

Reasons for referral/principal issues for consideration  
COSTS AGAINST LAWYERS & VOLUNTARY ORGANISATIONS  
SUMMARY DECISIONS  
CONSTITUTIONALITY of PRIVATE CLAUSES  
& TIME LIMITS.

Possible submissions or evidence from: LAWYERS  
Refugee groups

Committee to which bill is to be referred:  
Legal & Constitution

Possible hearing date(s):

Possible reporting date: May 11, 2005

(signed) [Signature] 15/3/05  
Whip / Selection of Bills Committee member



THE SENATE

CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill National Security Information Legn Amendment Bill 2005

Reasons for referral/principal issues for consideration: Unresolved issues as to the stay provisions in the Bill and how these would work in civil proceedings.

"To examine the mechanisms available in civil proceedings to ensure that the parties to the proceedings receive a fair hearing in circumstances in which national security information is being considered"

Possible submissions or evidence from: Lawyer's group

Committee to which bill is to be referred: Senate legal and constitutional legislation committee

Possible hearing date(s):

Possible reporting date: May 11, 2005

(signed) [Signature] 15/3/05  
Whip / Selection of Bills Committee member





THE SENATE  
CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Occupational Health & Safety (Comm Employment)  
Amendment (Promoting safer work places) Bill 2005  
Reasons for referral/principal issues for consideration:

The bill overturns the ability of State & Territory Govts ability to legislate in the OHS of workplaces and to consider the implications

Possible submissions or evidence from: State & Territory Govts  
Employer & Employee orgs

Committee to which bill is to be referred: Senate EWRE leg.

Possible hearing date(s): April / May

Possible reporting date: 10 May 05

(signed) [Signature] 15/3/05  
Whip / Selection of Bills Committee member



THE SENATE

CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill TELECOMMUNICATIONS LEGISLATION AMENDMENT  
(REGULAR REVIEWS AND ~~SEVERAL OTHER MEASURES~~ OTHER MEASURES) BILL

Reasons for referral/principal issues for consideration:


To explore the adequacy of the ~~the~~ Bills' so called "future proofing" proposals.  
To determine whether they are consistent with the recommendations of the Estens ~~the~~ Inquiry.

Possible submissions or evidence from: NATIONAL FARMERS' FEDERATION  
TELSTRA, AUSTRALIAN COMMUNICATIONS AUTHORITY

Committee to which bill is to be referred: ENVIRONMENT, COMMUNICATIONS  
AND IT.

Possible hearing date(s):

Possible reporting date: 11 May 2005

(signed)  15/3/05  
Whip / Selection of Bills Committee member