

SELECTION OF BILLS COMMITTEE

REPORT NO. 13 of 2010

28 October 2010

MEMBERS OF THE COMMITTEE

Senator Anne McEwen (Government Whip, Chair)

Senator Stephen Parry (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (The Australian Greens Whip)

Senator Steve Fielding (The Family First Party Whip)

Senator Judith Adams

Senator Carol Brown

Senator Mitch Fifield

Senator the Hon. Joe Ludwig

Secretary: Maureen Weeks
 ☎ 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 13 OF 2010

1. The committee met in private session on Thursday, 28 October 2010 at 11.59 am.
2. The committee resolved to recommend—That—
 - (a) the **provisions** of the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 be **referred immediately** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by the last sitting day of the 2011 autumn sittings (see appendix 1 for a statement of reasons for referral);
 - (b) the Education Services for Overseas Students Legislation Amendment Bill 2010 be **referred immediately** to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 22 November 2010 (see appendix 2 for a statement of reasons for referral); and
 - (c) the **provisions** of the Federal Financial Relations Amendment (National Health and Hospitals Network) Bill 2010 be **referred immediately** to the Economics Legislation Committee for inquiry and report by the second sitting day in 2011 (see appendix 3 for a statement of reasons for referral).
3. The committee also resolved to recommend—That in respect of the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010 certain provisions of the bill be referred to committees as follows—
 - (a) the **provisions** of Schedules 2 and 3 of the bill be **referred immediately** to the Community Affairs Legislation Committee for inquiry and report by 22 November 2010 (see appendices 4 and 5 for statements of reasons for referral); and
 - (b) the **provisions** of Schedule 4 of the bill be **referred immediately** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by first sitting day in 2011 (see appendix 5 for a statement of reasons for referral).
4. The committee resolved to recommend—That the International Financial Institutions Legislation Amendment Bill 2010 **not** be referred to a committee.

The committee recommends accordingly.

5. The committee deferred consideration of the following bills to its next meeting:
- Responsible Takeaway Alcohol Hours Bill 2010
 - Migration Amendment (Detention of Minors) Bill 2010
 - Social Security Amendment (Income Support for Regional Students) Bill 2010.

(Anne McEwen)

Chair

28 October 2010

Proposal to refer a bill to a committee

Name of bill:

Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010

Reasons for referral/principal issues for consideration:

The Bill will ratify the Convention on Cluster Munitions, however the Bill is inconsistent with recommendations made by JSCOT when it reviewed the Convention in 42nd Parliament. It is recommended that the bill be referred to the Senate Committee on Foreign Affairs, Defence and Trade.

Possible submissions or evidence from:

Law Council of Australia
Red Cross
Medical Association for the Prevention of War
Amnesty International
International Campaign to Ban Landmines
Law Society of Australia
Oxfam
CICD – Campaign for International Cooperation and Disarmament
AusCare - ActionAid
Women's International League for Peace and Freedom
Australian Medical Association
Gun Control Australia

Committee to which bill is to be referred:

Senate Committee on Foreign Affairs, Defence and Trade

Possible hearing date(s):

Possible reporting date:

Last sitting day of Autumn sittings 2011

(signed)



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Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Education Services for Overseas Students Legislation Amendment Bill 2010*

Reasons for referral/principal issues for consideration:

On 24 June 2010 the Senate referred the following matter to the Senate Education, Employment and Workplace Relations Committee for inquiry and report.

Upon the 42nd Parliament being prorogued the Committee had yet to finalise their inquiry and report.

Possible submissions or evidence from:

The hearings have already been conducted.

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Committee

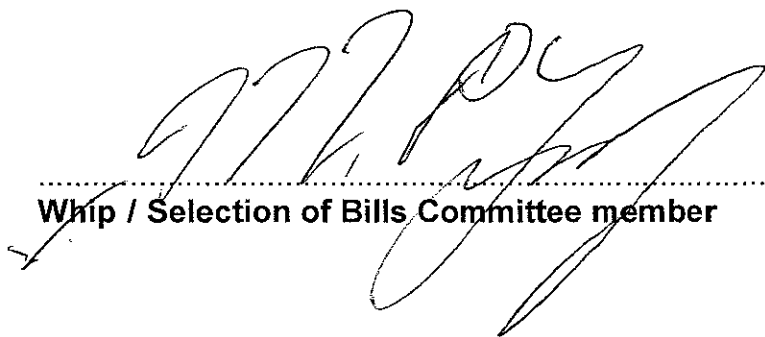
Possible hearing date(s):

The hearings have already been conducted.

Possible reporting date:

November 2010

(signed)


Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Federal Financial Relations Amendment (National Health and Hospitals Network)
Bill 2010

Reasons for referral/principal issues for consideration:

Changes to the GST agreement with the States represent a fundamental shift in
Commonwealth-State financial arrangements.

Possible submissions or evidence from:

State Treasuries
State Health Departments
Commonwealth Treasury
Commonwealth Department of Finance and Deregulation
Commonwealth Department of Health and Ageing
Australian Medical Association

Committee to which bill is to be referred:

Economics Legislation Committee

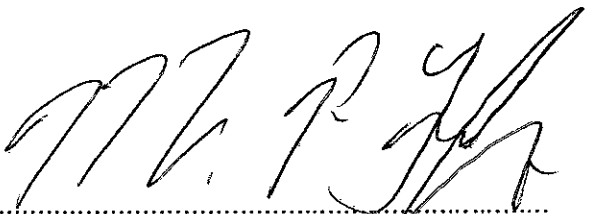
Possible hearing date(s):

November - December

Possible reporting date:

31 January 2011

(signed)


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Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

APPENDIX 4

Name of bill:

Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010
Only Schedule 2 to be referred

Reasons for referral/principal issues for consideration:

Investigate the issue of portability for Disability Support Pension recipients with severe disability and a legal guardian (related item to Schedule 2)

Possible submissions or evidence from:

Department of Families, Housing, Community Services & Indigenous Affairs

Committee to which bill is to be referred:

Community Affairs

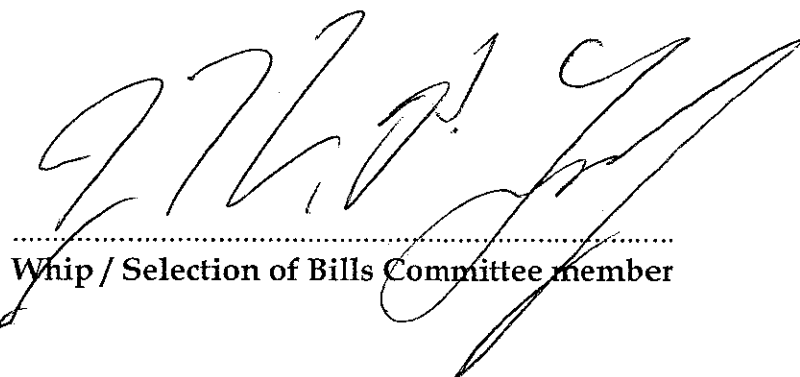
Possible hearing date(s):

November 2010

Possible reporting date:

November 2010

(signed)



Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Families, Housing, Community Services and Indigenous Affairs and Other
Legislation Amendment (Budget and Other Measures) Bill 2010
Only Schedule 3 & 4 to be referred

Reasons for referral/principal issues for consideration:

Investigate the role of the Indigenous Land Council, ILC, in Native Title settlement
Investigate the financial and resource implications on the ILC of this bill
Investigate the implications of the 'Blue Mud Bay' case on the scheduled parcels of
land.

Possible submissions or evidence from:

Indigenous Land Corporation
National Native Title Tribunal
Northern Territory Government
Northern Land Council
Northern Territory fishing industry, both recreational and professional

Committee to which bill is to be referred:

Legal and Constitutional

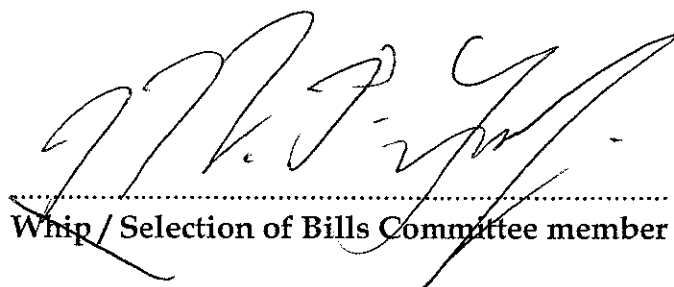
Possible hearing date(s):

November 2010

Possible reporting date:

November 2010

(signed)



Whip / Selection of Bills Committee member