

SELECTION OF BILLS COMMITTEE

REPORT NO. 3 of 2011

24 March 2011

MEMBERS OF THE COMMITTEE

Senator Anne McEwen (Government Whip, Chair)

Senator Stephen Parry (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator Steve Fielding (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. 3 OF 2011

1. The committee met in private session on Wednesday, 23 March 2011 at 7.35 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Customs Amendment (Anti-dumping Measures) Bill 2011 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 22 June 2011 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Intelligence Services Legislation Amendment Bill 2011 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 21 September 2011 (see appendix 2 for a statement of reasons for referral);
 - (c) the Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 16 August 2011 (see appendix 3 for a statement of reasons for referral);
 - (d) the *provisions* of the National Health Reform Amendment (National Health Performance Authority) Bill 2011 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 9 June 2011 (see appendices 4 and 5 for statements of reasons for referral); and
 - (e) the Tertiary Education Quality and Standards Agency Bill 2011 and Tertiary Education Quality and Standards Agency (Consequential Amendments and Transitional Provisions) Bill 2011 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 10 May 2011 (see appendices 6 and 7 for statements of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Corporations Amendment (Improving Accountability on Director and Executive Remuneration) Bill 2011
 - Electoral and Referendum Amendment (Provisional Voting) Bill 2011
 - Midwife Professional Indemnity Legislation Amendment Bill 2011
 - Trans-Tasman Proceedings Amendment and Other Measures Bill 2011.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
- Aviation Transport Security Amendment (Air Cargo) Bill 2011
 - Child Support (Registration and Collection) Amendment Bill 2011
 - Crimes Legislation Amendment Bill (No. 2) 2011
 - Customs Amendment (Export Controls and Other Measures) Bill 2011
 - Customs Tariff Amendment (2012 Harmonized System Changes) Bill 2011
 - Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Further Election Commitments and Other Measures) Bill 2011
 - International Tax Agreements Amendment Bill (No. 1) 2011
 - Migration Amendment (Detention of Minors) Bill 2010
 - Native Title Amendment (Reform) Bill 2011
 - Product Stewardship Bill 2011
 - Responsible Takeaway Alcohol Hours Bill 2010
 - Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2011
 - Social Security Legislation Amendment (Job Seeker Compliance) Bill 2011
 - Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011
 - Therapeutic Goods Amendment (2011 Measures No. 1) Bill 2011.

(Anne McEwen)

Chair

24 March 2011

Proposal to refer a bill to a committee

Name of bill: *Customs Amendment (Anti-Dumping Measures) Bill 2011*

Reasons for referral/principal issues for consideration: There are significant (and growing) problems with Australia's anti-dumping system. Senate Committee examination of this Bill could be complementary (or even concurrent) to the committee process already initiated for consideration of proposed changes to the wider anti-dumping regime through a related Private Senator's Bill introduced by Senator Xenophon: *Customs Amendment (Anti-Dumping) Bill 2011*.

Possible submissions or evidence from: Similar for the submissions and hearings on Senator Xenophon's Bill, including:

- Representatives of companies in industries that are significantly impacted by anti-dumping legislation - such as the steel fabrication, paper, timber, food processing, cement/concrete and plastics and chemicals industries.
- Industry associations, such as the Australian Industry Group (and the Trade Remedies Taskforce that is convened under its auspices), the Australian Chamber of Commerce and Industry, Australian Food and Grocery Council, Plastics and Chemicals Industries Association and Ausbuy.

Committee to which bill is to be referred: Senate Economics Committee

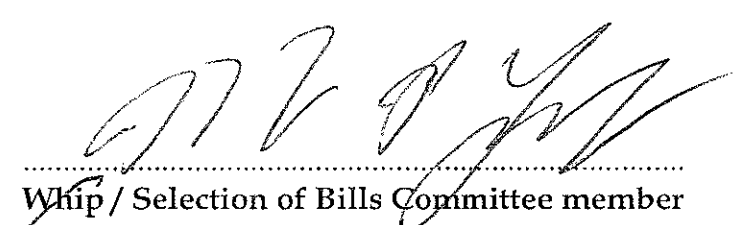
Possible hearing date(s):

Between late March and May/June 2011

Possible reporting date:

The Senate Committee process on Senator Xenophon's anti-dumping Bill is due to report on 22 June 2011. A similar timetable for this Bill would be appropriate.

(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: *Intelligence Services Legislation
Amendment Bill 2011*

Reasons for referral/principal issues for consideration:

Need to assess whether privacy issues, employment issues, the collection of foreign intelligence and the sharing of information with ADF have been assessed adequately.

The government has not provided the Bill with enough time to examine these complex issues adequately before weighing up considerations before referral, therefore referral is necessary.

Possible submissions or evidence from:

Australian Law Council
Castan Centre for Human Rights Law
Australian Privacy Foundation
Australian Commission for Law Enforcement Integrity

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

August 2011

Possible reporting date:

September 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:

Migration Amendment (Detention reform and Procedural Fairness) Bill 2010

Reasons for referral/principal issues for consideration:

To look into implementing time-limits and procedural fairness on immigration detention.

Possible submissions or evidence from:

AHRC
Refugee Council of Australia
Amnesty International
DIAC

Committee to which bill is to be referred:

Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s):

18-22 July

Possible reporting date:

August 16 2011



(signed)

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: National Health Reform Amendment (National Health Performance Authority) Bill 2011

Reasons for referral/principal issues for consideration:

Governance, national standards and consistency, powers of authority.

Possible submissions or evidence from:

John Dwyer, Lesley Russell, Stephen Leeder,

Committee to which bill is to be referred:

Community Affairs

Possible hearing date(s):

April - June 2011

Possible reporting date:

June 9th 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: *National Health Reform Amendment (National Health Performance Authority) Bill 2011*

Reasons for referral/principal issues for consideration:

This Bill was the subject of a House Committee inquiry which held one brief public hearing to take evidence from the Department of Health and Ageing. Eight organisations made submissions to that inquiry. Several expressed their willingness to appear to detail their views. Several of the key organisations have all expressed concerns about the lack of detail about how this proposed new National Health Performance Authority will operate. The Bill does not detail the very performance indicators that the Authority is established to monitor and report on. Additionally several organisations believe that data set should be specified before the Authority is formed, that it is made public and that it is presented to the Parliament as regulations which can be disallowed.

Possible submissions or evidence from:

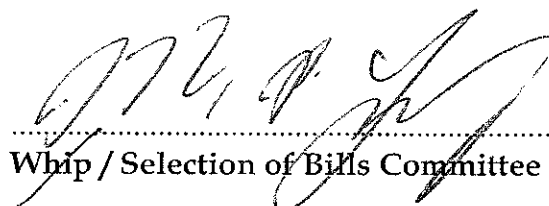
- Australian Medical Association
- Australian Private Hospitals Association
- Catholic Health Australia
- Australian College of Emergency Medicine
- Australian College of Nursing
- Consumers Health Forum
- Business Council of Australia
- National Primary Health Care Partnership
- Australian General Practice Network
- Rural Doctors Association

Committee to which bill is to be referred: COMMUNITY AFFAIRS

Possible hearing date(s): To be set by committee

Possible reporting date: 21 April 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: *Tertiary Education Quality and Standards Agency Bill 2011 and Tertiary Education Quality and Standards Agency (Consequential Amendments) Bill 2011*

Reasons for referral/principal issues for consideration: This is complex legislation with a number of issues on which many stakeholders have yet to have input.

There are a variety of issues which must be examined including a potential over-reliance on delegated legislation; allowing Universities to automatically self-accredit their own courses and the reservation of the name "Universities" to bodies which undertake research work.

Possible submissions or evidence from:

Private Higher Education Providers
The Group of Eight
Universities Australia
Innovative Research Universities
Australian Technology Network
DEEWR
State Governments

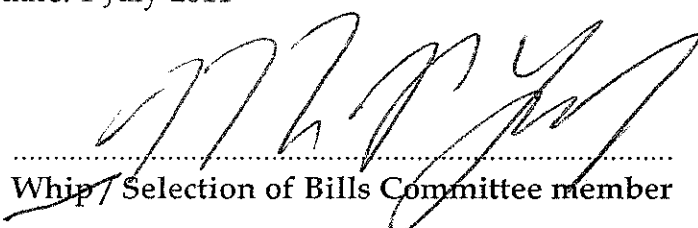
Committee to which bill is to be referred:

Senate Standing Committees on Education, Employment and Workplace Relations

Possible hearing date(s): To be set by committee

Possible reporting date: 1 July 2011

(signed)


Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bills:

Tertiary Education Quality and Standards Agency Bill 2011; and
Tertiary Education Quality and Standards Agency Bill (Consequential
Amendments and Transitional Provisions) Bill 2011

Reasons for referral/principal issues for consideration:

Appropriateness of the regulatory environment for higher education
established by the Bill.

Possible submissions or evidence from:

Universities Australia; Council of Private Higher Education; TAFE Directors
Australia; Australian Council for Private Education and Training; staff and
student associations

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Legislation
Committee

Possible hearing date(s):

Matter for committee. Likely to require up to 1.5 days of hearings in
Canberra.

Possible reporting date:

Tuesday 10 May

(signed)

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Whip / Selection of Bills Committee member

