

SELECTION OF BILLS COMMITTEE

REPORT NO. 15 of 2011

3 November 2011

MEMBERS OF THE COMMITTEE

Senator Anne McEwen (Government Whip, Chair)

Senator Helen Kroger (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (Australian Greens 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. 15 OF 2011

1. The committee met in private session on Wednesday, 2 November 2011 at 7.23pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Classification (Publications, Films and Computer Games) Amendment (Online Games) Bill 2011 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 March 2012 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Corporations Amendment (Future of Financial Advice) Bill 2011 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 14 March 2012 (see appendix 2 for a statement of reasons for referral);
 - (c) the Deterring People Smuggling Bill 2011 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 21 November 2011 (see appendix 3 for a statement of reasons for referral);
 - (d) the *provisions* of the Personal Property Securities Amendment (Registration Commencement) Bill 2011 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 21 November 2011 (see appendix 4 for a statement of reasons for referral);
 - (e) the *provisions* of the Tax Laws Amendment (2011 Measures No. 8) Bill 2011 and the Pay As You Go Withholding Non-compliance Tax Bill 2011 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 8 February 2012 (see appendix 5 for a statement of reasons for referral); and
 - (f) the *provisions* of the Telecommunications Universal Service Management Agency Bill 2011, the Telecommunications Legislation Amendment (Universal Service Reform) Bill 2011 and the Telecommunications (Industry Levy) Bill 2011 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 27 February 2012 (see appendices 6 and 7 for statements of reasons for referral).

The committee recommends accordingly.

3. The committee deferred consideration of the following bills to its next meeting:
- Broadcasting Services Amendment (Review of Future Uses of Broadcasting Services Bands Spectrum) Bill 2011
 - Customs Amendment (Military End-Use) Bill 2011
 - Defence Trade Controls Bill 2011
 - Environment Protection and Biodiversity Conservation Amendment (Emergency Listings) Bill 2011
 - Environment Protection and Biodiversity Conservation Amendment (Protecting Australia's Water Resources) Bill 2011
 - Minerals Resource Rent Tax Bill 2011 and ten related bills.
 - Public Accounts and Audit Committee Amendment (Ombudsman) Bill 2011
 - Telecommunications Amendment (Mobile Phone Towers) Bill 2011.

(Anne McEwen)

Chair

3 November 2011

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Classification (Publications, Films and Computer Games) Amendment (Online Games) Bill 2011*

Reasons for referral/principal issues for consideration:

Consider adequacy of self-regulation, sanctions for non-compliance and timetable for introduction of new classification legislation

Possible submissions or evidence from:

Australian Law Reform Commission
Attorney-General's Department
State and Territory enforcement authorities

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

Possible reporting date:

Senator Fifield

(signed)


~~Whip~~ Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE**Proposal to refer a bill to a committee****Name of bill: Corporations Amendment (Future of Financial Advice) Bill 2011****Reasons for referral/principal issues for consideration:** Major change to provision of financial advice in Australia. Significant issues and concern across the industry.**Possible submissions or evidence from:**

Abacus

AMP

Association of Financial Advisers Ltd.

Association of Superannuation Funds of Australia

Australasian Securities Dealers Association

Australian Bankers' Association Inc.

Australian Financial Markets Association

Australian Institute of Superannuation Trustees

Bell Potter

Chartered Secretaries Australia

Choice

CPA Australia

Institute of Chartered Accountants in Australia

Institute of Public Accountants

Financial Planning Association of Australia

Financial Services Council

Industry Super Network

Insurance Council of Australia

Law Council of Australia

Lifenet Financial Advice

Mallesons Stephen Jaques

Maurice Blackburn

Minter Ellison

National Insurance Brokers Association

RBS Morgans

Self-managed Super Fund Professionals' Association of Australia

Stockbrokers Association of Australia

Committee to which bill is to be referred: SENATE ECONOMICS**Possible hearing date(s): TBC****Possible reporting date:** March 2012

(signed)

Senator Fifield



 Whip / Selection of Bills Committee member
 

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Deterring People Smuggling Bill 2011

Reasons for referral/principal issues for consideration:

To inquire into:

- whether the Bill contains provisions that are in breach of Australian's obligations under international conventions and treaties
- whether the Bill requires amendment in relation the effectiveness of the mandatory sentencing provisions
- whether the retrospectivity of the Bill is an appropriate and fair action under the rule of law.

Possible submissions or evidence from:

Human Rights Legal Centre
Australian Legal Aid Commissions
Centre for Policy Development
DIAC
Refugee Council of Australia
Refugee and Immigration Legal Centre
Asylum Seeker Resource Centre
Australian Lawyers Alliance

Committee to which bill is to be referred: Legal and Constitutional Affairs

Possible hearing date(s): Wed 16 November (Senator Hanson-Young's preference in week beginning 14 November)

Possible reporting date: 21 November 2011

Senator Siewert

(signed)

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Personal Property Securities Bill 2011*

Reasons for referral/principal issues for consideration:

Identify reasons for delay in the implementation of the register and likely timetable for implementation

Possible submissions or evidence from:

Attorney-General's Department

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

Possible reporting date:

Senator Fifield

(signed)

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: TAX LAWS AMENDMENT (2011 MEASURES NO. 8) BILL 2011 & PAY AS YOU GO WITHHOLDING NON-COMPLIANCE TAX BILL 2011

Reasons for referral/principal issues for consideration:

In particular, issues concerning Schedules 2 and 3 of Tax Laws Amendment (2011 Measures No.8) Bill 2011

Possible submissions or evidence from:

Australian Petroleum Production & Exploration Association
Business Council of Australia
Law Council of Australia
Tax Institute
The Association of Superannuation Funds of Australia Limited
Australian Manufacturer's Worker's Union
Esso (ExxonMobil Australia)
Australian Institute of Company Directors
Housing Industry Association Ltd
The Institute of Chartered Accountants in Australia
Corporate Tax Association
Jones Partners Insolvency & Business Recovery Chartered Accounting
Australian Chamber of Commerce and Industry
Insolvency Practitioners Association

Committee to which bill is to be referred: SENATE ECONOMICS

Possible hearing date(s): TBC

Possible reporting date: February 2012

Senator Fifield

(signed)

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

- Telecommunications Universal Service Management Agency Bill 2011
- Telecommunications Legislation Amendment (Universal Service Reform) Bill 2011
- Telecommunications (Industry Levy) Bill 2011

Reasons for referral/principal issues for consideration:

To allow for appropriate consideration of the reforms implemented by these Bills.

Possible submissions or evidence from:

Larger telecommunications carriers – Telstra, Optus, iiNet - consumer representatives (ACCAN), Telco representative bodies (Competitive carriers coalition), representatives from regional Australia

Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s):

Open

Possible reporting date:

7 February 2012

(signed)

Senator McEwen

Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Telecommunications Universal Service Management Agency Bill 2011
Telecommunications Legislation Amendment (Universal Service Reform) Bill 2011
Telecommunications (Industry Levy) Bill 2011

Reasons for referral/principal issues for consideration:

The mandate, structure, budget and administrative arrangements for the new statutory agency to be established – the Telecommunications Universal Service Management Authority (TUSMA) – will benefit from closer examination, as will the agreement the Commonwealth and Telstra entered into on 23 June 2011.

Possible submissions or evidence from:

Australian Communications Consumer Action Network (ACCAN)
Competitive Carriers' Coalition
Communications Expert Group
Regional Telecommunications Independent Review Committee
DigEcon
Inet
TransACT
Telstra Corporation Ltd
Optus
Primus

Committee to which bill is to be referred: Environment and Communications

Possible hearing date(s): early February 2012

Possible reporting date: 1 March 2012

(signed)

Senator Siewert

Whip / Selection of Bills Committee member