

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 6 of 2012*

*19 June 2012*

## **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 the Hon Jacinta Collins

Senator Carol Brown

Senator Mitch Fifield

Secretary: Maureen Weeks  
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 6 OF 2012

1. The committee met in private session on Monday, 18 June 2012 at 8.19 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Broadcasting Services Amendment (Improved Access to Television Services) Bill 2012 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 25 June 2012 (see appendix 1 for a statement of reasons for referral);
  - (b) the Clean Energy Finance Corporation Bill 2012 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 25 June 2012 (see appendix 2 for a statement of reasons for referral);
  - (c) the *provisions* of the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 September 2012 (see appendix 3 for a statement of reasons for referral);
  - (d) the *provisions* of the Fair Work (Registered Organisations) Amendment Bill 2012 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 25 June 2012 (see appendix 4 for a statement of reasons for referral);
  - (e) the *provisions* of the Privacy Amendment (Enhancing Privacy Protection) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 August 2012 (see appendix 5 for a statement of reasons for referral);
  - (f) the *provisions* of the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 22 August 2012 (see appendices 6 and 7 for statements of reasons for referral); and
  - (g) the *provisions* of the Tax Laws Amendment (Cross-Border Transfer Pricing) Bill (No. 1) 2012 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 14 August 2012 (see appendix 8 for a statement of reasons for referral).

3. The committee resolved to recommend—That the following bills *not* be referred to committees:

- Australian Citizenship Amendment (Defence Families) Bill 2012
- Australian Human Rights Commission Amendment (National Children’s Commissioner) Bill 2012
- Broadcasting Services Amendment (Digital Television) Bill 2012
- Clean Energy Legislation Amendment Bill 2012  
Clean Energy (Customs Tariff Amendment) Bill 2012  
Clean Energy (Excise Tariff Legislation Amendment) Bill 2012
- Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Bill 2012
- Legislative Instruments Amendment (Sunsetting Measures) Bill 2012
- Malabar Headland Protection Bill 2012
- Marine Safety (Domestic Commercial Vessel) National Law Bill 2012  
Marine Safety (Domestic Commercial Vessel) National Law (Consequential Amendments) Bill 2012
- Migration (Visa Evidence) Charge Bill 2012  
Migration (Visa Evidence) Charge (Consequential Amendments) Bill 2012
- National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2012
- Navigation Bill 2012  
Navigation (Consequential Amendments) Bill 2012
- Parliamentary Counsel and Other Legislation Amendment Bill 2012
- Passenger Movement Charge Amendment Bill 2012
- Social Security and Other Legislation Amendment (2012 Budget and Other Measures) Bill 2012
- Superannuation Legislation Amendment (Stronger Super) Bill 2012  
Superannuation Supervisory Levy Imposition Amendment Bill 2012
- Tax Laws Amendment (2012 Measures No. 2) Bill 2012  
Income Tax (Managed Investment Trust Withholding Tax) Amendment Bill 2012  
Pay As You Go Withholding Non-compliance Tax Bill 2012
- Tax Laws Amendment (2012 Measures No. 3) Bill 2012  
Income Tax (Seasonal Labour Mobility Program Withholding Tax) Bill 2012  
Tax Laws Amendment (Income Tax Rates) Bill 2012
- Tax Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Bill 2012
- Water Efficiency Labelling and Standards Amendment (Scheme Enhancements) Bill 2012.

The committee considered the Corporations Amendment (Proxy Voting) Bill 2012 and, noting that the bill had passed the Senate on 18 June 2012, resolved to recommend that the bill *not* be referred to a committee.

*The committee recommends accordingly.*

4. The committee deferred consideration of the following bills to its next meeting:
- Financial Framework Legislation Amendment Bill (No. 2) 2012
  - Greenhouse and Energy Minimum Standards Bill 2012  
Greenhouse and Energy Minimum Standards (Registration Fees) Bill 2012
  - Maritime Powers Bill 2012  
Maritime Powers (Consequential Amendments) Bill 2012
  - Protecting Children from Junk Food Advertising (Broadcasting and Telecommunications Amendment) Bill 2011
  - Special Broadcasting Service Amendment (Natural Program Breaks and Disruptive Advertising) Bill 2012.

(Anne McEwen)

**Chair**

19 June 2012

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:** *Broadcasting Services Amendment (Improved Access to Television) Bill 2012*

**Reasons for referral/principal issues for consideration:**

The Bill amends the *Broadcasting Services Act 1992* to introduce new legislative requirements, and increases some existing requirements for the provision of captioning services by commercial, national, and subscription television broadcasters.

The inquiry to examine:

- The commercial and regulatory implications on broadcasters of making compliance with these captioning obligations a condition of a commercial television broadcasting licence, a subscription television broadcasting licence, and a class licence.
- Implications for free-to-air commercial networks in breach of the new licence condition if they are unable to provide a captioning service for reasons beyond their control, such as failure by a third party captioning provider to provide the service for reasons beyond the broadcasters control.
- Implications for the long-term viability of services provided by subscription television, primarily international pass-through channels such as BBCWorld News, CNN, and Aljazeera.

**Possible submissions or evidence from:**

Free TV  
ASTRA  
Australian Broadcasting Corporation  
Special Broadcasting Service  
Human Rights and Disability Groups

**Committee to which bill is to be referred:**

Senate Environment and Communications Committee

**Possible hearing date(s):**

To be determined by committee

**Possible reporting date:**

To be determined by committee

(signed)

Senator Fifield

~~Whip / Selection of Bills Committee member~~

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Clean Energy Finance Corporation Bill 2012

**Reasons for referral/principal issues for consideration:**

To allow consideration of the legislation

**Possible submissions or evidence from:**

**Committee to which bill is to be referred:**

Economics Legislation Committee

**Possible hearing date(s):**

**Possible reporting date:**

25 June 2012

  
Senator McEwen

(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:** Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012

**Reasons for referral/principal issues for consideration:**

- Whether the Bill adequately addresses the full range of circumstances and issues that it could
- Whether victims are adequately supported

**Possible submissions or evidence from:**

- Lawyers
- Legal Aid commissions
- AHRC
- Migration Agents
- Social services
- Relevant gov departments

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

**Possible hearing date(s):** Late July or August

**Possible reporting date:** 13 Sept

(signed)

Senator Ludlam

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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: FAIR WORK (REGISTERED ORGANISATIONS) AMENDMENT BILL 2012**

**Reasons for referral/principal issues for consideration:**

To ensure the Bill would achieve the objectives of the Bill and has no unintended consequences.

**Possible submissions or evidence from:**

- Department of Education, Employment and Workplace Relations;
- Relevant trade union organisations;
- Relevant employer organisations;
- Institute of Public Affairs;
- Law Council of Australia; and
- Any other relevant individuals with expertise in this area.

**Committee to which bill is to be referred:**

Senate Education, Employment and Workplace Relations Committee

**Possible hearing date(s):**

To be determined by committee

**Possible reporting date:**

To be determined by committee

Senator Fifield

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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:** *Privacy Amendment (Enhancing Privacy Protection) Bill 2012*

**Reasons for referral/principal issues for consideration:**

Consideration of the adequacy of the proposed Australian Privacy Principles;  
Consideration of the efficacy of the proposed measures relating to credit reporting;  
Consideration of whether defences to contraventions should extend to inadvertent disclosures where systems incorporate appropriate protections;  
Consideration of whether provisions relating to use of depersonalised data are appropriate.

**Possible submissions or evidence from:**

Australian Retail Credit Association  
Australian Consumers Association  
Attorney-General's Department

**Committee to which bill is to be referred:**

Legal and Constitutional Affairs

**Possible hearing date(s):**

To be determined by committee

**Possible reporting date:**

To be determined by committee

(signed)

Senator Fifield

Whip / Selection of Bills Committee member

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:** Social Security Legislation Amendment (Fair Incentives to Work)

**Reasons for referral/principal issues for consideration:**

Removal of the 'grandfathering' transitional arrangement from the parenting payment

**Possible submissions or evidence from:**

Civil society organisations and affected persons

**Committee to which bill is to be referred:**

Community Affairs Legislation Committee

**Possible hearing date(s):**

TBC

**Possible reporting date:**

22/8/12

(signed)

Senator Ludlam

Whip / Selection of Bills Committee member

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill: Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012**

**Reasons for referral/principal issues for consideration:**

Consideration of lack of programme support within Employment Services for parents transitioning from Parenting Payment to Newstart Allowance, and the impact on families.

**Possible submissions or evidence from:**

Single parents lobby  
Job Services agencies

**Committee to which bill is to be referred:**

Education, Employment and Workplace Relations

**Possible hearing date(s):**

To be determined by committee

**Possible reporting date:**

To be determined by committee

(signed)

Senator Fifield

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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:**

Tax Laws Amendment (Cross-Border Transfer Pricing) (No. 1)

**Reasons for referral/principal issues for consideration:**

Retrospective tax change  
Rationale for retrospectivity  
Quantum of revenue at risk  
Consultation with treaty partners  
Consultation with affected taxpayers

**Possible submissions or evidence from:**

Taxpayers (possibly impacted taxpayers: GE, Chevron, Power Corp, BHP Billiton, Rio Tinto, Ford, Holden)  
Treasury

**Committee to which bill is to be referred:**

Senate Economics

**Possible hearing date(s):**

To be determined by committee

**Possible reporting date:**

To be determined by committee

(signed)

Senator Fifield

~~Whip~~ / Selection of Bills Committee member