

SELECTION OF BILLS COMMITTEE

REPORT NO. 14 of 2012

1 November 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 Carol Brown

Senator David Bushby

Senator the Hon Jacinta Collins

Senator Mitch Fifield

Secretary: Maureen Weeks
 ☎ 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 14 OF 2012

1. The committee met in private session on Wednesday, 31 October 2012 at 7.21 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Courts and Tribunals Legislation Amendment (Administration) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by the first sitting day of 2013 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Fair Work Amendment Bill 2012 be *referred immediately* to the Education, Employment and Workplace Relations Legislation Committee for inquiry and report by 26 November 2012 (see appendix 2 for a statement of reasons for referral);
 - (c) the *provisions* of the Migration Amendment (Unauthorised Maritime Arrivals and Other Measures) Bill 2012 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by the first sitting day of 2013 (see appendix 3 for a statement of reasons for referral);
 - (d) the *provisions* of the Treasury Legislation Amendment (Unclaimed Money and Other Measures) Bill 2012 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 19 November 2012 (see appendix 4 for a statement of reasons for referral); and
 - (e) the *provisions* of the Water Amendment (Water for the Environment Special Account) Bill 2012 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 19 November 2012 (see appendix 5 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
 - Appropriation (Implementation of the Report of the Expert Panel on Asylum Seekers) Bill (No. 1) 2012-2013
 - Appropriation (Implementation of the Report of the Expert Panel on Asylum Seekers) Bill (No. 2) 2012-2013
 - Broadcasting Services Amendment (Public Interest Test) Bill 2012
 - Fair Entitlements Guarantee Bill 2012
 - Fair Work Amendment (Transfer of Business) Bill 2012
 - Public Service Amendment Bill 2012
 - Special Broadcasting Service Amendment (Natural Program Breaks and Disruptive Advertising) Bill 2012

- Superannuation Legislation Amendment (New Zealand Arrangement) Bill 2012
- Tax Laws Amendment (Clean Building Managed Investment Trust) Bill 2012.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
 - Anti-Money Laundering Amendment (Gaming Machine Venues) Bill 2012.

(Anne McEwen)

Chair

31 October 2012

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Courts and Tribunals Legislation Amendment (Administration) Bill*

Reasons for referral/principal issues for consideration:

Consideration of the means by which proposed efficiencies will be achieved, effects on the administration of the Courts and whether the proposed amendments will improve access to justice.

Possible submissions or evidence from:

Federal Court
Family Court
Federal Magistrates Court
Law Council of Australia

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

To be determined by the committee

Senator Fifield

(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: Fair Work Amendment Bill 2012

Reasons for referral/principal issues for consideration:

The Bill implements the Government's response to the Productivity Commission Review into Default Superannuation arrangements in Modern Awards. This response would see the continuation of the process where conflicted parties within Fair Work Australia will continue to select default super funds under modern awards.

It is important that the Senate Committee have the opportunity to consider this Bill in detail to ensure that recommendations are faithfully embodied in the Bill and identify any unintended consequences of the Bill.

Possible submissions or evidence from:

- Employer and employee representative groups;
- Organisations in the Financial Services and Superannuation sector;
- Department of Education, Employment and Workplace Relations; and
- Treasury.

Committee to which bill is to be referred:

Senate Education, Employment and Workplace Relations Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

19 November 2012

Senator Fifield

(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 (Unauthorised Maritime Arrivals and Other Measures) Bill 2012

Reasons for referral/principal issues for consideration:

Numerous legal experts and advocates have already raised concerns that this Bill breaches international law. It is an issue that requires thorough parliamentary scrutiny because the bill will have an impact on the legal rights and well-being of asylum seekers and refugees, as well as having an impact on Australia's international reputation.

Possible submissions or evidence from:

UNHCR

AGD

Dept of Immigration

Law Council of Australia

Human Rights Law Centre

Gilbert Tobin Centre for International Law

Any unit with a special International Law focus

UNSW Migrant and Refugee Research Project – Prof Jane McAdam

AHRC

RILC - David Manne

Julian Burnside

Asylum Seeker Resource Centre

Amnesty International

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

Possible hearing date(s): Feb 2013

Possible reporting date: March 2013

Senator Siewert

(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: Treasury Legislation Amendment (Unclaimed Money and Other Measures) Bill 2012

Reasons for referral/principal issues for consideration:

Specifically, consideration of measures relating to inactive bank accounts and the impact on consumers.

Possible submissions or evidence from:

Banks

CHOICE

Consumer Credit Legal Centre

Consumer Action Law Centre

Committee to which bill is to be referred:

Senate Economics Legislation Committee

Possible hearing date(s):

TBC

Possible reporting date:

19 November 2012

Senator Siewert

(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:

Water Amendment (Water for the Environment Special Account) Bill 2012

Reasons for referral/principal issues for consideration:

This bill commits future Parliaments to appropriate \$1.77 billion. This approach deserves scrutiny given its impact on the budget.

Possible submissions or evidence from:

State Governments
Key stakeholder groups

Committee to which bill is to be referred:

Environment and Communications

Possible hearing date(s):

6, 7, 8 November, 2012

Possible reporting date:

19 November, 2012

Senator Fifield

(signed)

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Whip / Selection of Bills Committee member