



THE SENATE  
CANBERRA ACT 2600

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 2 of 2002*

*20 March 2002*

## **MEMBERS OF THE COMMITTEE**

Senator Paul Calvert (Government Whip, Chair)

Senator Sue Mackay (Opposition Whip)

Senator Vicki Bourne (Australian Democrats Whip)

Senator Julian McGauran (National Party of Australia Whip)

Senator Geoffrey Buckland

Senator the Hon. Ian Campbell

Senator Trish Crossin

Senator Jeannie Ferris

Secretary: Rosemary Laing  
☎ 6277 3020

## SELECTION OF BILLS COMMITTEE

### REPORT NO. 2 OF 2002

1. The committee met on Tuesday, 19 March 2002.
2. The committee resolved to reconsider its proposed Report no. 2 of 2002, for the presentation of which leave was refused on 14 March 2002.
3. The committee considered a proposal to refer the provisions of the Migration Legislation Amendment (Transitional Movement) Bill 2002 to a committee but was unable to reach agreement on a reporting date (see appendix 5 for statement of reasons for referral). Senator Ian Campbell, noting the reasons why leave had been refused for the presentation of the committee's draft report on 14 March 2002, expressed a view that the referral of the Migration Legislation Amendment (Transitional Movement) Bill 2002 should not now proceed. He also noted standing order 33(1)(b) (about voting at deliberative meetings held during sittings of the Senate) and that the committee's usual method of proceeding was to reserve disagreements for resolution by the Senate.
4. The committee resolved to recommend –
  - (a) That the provisions of the following bills be *referred* to committees as follows:

Bill title	Stage at which referred	Legislation Committee	Reporting date
Criminal Code Amendment (Espionage and Related Offences) Bill 2002 (see appendix 1 & 1A for statements of reasons for referral)	Immediately	Legal and Constitutional	26 April 2002
Family Law Amendment (Child Protection Convention) Bill 2002 (see appendix 2 for statement of reasons for referral)	Immediately	Legal and Constitutional	15 May 2002
Migration Legislation Amendment (Procedural Fairness) Bill 2002 (see appendix 3 for statement of reasons for referral)	Immediately	Legal and Constitutional	15 May 2002
Migration Legislation Amendment Bill (No. 1) 2002 (see appendix 4 for statement of reasons for referral)	Immediately	Legal and Constitutional	15 May 2002

<b>Bill title</b>	<b>Stage at which referred</b>	<b>Legislation Committee</b>	<b>Reporting date</b>
Security Legislation Amendment (Terrorism) Bill 2002 [No. 2] (see appendix 6 for statement of reasons for referral)	Immediately	Legal and Constitutional	3 May 2002
Suppression of the Financing of Terrorism Bill 2002 (see appendix 6 for statement of reasons for referral)			
Criminal Code Amendment (Suppression of Terrorist Bombings) Bill 2002 (see appendix 6 for statement of reasons for referral)			
Border Security Legislation Amendment Bill 2002 (see appendix 6 for statement of reasons for referral)			
Telecommunications Interception Legislation Amendment Bill 2002 (see appendix 6 for statement of reasons for referral)			
Workplace Relations Amendment (Fair Termination) Bill 2002 (see appendix 7 for statement of reasons for referral)	Immediately	Employment, Workplace Relations and Education	14 May 2002
Workplace Relations Amendment (Genuine Bargaining) Bill 2002 (see appendix 7 for statement of reasons for referral)	Immediately	Employment, Workplace Relations and Education	14 May 2002
Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002 (see appendix 7 for statement of reasons for referral)	Immediately	Employment, Workplace Relations and Education	14 May 2002

Bill title	Stage at which referred	Legislation Committee	Reporting date
Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 (see appendix 7 for statement of reasons for referral)	Immediately	Employment, Workplace Relations and Education	14 May 2002

(b) That the following bills be *referred* to committees as follows:

Bill title	Stage at which referred	Legislation committee	Reporting date
Migration Legislation Amendment (Transitional Movement) Bill 2002 (see appendix 5 for statement of reasons for referral)	Immediately	Legal and Constitutional	
Workplace Relations Amendment (Fair Dismissal) Bill 2002 (see appendix 7 for statement of reasons for referral)	Immediately	Employment, Workplace Relations and Education	14 May 2002

(c) That the following bills *not* be referred to committees:

- Aboriginal and Torres Strait Islander Commission Amendment Bill 2002
- Financial Corporations (Transfer of Assets and Liabilities) Amendment Bill 2002
- Horticulture Marketing and Research and Development Services (Amendment) Bill 2002
- Ministers of State (Post-Retirement Employment Restrictions) Bill 2002
- Quarantine Amendment Bill 2002
- Space Activities Amendment Bill 2002
- Taxation Laws Amendment (Baby Bonus) Bill 2002
- Trade Practices Amendment (Small Business Protection) Bill 2002
- Veterans' Entitlements Amendment (Gold Card Extension) Bill 2002.

*The committee recommends accordingly.*

5. The committee *deferred* consideration of the following bills to the next meeting:

*Bills deferred from meeting of 19 March 2002*

- Aviation Legislation Amendment Bill 2002
- Commonwealth Electoral Amendment Bill (No. 1) 2002
- Copyright Amendment (Parallel Importation) Bill 2002
- Electoral and Referendum Amendment (Roll Integrity and Other Measures) Bill 2002
- Jurisdiction of Courts Legislation Amendment Bill 2002

- **Plant Breeder's Rights Amendment Bill 2002**
- **Social Security and Veterans' Entitlements Legislation Amendment (Disposal of Assets—Integrity of Means Testing) Bill 2002**
- **Taxation Laws Amendment Bill (No. 2) 2002.**

(Paul Calvert)  
**Chair**  
20 March 2002



AUSTRALIAN SENATE

## SELECTION OF BILLS COMMITTEE

## Proposal to refer a bill to a committee

**Name of bill(s):**

Criminal Code Amendment (Espionage and Related Offences) Bill 2002

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

To allow the Committee to scrutinise the provisions of the Bill.

There is bipartisan support for the Committee to scrutinise the provisions of the Bill at the earliest possible time, prior to introduction of the Bill into the Senate.

**Possible submissions or evidence from:**

Attorney-General's Department;  
 Members of the Australian Intelligence Community;  
 Commonwealth Director of Public Prosecutions;  
 Australian Federal Police;  
 State and Territory Government departments; and  
 Representatives of the print and electronic media.

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

Prior to debate of the Bill in the House and introduction of the Bill into the Senate, the provisions of the Bill be referred to the Senate Legal and Constitutional Legislation Committee.

The Bill was introduced into the House of Representatives on 13 March 2002.

**Possible hearing date(s):**

To be determined by the Committee.

**Possible reporting date:**26 ~~March~~ 2002.

April

(signed)

 .....  
 Whip / Selection of Bills Committee member



APPENDIX 1A

THE SENATE  
CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill CRIMINAL CODE AMENDMENT (ESPIONAGE + RELATED OFFENCES)

Reasons for referral/principal issues for consideration: SIGNIFICANT ISSUE CONTAINED IN THIS BILL, INCLUDING MAJOR INCREASE IN PENALTIES FOR ESPIONAGE, AND RELATING TO A NUMBER OF RECENT PROSECUTIONS, SUCH AS LAPPAS + WISPELAIRE. THE GOVERNMENT HAS ALSO SIGNIFICANTLY CHANGED THIS BILL FROM THAT ORIGINALLY TABLED, WITH THE REMOVAL OF PROVISIONS RELATING TO NON-SECURITY OFFICIAL SECRETS.

Possible submissions or evidence from: .....

Committee to which bill is to be referred: SENATE LEGAL + CON LEGISLATION COMMITTEE

Possible hearing date(s): .....

Possible reporting date: .....

(signed)

Whip / Selection of Bills Committee member





THE SENATE

CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Family Law Amendment (Child Protection Convention) Bill 2002.

Reasons for referral/principal issues for consideration: Whether the Bill properly meets Australia's obligations under the Convention

Possible submissions or evidence from: child advocacy groups, family law experts.

Committee to which bill is to be referred: Legal and constitutional legislation committee

Possible hearing date(s): T. B. A.

Possible reporting date: To be determined by committee.

(signed)

Whip / Selection of Bills Committee member



AUSTRALIAN SENATE

**SELECTION OF BILLS COMMITTEE**

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

**Name of Bill:** Migration Legislation Amendment (Procedural Fairness) Bill 2002

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

The bill impacts upon application of natural justice to immigration decisions and the impact of the changes needs to be examined.

**Possible submission or evidence from:**

UNHCR  
Refugee Council  
Amnesty International  
Immigration Advice & Rights Centre  
The Australian Law Council

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

**Possible hearing date(s):**

**Possible reporting date:** 22 April 2002.

(signed)

A handwritten signature in black ink, appearing to read "Victor G. ...", written over a horizontal line. Below the line, the text "Whip/Selection of Bills Committee member" is printed.



AUSTRALIAN SENATE

**SELECTION OF BILLS COMMITTEE**

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

**Name of Bill:** Migration Legislation Amendment Bill (No1) 2002

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

This bill makes a number of changes to the operation of the Migration Act, particularly to certain visa-related matters. The impact of the proposed changes requires full examination.

**Possible submission or evidence from:**

UNHCR  
Refugee Council  
Amnesty International  
Immigration Advice & Rights Centre  
The Australian Law Council

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

**Possible hearing date(s):**

**Possible reporting date:** 22 April 2002.

(signed)

  
**Whip/Selection of Bills Committee member**



THE SENATE  
CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill Migration Leg<sup>n</sup> Amend (Transitional Movement) Bill 2002

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

To allow the committee to consider the proposals in the Bill

Possible submissions or evidence from: .....

Committee to which bill is to be referred: Legal + Con Leg<sup>n</sup> Committee

Possible hearing date(s): .....

Possible reporting date: 22 April 02

(signed) *Cicki [Signature]*  
Whip / Selection of Bills Committee member



THE SENATE  
CANBERRA ACT 2600  
SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill SECURITY LEGISLATION AMENDMENT (TERRORISM) BILL BILLS. ↓ FOUR COGNATE

Reasons for referral/principal issues for consideration: TO ALLOW ALL NON-GOVERNMENT STAKEHOLDERS TO UNDERTAKE A COMPREHENSIVE SCRUTINY OF THE NUMEROUS + DETAILED MATTERS IN THIS 120 page PACKAGE. SIGNIFICANT ISSUES INCLUDE CREATION OF NEW OFFENCES, IMPOSITION OF LIFE SENTENCE PENALTIES, CAPACITY TO PROSCRIBE ORGANIZATIONS, EXPANSION OF EXECUTIVE POWER, INCREASE IN FOCUSING POWERS FOR CUSTOMS SERVICE AND TELECOMMUNICATIONS INTERCEPTION POWERS.

Possible submissions or evidence from: BROAD RANGE OF LEGAL, CIVIL LIBERTIES AND PUBLIC INTEREST ORGANIZATIONS.

Committee to which bill is to be referred: SENATE LEGAL + CONSTITUTIONAL LEGISLATION COMMITTEE

Possible hearing date(s): .....

Possible reporting date: 3 MAY 2002

(signed)

Whip / Selection of Bills Committee member



**THE SENATE**  
**CANBERRA ACT 2600**  
**SELECTION OF BILLS COMMITTEE**

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

Name of bill **WORKPLACE RELATIONS AMENDMENT - PACKAGE OF FIVE BILLS (SEE BELOW)**

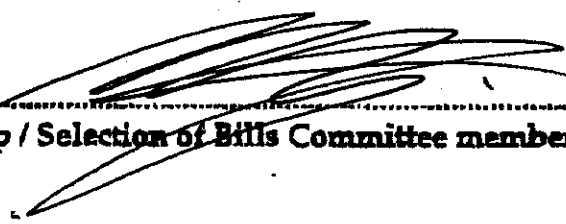
- Reasons for referral/principal issues for consideration:
- FAIR DISMISSAL - IMPACT OF CHANGES TO SMALL BUSINESS EMPLOYMENT THRESHOLD
  - FAIR TERMINATION - APPROPRIATENESS OF 12 MONTH EXCLUSION FOR CASUALS AND PERMANENT FILING FEE
  - GENUINE BARGAINING } EXTENT TO WHICH ENACTMENT WOULD DIMINISH CAPACITY FOR LEGITIMATE INDUSTRIAL ACTION
  - SECRET BALLOTS }
  - PROHIB. OF COMP. UNION FEES - APPROPRIATENESS OF LEGISLATING WHILE MATTER SUB JUDICE. NEW PROVISIONS OF BILL

Possible submissions or evidence from: **UNION AND EMPLOYER GROUPS, J.E.W.R.**

Committee to which bill is to be referred: **SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION LEG. COMM.**

Possible hearing date(s): **T.B.A.**

Possible reporting date: **14 MAY 2002**

(signed)   
Whip / Selection of Bills Committee member