

# **Legal and Constitutional Affairs**

## Legal and Constitutional Affairs

1 July 2008 - 31 December 2008

	Matters current as at 1 July 2008	Matters referred during period *	Reports tabled that discharge a reference **	Current inquiries as at 31 December 2008
Standing Committee	4	8	8 +(1)	4

	Number and Hours of Meeting									
	Public	Hrs	Public Estimates	Hrs	Private	Hrs	Insp/Other	Hrs	Total Meetings	Total Hours
Standing Committee	14	54:43	2	28:00	14	2:13	0	0:00	30	84:56

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	Meetings By State							
	ACT	NSW	VIC	TAS	SA	WA	NT	QLD
Standing Committee	22	5	3	0	0	0	0	0

	Witnesses				Hansard Pages			No of Submissions	No Of Pages	Government Responses
	Televised Hearings	Estimates	Other (Bills)	General	Estimates	Other (Bills)	General			
Standing Committee	7	0	114	0	271	585	0	1948	4585	0

\* includes referral of Annual Reports (1)

\*\* includes 1 Interim Report

# Legal and Constitutional Affairs (Standing)

*1 July 2008 to 31 December 2008*

## Method of appointment

Pursuant to amended Senate Standing Order 25.

<b>Current members</b>	<i>Date of appointment</i>
Senator Trish Crossin (NT, ALP) <i>(elected Chair on 14.02.08)</i>	12.02.08
Senator Guy Barnett (TAS, LP) <i>(elected Deputy Chair on 14.02.08)</i>	12.02.08
Senator Don Farrell (SA, ALP)	01.07.08
Senator David Feeney (VIC, ALP)	01.07.08
Senator Mary Jo Fisher (SA, LP)	12.02.08
Senator Sarah Hanson-Young (SA, AG)	01.07.08
Senator Gavin Marshall (VIC, ALP)	12.02.08
Senator Russell Trood (QLD, LP)	12.02.08

<b>Substitute members</b>	<i>Date of appointment</i>
Senator Rachel Siewert (WA, AG) <sup>1</sup>	04.12.08
Senator Scott Ludlam (WA, AG) <sup>2</sup>	04.12.08
Senator Scott Ludlam (WA, AG) <sup>3</sup>	04.12.08

<b>Participating members</b>	<i>Date of appointment</i>
Senator the Hon Eric Abetz (TAS, LP)	12.02.08
Senator Judith Adams (WA, LP)	12.02.08
Senator Mark Arbib (NSW, ALP)	01.07.08
Senator Cory Bernardi (SA, LP)	12.02.08
Senator Catryna Bilyk (TAS, ALP)	01.07.08
Senator Simon Birmingham (SA, LP)	12.02.08
Senator Mark Bishop (WA, ALP)	12.03.08
Senator the Hon Ronald Boswell (QLD, NATS)	12.02.08
Senator Sue Boyce (QLD, LP)	12.02.08
Senator the Hon George Brandis (QLD, LP)	12.02.08
Senator Bob Brown (TAS, AG)	14.02.08

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1 Replaces Senator Hanson-Young for the committee's inquiry into the Disability Discrimination and Other Human Rights Legislation Amendment Bill 2008 [Provisions]

2 Replaces Senator Hanson-Young for the committee's inquiry into the Federal Court of Australia Amendment (Criminal Jurisdiction) Bill 2008 [Provisions]

3 Replaces Senator Hanson-Young for the committee's inquiry into the Federal Justice System Amendment (Efficiency Measures) Bill (No. 1) 2008 [Provisions]

Senator Carol Brown (TAS, ALP)	12.03.08
Senator David Bushby (TAS, LP)	12.02.08
Senator Doug Cameron (NSW, ALP)	01.07.08
Senator Michaelia Cash (WA, LP)	01.07.08
Senator the Hon Richard Colbeck (TAS, LP)	12.02.08
Senator Jacinta Collins (VIC, ALP)	14.05.08
Senator the Hon Helen Coonan (NSW, LP)	12.02.08
Senator Mathias Cormann (WA, LP)	12.02.08
Senator Alan Eggleston (WA, LP)	12.02.08
Senator the Hon Christopher Ellison (WA, LP)	12.02.08
Senator Steve Fielding (VIC, FFP)	13.02.08
Senator Concetta Fierravanti-Wells (NSW, LP)	12.02.08
Senator Mitch Fifield (VIC, LP)	12.02.08
Senator Michael Forshaw (NSW, ALP)	12.03.08
Senator Mark Furner (QLD, ALP)	01.07.08
Senator Sarah Hanson-Young (SA, AG)	04.12.08
Senator the Hon Bill Heffernan (NSW, LP)	12.02.08
Senator Gary Humphries (ACT, LP)	12.02.08
Senator Steve Hutchins (NSW, ALP)	12.03.08
Senator the Hon David Johnston (WA, LP)	12.02.08
Senator Barnaby Joyce (QLD, NATS)	12.02.08
Senator Helen Kroger (VIC, LP)	01.07.08
Senator Scott Ludlam (WA, AG)	01.07.08
Senator Kate Lundy (ACT, ALP)	12.03.08
Senator the Hon Ian Macdonald (QLD, LP)	12.02.08
Senator the Hon Brett Mason (QLD, LP)	12.02.08
Senator Anne McEwen (SA, ALP)	12.03.08
Senator Julian McGauran (VIC, LP)	12.02.08
Senator the Hon Jan McLucas (QLD, ALP)	01.07.08
Senator Christine Milne (TAS, AG)	14.02.08
Senator the Hon Nicholas Minchin (SA, LP)	12.02.08
Senator Claire Moore (QLD, ALP)	12.03.08
Senator Fiona Nash (NSW, NATS)	12.02.08
Senator Kerry O'Brien (TAS, ALP)	12.03.08
Senator Stephen Parry (TAS, LP)	12.02.08
Senator Marise Payne (NSW, LP)	12.02.08
Senator Helen Polley (TAS, ALP)	12.03.08
Senator Louise Pratt (WA, ALP)	01.07.08
Senator the Hon Michael Ronaldson (VIC, LP)	12.02.08
Senator Scott Ryan (VIC, LP)	01.07.08
Senator the Hon Nigel Scullion (NT, CLP)	12.02.08
Senator Rachel Siewert (WA, AG)	12.03.08
Senator the Hon Ursula Stephens (NSW, ALP)	14.02.08
Senator Glenn Sterle (WA, ALP)	12.03.08
Senator the Hon Judith Troeth (VIC, LP)	12.02.08
Senator John Williams (NSW, NATS)	01.07.08

Senator Dana Wortley (SA, ALP)	12.03.08
Senator Nick Xenophon (SA, IND)	01.07.08

### **Former members**

*Term of appointment*

Senator Andrew Bartlett (QLD, AD)	13.02.08–30.06.08
Senator Annette Hurley (SA, ALP)	17.03.08–30.06.08
Senator Linda Kirk (SA, ALP)	12.02.08–30.06.08
Senator the Hon Jan McLucas (QLD, ALP)	12.02.08–17.03.08

### **Former substitute members**

*Term of appointment*

Senator John Hogg (QLD, ALP) <sup>4</sup>	19.03.08–26.06.08
Senator John Hogg (QLD, ALP) <sup>5</sup>	19.03.08–16.06.08
Senator Scott Ludlam (WA, AG) <sup>6</sup>	03.09.08–14.10.08

### **Former participating members**

*Term of appointment*

Senator Lyn Allison (VIC, AD)	13.02.08–30.06.08
Senator George Campbell (NSW, ALP)	12.03.08–30.06.08
Senator Grant Chapman (SA, LP)	12.02.08–30.06.08
Senator Sarah Hanson-Young (SA, AG)	03.09.08–14.10.08
Senator John Hogg (QLD, ALP)	12.03.08–26.08.08
Senator Annette Hurley (SA, ALP)	12.03.08–17.03.08
Senator Annette Hurley (SA, ALP)	19.03.08–26.06.08
Senator the Hon Rod Kemp (VIC, LP)	12.02.08–30.06.08
Senator Ross Lightfoot (WA, LP)	12.02.08–30.06.08
Senator the Hon Sandy Macdonald (NSW, NATS)	12.02.08–30.06.08
Senator Andrew Murray (WA, AD)	13.02.08–30.06.08
Senator Kerry Nettle (NSW, AG)	14.02.08–30.06.08
Senator the Hon Kay Patterson (VIC, LP)	12.02.08–30.06.08
Senator Robert Ray (VIC, ALP)	12.03.08–05.05.08
Senator Natasha Stott Despoja (SA, AD)	13.02.08–30.06.08
Senator John Watson (TAS, LP)	12.02.08–30.06.08
Senator Ruth Webber (WA, ALP)	12.03.08–30.06.08

### **Inquiries**

*As at 1 July 2008*

- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008, and any related bills introduced to give effect to

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4 Replaced Senator Hurley for the committee's inquiry into the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008

5 Replaced Senator Hurley for the committee's inquiry into the Stolen Generation Compensation Bill 2008

6 Replaced Senator Hanson-Young for the committee's inquiry into the Independent Reviewer of Terrorism Laws Bill 2008 [No. 2]

- the recommendations of the Human Rights and Equal Opportunity Commission's report *Same Sex: Same Entitlements* (referred 18 June 2008)
- Evidence Amendment Bill 2008 [Provisions] (referred 18 June 2008—through the Selection of Bills Committee)
- Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 [Provisions] (referred 26 June 2008—through the Selection of Bills Committee)
- Effectiveness of the *Sex Discrimination Act 1984* in eliminating discrimination and promoting gender equality (referred 26 June 2008)

### **Current inquiries**

*As at 31 December 2008*

- Exposure draft of the Personal Property Securities Bill 2008 (referred 13 November 2008)
- Federal Justice System Amendment (Efficiency Measures) Bill (No. 1) 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)
- Federal Court of Australia Amendment (Criminal Jurisdiction) Bill 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)
- Disability Discrimination and Other Human Rights Legislation Amendment Bill 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)

### **New references**

*1 July 2008–31 December 2008*

- Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] (referred 2 September 2008)
- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008 [Provisions] (referred 4 September 2008—through the Selection of Bills Committee)
- Migration Legislation Amendment (Worker Protection) Bill 2008 (referred 15 October 2008—through the Selection of Bills Committee)
- Exposure draft of the Personal Property Securities Bill 2008 (referred 13 November 2008)
- Federal Court of Australia Amendment (Criminal Jurisdiction) Bill 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)
- Federal Justice System Amendment (Efficiency Measures) Bill (No. 1) 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)

- Disability Discrimination and Other Human Rights Legislation Amendment Bill 2008 [Provisions] (referred 4 December 2008—through the Selection of Bills Committee)

## **Public hearings**

*1 July 2008–31 December 2008*

- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008—5 August 2008, Sydney; 6 August 2008, Melbourne; 7 August 2008, Canberra
- Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 [Provisions]—5 August 2008, Sydney; 6 August 2008, Melbourne; 7 August 2008, Canberra
- Evidence Amendment Bill 2008 [Provisions]—7 August 2008, Canberra
- Effectiveness of the *Sex Discrimination Act 1984* in eliminating discrimination and promoting gender equality—9 September 2008, Sydney; 10 September 2008, Melbourne; 11 September 2008, Canberra
- Independent Reviewer of Terrorism Laws Bill 2008 [No. 2]—18 September 2008, Canberra
- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008 [Provisions]—22 & 23 September 2008, Canberra
- 2008–09 Supplementary Budget Estimates—20 & 21 October 2008, Canberra
- Migration Legislation Amendment (Worker Protection) Bill 2008—31 October 2008, Sydney

## **Reports tabled**

*1 July 2008–31 December 2008*

- Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008 [Provisions] (tabled 28 August 2008)
- Annual Reports (No. 2 of 2008) (tabled 17 September 2008)
- Evidence Amendment Bill 2008 [Provisions] (tabled 25 September 2008)
- Independent Reviewer of Terrorism Laws Bill 2008 [No. 2] (tabled 14 October 2008)
- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—Superannuation) Bill 2008 (tabled 14 October 2008)
- Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Bill 2008 [Provisions] (tabled 14 October 2008)
- Migration Legislation Amendment (Worker Protection) Bill 2008—Interim Report (presented out of session 7 November 2008, report tabled 10 November 2008)

- Migration Legislation Amendment (Worker Protection) Bill 2008—Final Report (tabled 10 November 2008)
- Effectiveness of the *Sex Discrimination Act 1984* in eliminating discrimination and promoting gender equality (presented out of session 12 December 2008; to be tabled in February 2009)

### **Government responses**

*1 July 2008–31 December 2008*

- Nil

### **Estimates**

A statistical summary of this Committee's work when considering Estimates appears in Part Four.