Legal and Constitutional Affairs

Legal and Constitutional Affairs

28 September 2010 - 31 December 2010

	Matters current as at 28 September 2010	Matters re-referred and/or referred during period *	Reports tabled that discharge a reference **	Current inquiries as at 31 December 2010
Legislation	0	12	7 + (1**)	5
References	0	4	1 + (1^)	3
Total	0	16	8	8

	Number and Hours of Meeting									
	Public	Hrs	Public Estimates	Hrs	Private	Hrs	Insp/Other	Hrs	Total Meetings	Total Hours
Legislation	8	14:19	2	20:52	13	1:27	0	0:00	23	36:38
References	6	22:11	0	0:00	7	1:03	0	0:00	13	23:14
Total	14	36:30	2	20:52	20	2:30	0	0:00	36	59:52

	Meetings By State							
	ACT	NSW	VIC	TAS	SA	WA	NT	QLD
Legislation	18	0	5	0	0	0	0	0
References	8	2	3	0	0	0	0	0
Total	26	2	8	0	0	0	0	0

		Witnesses			Hansard Pages					
	Televised Hearings	Estimates	Other (Bills)	General	Estimates	Other (Bills)	General	No of Submissions	No Of Pages	Government Responses
Legislation	7	56	45	0	256	246	0	70	520	0
References	2	0	0	60	0	0	314	113	1049	1
Total	9	56	45	60	256	246	314	183	1569	1

* includes referral of Annual Reports x 1

** includes 1 Interim Report

^ Reports that re-referred inquiries from the 42nd Parliament

Legal and Constitutional Affairs (Legislation)

43rd Parliament (28 September 2010 to 31 December 2010)

Method of appointment

Pursuant to amended Senate Standing Order 25.

Current members	*Date of appointment*
Senator Trish Crossin (NT, ALP) *(elected Chair on 30.09.10)*	30.09.10
Senator Guy Barnett (TAS, LP) *(elected Deputy Chair on 30.09.10)*	30.09.10
Senator Mark Furner (QLD, ALP)	30.09.10
Senator Scott Ludlam (WA, AG)	30.09.10
Senator Stephen Parry (TAS, LP)	30.09.10
Senator Louise Pratt (WA, ALP)	30.09.10

Substitute members	*Date of appointment*
Senator Sarah Hanson-Young (SA, AG)[1]	25.10.10
Senator Sarah Hanson-Young (SA, AG)[2]	25.10.10
Senator Sarah Hanson-Young (SA, AG)[3]	27.10.10

Participating members	*Date of appointment*
Senator the Hon Eric Abetz (TAS, LP)	30.09.10
Senator Judith Adams (WA, LP)	30.09.10
Senator Chris Back (WA, LP)	30.09.10
Senator Cory Bernardi (SA, LP)	30.09.10
Senator Catryna Bilyk (TAS, ALP)	30.09.10
Senator Simon Birmingham (SA, LP)	30.09.10
Senator Mark Bishop (WA, ALP)	30.09.10
Senator the Hon Ronald Boswell (QLD, NATS)	30.09.10
Senator Sue Boyce (QLD, LP)	30.09.10
Senator the Hon George Brandis (QLD, LP)	30.09.10
Senator Bob Brown (TAS, AG)	30.09.10
Senator Carol Brown (TAS, ALP)	30.09.10
Senator David Bushby (TAS, LP)	30.09.10

1 Replaces Senator Ludlam for the committee's inquiry into the provisions of the Sex and Age Discrimination Legislation Amendment Bill 2010

2 Replaces Senator Ludlam for the committee's inquiry into the provisions of the Human Rights (Parliamentary Scrutiny) Bill 2010 and a related bill

3 Replaces Senator Ludlam for the committee's inquiry into the Commonwealth Commissioner for Children and Young People Bill 2010

Senator Doug Cameron (NSW, ALP)	30.09.10
Senator Michaelia Cash (WA, LP)	30.09.10
Senator the Hon Richard Colbeck (TAS, LP)	30.09.10
Senator the Hon Helen Coonan (NSW, LP)	30.09.10
Senator Mathias Cormann (WA, LP)	30.09.10
Senator Alan Eggleston (WA, LP)	30.09.10
Senator the Hon John Faulkner (NSW, ALP)	30.09.10
Senator the Hon Alan Ferguson (SA, LP)	30.09.10
Senator Steve Fielding (VIC, FFP)	30.09.10
Senator Concetta Fierravanti-Wells (NSW, LP)	30.09.10
Senator Mitch Fifield (VIC, LP)	30.09.10
Senator Mary Jo Fisher (SA, LP)	30.09.10
Senator Michael Forshaw (NSW, ALP)	30.09.10
Senator Mark Furner (QLD, ALP)	30.09.10
Senator Sarah Hanson-Young (SA, AG)	30.09.10
Senator the Hon Bill Heffernan (NSW, LP)	30.09.10
Senator Gary Humphries (ACT, LP)	30.09.10
Senator Annette Hurley (SA, ALP)	30.09.10
Senator Steve Hutchins (NSW, ALP)	30.09.10
Senator the Hon David Johnston (WA, LP)	30.09.10
Senator Barnaby Joyce (QLD, NATS)	30.09.10
Senator Helen Kroger (VIC, LP)	30.09.10
Senator Scott Ludlam (WA, AG)	25.10.10
Senator the Hon Ian Macdonald (QLD, LP)	30.09.10
Senator Gavin Marshall (VIC, ALP)	30.09.10
Senator the Hon Brett Mason (QLD, LP)	30.09.10
Senator Anne McEwen (SA, ALP)	30.09.10
Senator Julian McGauran (VIC, LP)	30.09.10
Senator Christine Milne (TAS, AG)	30.09.10
Senator the Hon Nicholas Minchin (SA, LP)	30.09.10
Senator Claire Moore (QLD, ALP)	30.09.10
Senator Fiona Nash (NSW, NATS)	30.09.10
Senator Kerry O'Brien (TAS, ALP)	30.09.10
Senator Marise Payne (NSW, LP)	30.09.10
Senator Helen Polley (TAS, ALP)	30.09.10
Senator the Hon Michael Ronaldson (VIC, LP)	30.09.10
Senator Scott Ryan (VIC, LP)	30.09.10
Senator the Hon Nigel Scullion (NT, CLP)	30.09.10
Senator Rachel Siewert (WA, AG)	30.09.10
Senator the Hon Ursula Stephens (NSW, ALP)	30.09.10
Senator Glenn Sterle (WA, ALP)	30.09.10
Senator the Hon Judith Troeth (VIC, LP)	30.09.10
Senator Russell Trood (QLD, LP)	30.09.10
Senator John Williams (NSW, NATS)	30.09.10
Senator Dana Wortley (SA, ALP)	30.09.10
Senator Nick Xenophon (SA, IND)	30.09.10

Inquiries from the end of the 42nd Parliament

- Nil

Current inquiries

As at 31 December 2010

- Human Rights (Parliamentary Scrutiny) Bill 2010 [Provisions] and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Sex and Age Discrimination Legislation Amendment Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Commonwealth Commissioner for Children and Young People Bill 2010 (previously referred to the Community Affairs Legislation Committee 30 September 2010; reference transferred by Selection of Bills Committee 26 October 2010)
- Provisions of Schedule 4 of the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010 (referred 28 October 2010—through the Selection of Bills Committee)
- Patent Amendment (Human Genes and Biological Materials) Bill 2010 (referred 26 November 2010—through the Selection of Bills Committee)

New references

28 September 2010–31 December 2010

- Aviation Crimes and Policing Legislation Amendment Bill 2010 (referred 30 September 2010—through the Selection of Bills Committee)
- Civil Dispute Resolution Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Corporations Amendment (Sons of Gwalia) Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Crimes Legislation Amendment Bill 2010 (referred 30 September 2010—through the Selection of Bills Committee)
- Human Rights (Parliamentary Scrutiny) Bill 2010 [Provisions] and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Sex and Age Discrimination Legislation Amendment Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)

- Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010 [Provisions] (referred 30 September 2010—through the Selection of Bills Committee)
- Commonwealth Commissioner for Children and Young People Bill 2010 (previously referred to the Community Affairs Legislation Committee 30 September 2010; reference transferred by Selection of Bills Committee 26 October 2010)
- Provisions of Schedule 4 of the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010 (referred 28 October 2010—through the Selection of Bills Committee)
- Evidence Amendment (Journalists' Privilege) Bill 2010 and Evidence Amendment (Journalists' Privilege) Bill 2010 (No. 2) (referred 15 November 2010)
- Patent Amendment (Human Genes and Biological Materials) Bill 2010 (referred 26 November 2010—through the Selection of Bills Committee)

Public hearings

28 September 2010–31 December 2010

- 2010–11 Supplementary Budget Estimates—18 & 19 October 2010
- Corporations Amendment (Sons of Gwalia) Bill 2010—26 October 2010, Canberra
- Crimes Legislation Amendment Bill 2010—4 November 2010, Melbourne
- Human Rights (Parliamentary Scrutiny) Bill 2010 [Provisions] and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 [Provisions]—4 November 2010, Melbourne; 25 November 2010, Canberra
- Civil Dispute Resolution Bill 2010—4 November 2010, Melbourne; 11 November 2010, Canberra
- Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010—11 November 2010, Canberra
- Evidence Amendment (Journalists' Privilege) Bill 2010 and Evidence Amendment (Journalists' Privilege) Bill 2010 (No. 2)—18 November 2010, Canberra

Reports tabled

28 September 2010–31 December 2010

- Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2010 (presented out of session on 30 June 2010; tabled 28 September 2010)
- Access to Justice (Family Court Restructure and Other Measures) Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)

- Aviation Crimes and Policing Legislation Amendment Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Civil Dispute Resolution Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Corporations Amendment (Sons of Gwalia) Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Crimes Legislation Amendment Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Human Rights (Parliamentary Scrutiny) Bill 2010 [Provisions]; and Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Military Court of Australia Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010 [Provisions] (presented out of session on 23 July 2010; tabled 28 September 2010)
- Migration Amendment (Visa Capping) Bill 2010 [Provisions] (presented out of session on 26 July 2010; tabled 28 September 2010)
- Aviation Crimes and Policing Legislation Amendment Bill 2010 (tabled 16 November 2010)
- Annual reports (No. 2 of 2010) (tabled 17 November 2010)
- Crimes Legislation Amendment Bill 2010 (tabled 17 November 2010)
- Corporations Amendment (Sons of Gwalia) Bill 2010 [Provisions] (tabled 18 November 2010)
- Evidence Amendment (Journalists' Privilege) Bill 2010 and Evidence Amendment (Journalists' Privilege) Bill 2010 (No. 2) (tabled 23 November 2010)
- Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010 [Provisions] (presented out of session on 26 November 2010)
- Civil Dispute Resolution Bill 2010 [Provisions] (presented out of session on 2 December 2010)
- Human Rights (Parliamentary Scrutiny) Bill 2010 [Provisions] and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 [Provisions]—Interim Report (presented out of session on 7 December 2010)

Government responses

28 September 2010–31 December 2010

- Personal Property Securities (Corporations and Other Amendments) Bill 2010 (presented out of session 19 July 2010, tabled 28 September 2010; report tabled 12 May 2010)

Estimates

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

Legal and Constitutional Affairs (References)

43rd Parliament (28 September 2010 to 31 December 2010)

Method of appointment

Pursuant to amended Senate Standing Order 25.

Current members	*Date of appointment*
Senator Guy Barnett (TAS, LP) *(elected Chair on 30.09.10)*	30.09.10
Senator Trish Crossin (NT, ALP) *(elected Deputy Chair on 30.09.10)*	30.09.10
Senator Mark Furner (QLD, ALP)	30.09.10
Senator Scott Ludlam (WA, AG)	30.09.10
Senator Stephen Parry (TAS, LP)	30.09.10
Senator Russell Trood (QLD, LP)	30.09.10

Participating members	*Date of appointment*
Senator the Hon Eric Abetz (TAS, LP)	30.09.10
Senator Judith Adams (WA, LP)	30.09.10
Senator Chris Back (WA, LP)	30.09.10
Senator Cory Bernardi (SA, LP)	30.09.10
Senator Catryna Bilyk (TAS, ALP)	30.09.10
Senator Simon Birmingham (SA, LP)	30.09.10
Senator Mark Bishop (WA, ALP)	30.09.10
Senator the Hon Ronald Boswell (QLD, NATS)	30.09.10
Senator Sue Boyce (QLD, LP)	30.09.10
Senator the Hon George Brandis (QLD, LP)	30.09.10
Senator Bob Brown (TAS, AG)	30.09.10
Senator Carol Brown (TAS, ALP)	30.09.10
Senator David Bushby (TAS, LP)	30.09.10
Senator Doug Cameron (NSW, ALP)	30.09.10
Senator Michaelia Cash (WA, LP)	30.09.10
Senator the Hon Richard Colbeck (TAS, LP)	30.09.10
Senator the Hon Helen Coonan (NSW, LP)	30.09.10
Senator Mathias Cormann (WA, LP)	30.09.10
Senator Alan Eggleston (WA, LP)	30.09.10
Senator the Hon John Faulkner (NSW, ALP)	30.09.10
Senator the Hon Alan Ferguson (SA, LP)	30.09.10
Senator Steve Fielding (VIC, FFP)	30.09.10
Senator Concetta Fierravanti-Wells (NSW, LP)	30.09.10
Senator Mitch Fifield (VIC, LP)	30.09.10
Senator Mary Jo Fisher (SA, LP)	30.09.10

Senator Michael Forshaw (NSW, ALP)	30.09.10
Senator Sarah Hanson-Young (SA, AG)	30.09.10
Senator the Hon Bill Heffernan (NSW, LP)	30.09.10
Senator Gary Humphries (ACT, LP)	30.09.10
Senator Annette Hurley (SA, ALP)	30.09.10
Senator Steve Hutchins (NSW, ALP)	30.09.10
Senator the Hon David Johnston (WA, LP)	30.09.10
Senator Barnaby Joyce (QLD, NATS)	30.09.10
Senator Helen Kroger (VIC, LP)	30.09.10
Senator the Hon Ian Macdonald (QLD, LP)	30.09.10
Senator Gavin Marshall (VIC, ALP)	30.09.10
Senator the Hon Brett Mason (QLD, LP)	30.09.10
Senator Anne McEwen (SA, ALP)	30.09.10
Senator Julian McGauran (VIC, LP)	30.09.10
Senator Christine Milne (TAS, AG)	30.09.10
Senator the Hon Nicholas Minchin (SA, LP)	30.09.10
Senator Claire Moore (QLD, ALP)	30.09.10
Senator Fiona Nash (NSW, NATS)	30.09.10
Senator Kerry O'Brien (TAS, ALP)	30.09.10
Senator Marise Payne (NSW, LP)	30.09.10
Senator Helen Polley (TAS, ALP)	30.09.10
Senator Louise Pratt (WA, ALP)	30.09.10
Senator the Hon Michael Ronaldson (VIC, LP)	30.09.10
Senator Scott Ryan (VIC, LP)	30.09.10
Senator the Hon Nigel Scullion (NT, CLP)	30.09.10
Senator Rachel Siewert (WA, AG)	30.09.10
Senator the Hon Ursula Stephens (NSW, ALP)	30.09.10
Senator Glenn Sterle (WA, ALP)	30.09.10
Senator the Hon Judith Troeth (VIC, LP)	30.09.10
Senator John Williams (NSW, NATS)	30.09.10
Senator Dana Wortley (SA, ALP)	30.09.10
Senator Nick Xenophon (SA, IND)	30.09.10

Inquiries from the end of the 42nd Parliament

- Review of government compensation payments (referred 4 February 2010) *(Reference varied 18 March 2010)*
- Past and present practices of donor conception in Australia (referred 23 June 2010)

Inquiries lapsed at the beginning of the 43rd Parliament

- Review of government compensation payments (referred 4 February 2010) *(Reference varied 18 March 2010)*
- Past and present practices of donor conception in Australia (referred 23 June 2010)

Inquiries re-referred

- Review of government compensation payments (re-referred 30 September 2010) *(Reference varied 18 March 2010)*
- Past and present practices of donor conception in Australia (re-referred 30 September 2010)

Current inquiries

As at 31 December 2010

- Past and present practices of donor conception in Australia (re-referred 30 September 2010)
- The Australian film and literature classification scheme (referred 16 November 2010)
- The Australian Law Reform Commission (ALRC) (referred 23 November 2010)

New references

28 September 2010–31 December 2010

- The Australian film and literature classification scheme (referred 16 November 2010)
- The Australian Law Reform Commission (ALRC) (referred 23 November 2010)

Public hearings

28 September 2010–31 December 2010

- Review of government compensation payments—29 October 2010, Canberra; 2 November 2010, Sydney; 3 November 2010, Melbourne
- Past and present practices of donor conception in Australia—29 October 2010, Canberra; 2 November 2010, Sydney; 3 November 2010, Melbourne

Reports tabled

28 September 2010–31 December 2010

- Review of government discretionary payments in special circumstances—Interim report (presented out of session on 23 July 2010; tabled 28 September 2010)
- Report on matters not disposed of at the end of the 42nd Parliament (tabled 30 September 2010)
- Review of Government compensation payments—Final report (presented out of session on 6 December 2010)

Government responses

28 September 2010–31 December 2010

- Access to justice (presented out of session 19 July 2010, tabled 28 September 2010; report tabled 8 December 2009)
- Australia's judicial system and the role of judges (presented out of session 19 October 2010, tabled 25 October 2010; report tabled 7 December 2009)