

**Senate Standing Committee
for the
Scrutiny of Bills**

Alert Digest

No. 5 of 2002

19 June 2002

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Senate Standing Committee for the Scrutiny of Bills

Members of the Committee

Senator B Cooney (Chairman)
Senator W Crane (Deputy Chairman)
Senator T Crossin
Senator J Ferris
Senator B Mason
Senator A Murray

Terms of Reference

Extract from **Standing Order 24**

- (1) (a) At the commencement of each parliament, a Standing Committee for the Scrutiny of Bills shall be appointed to report, in respect of the clauses of bills introduced into the Senate, and in respect of Acts of the Parliament, whether such bills or Acts, by express words or otherwise:
 - (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - (iv) inappropriately delegate legislative powers; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The committee, for the purpose of reporting upon the clauses of a bill when the bill has been introduced into the Senate, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Senate.

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- **The Committee has commented on these bills**

This Digest is circulated to all Honourable Senators.
Any Senator who wishes to draw matters to the attention of the
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- **The Committee has commented on these bills**

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Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1) 2002

This bill was introduced into the House of Representatives on 29 May 2002 by the Minister for Agriculture, Fisheries and Forestry. [Portfolio responsibility: Agriculture, Fisheries and Forestry]

Schedule 1 of the bill proposes to amend the *Quarantine Act 1908* to extend the Act to Christmas Island, make a number of changes to improve the arrangements for the payment of fees, broaden the range of persons who may be appointed as quarantine officers and make a number of clarifying amendments.

Schedule 2 of the bill proposes to amend the *Imported Food Control Act 1992* in response to three recommendations arising from the National Competition Policy Review of the Act. The amendments insert an objective into the Act, provide for the use of compliance agreements as a mechanism to regulate quality assurance arrangements developed by importers to ensure that imported food meets Australian food safety standards and to require that imported foods are labelled in accordance with Australian standards prior to sale.

Schedule 3 of the bill proposes to amend the *Pig Industry Act 2001* and the *Wool Services Privatisation Act 2000* to provide for the research and development bodies for the pork and wool industries, Australian Pork Limited (APL) and Australian Wool Innovation Limited (AWI), to carry forward claims for eligible Research and Development (R&D) expenditure, which have not been matched by the Commonwealth, to subsequent financial years. The amendments will bring APL and AWI into line with arrangements operating for all other rural R&D bodies; and provide them with the necessary flexibility to ensure all their year to year expenditure on eligible R&D attracts Commonwealth matching.

The Committee has no comment on this bill.

Appropriation Bill (No. 1) 2002-2003

This bill was introduced into the House of Representatives on 14 May 2002 by the Treasurer. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling \$43,445.9 million out of the Consolidated Revenue Fund to meet payments for the ordinary annual services of the government for the year ending on 30 June 2003.

The Committee has no comment on this bill.

Appropriation Bill (No. 2) 2002-2003

This bill was introduced into the House of Representatives on 14 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling \$6,120.8 million out of the Consolidated Revenue Fund to meet payments to or for the States and Territories, and payments for administered items, administered capital items and departmental capital items for the year ending on 30 June 2003.

The Committee has no comment on this bill.

Appropriation (Parliamentary Departments) Bill (No. 1) 2002-2003

This bill was introduced into the House of Representatives on 14 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Finance and Administration]

The bill proposes to appropriate money totalling \$166.1 million out of the Consolidated Revenue Fund to meet the expenses of the parliamentary departments for the year ending on 30 June 2003.

The Committee has no comment on this bill.

Australian Broadcasting Corporation (Scrutiny of Board Appointments) Amendment Bill 2002

This bill was introduced into the Senate on 15 May 2002 by Senator Bourne as a Private Senator's bill.

The bill proposes to amend the *Australian Broadcasting Corporation Act 1983* to establish a parliamentary joint committee on the ABC to:

- approve appointments to the ABC Board;
- examine the ABC annual report; and
- review and make recommendations in relation to its annual appropriation.

The Committee has no comment on this bill.

Australian Protective Service Amendment Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Defence. [Portfolio responsibility: Justice and Customs]

The bill proposes to amend the *Australian Protective Service Act 1987* to:

- transfer responsibility for the Australian Protective Service (APS) from the Secretary of the Attorney-General's Department to the Commissioner of the Australian Federal Police; and
- establish the Australian Protective Service (APS) as a statutory agency with the Commissioner of the Australian Federal Police as Agency Head.

The APS would continue to be governed by the *Australian Protective Service Act 1987*, and the powers and duties of the APS would remain unchanged.

The Committee has no comment on this bill.

Diesel Fuel Rebate Scheme Amendment Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the *Customs Act 1901* and *Excise Act 1901* to extend the Diesel Fuel Rebate Scheme to power generation by retail and hospitality businesses.

The Committee has no comment on this bill.

Export Market Development Grants Amendment Bill 2002

This bill was introduced into the House of Representatives on 15 May 2002 by the Minister for Children and Youth Affairs. [Portfolio responsibility: Trade]

The bill proposes to amend the *Export Market Development Grants Act 1997* to increase the minimum grant available under the Export Market Development Grants Scheme from \$2,500 to \$5,000 effective from the 2001-02 financial year.

The bill will not affect the entitlements of applicants whose grants would otherwise be assessed as being \$5,000 or over, but will benefit applicants spending between \$15,000 and \$25,000 on eligible promotional activities during the grant year.

The Committee has no comment on this bill.

Family and Community Services Legislation Amendment (Australians Working Together and other 2001 Budget Measures) Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Minister representing the Minister for Family and Community Services. [Portfolio responsibility: Family and Community Services]

Schedule 1 of the bill proposes to amend the *Social Security Act 1991* and the *Social Security (Administration) Act 1999* to require most parenting payment recipients, whose youngest child is aged between 13 and 15 years, to commit to undertaking a Parenting Payment Participating Agreement as a part of their preparation for returning to the workforce. The Agreement would require one or more activities such as job search, education, training or community work to be performed for up to 150 hours in a 6 month period.

Schedule 2 of the bill proposes to amend the *Social Security Act 1991*, *Social Security (Administration) Act 1999* and *Income Tax Assessment Act 1997* to provide a language, literacy and numeracy training supplement to people on specified income support payments.

Schedule 3 of the bill proposes to amend the *Social Security Act 1991* and the *Social Security (Administration) Act 1999* to introduce the Personal Support Programme which will replace and expand on the current Community Support Program.

Schedule 4 of the bill proposes to amend the *Social Security Act 1991* to close access for new applicants to mature age allowance and partner allowance.

Schedule 5 of the bill proposes to amend the *Social Security Act 1991* to introduce more flexible participation requirements for mature age newstart recipients.

Schedule 6 of the bill proposes to amend the *A New Tax System (Family Assistance) Act 1999*, *Social Security Act 1991* and *Social Security (Administration) Act 1999* to introduce a working credit which can be used to offset later earnings for the income test.

Schedule 7 of the bill proposes to amend the *Social Security (Administration) Act 1999* and *A New Tax System (Family Assistance) (Administration) Act 1999* to amend confidentiality provisions. This will enable customer information to be used for the purposes of the proposed Family Homelessness Prevention and Early Intervention Pilot and for other programs to be specified in disallowable instruments.

The Committee has no comment on this bill.

Family and Community Services Legislation Amendment (Disability Reform) Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Minister representing the Minister for Family and Community Services. [Portfolio responsibility: Family and Community Services]

The bill proposes to amend the *Social Security Act 1991* and *Social Security (Administration) Act 1999* to change the qualification criteria for disability support pension in relation to work capacity, and to restrict exemptions from the activity test requirements for newstart allowance and youth allowance. The changes will place greater focus on identifying a person's ability to work and benefit from services that will improve their work capacity.

The Committee has no comment on this bill.

Higher Education Funding Amendment Bill 2002

This bill was introduced into the House of Representatives on 5 June 2002 by the Minister for Education, Science and Training. [Portfolio responsibility: Education, Science and Training]

Schedule 1 of the bill proposes to amend the *Higher Education Funding Act 1988* (HEFA) to make provision for grants of financial assistance to higher education institutions and other bodies for higher education purposes, establish the Higher Education Contribution Scheme (HECS), the Post-graduate Education Loan Scheme (PELS), the Open Learning Deferred Payment Scheme and the Bridging for Overseas-trained Professionals Loan Scheme and makes provision for the repayment of monies lent by the Commonwealth to students under those schemes.

Schedule 2 of the bill proposes to amend the *Australian Research Council Act 2001* to:

- vary the annual funding caps in section 49 of the Act for 2003, 2004 and 2005 to provide supplementation in accordance with indexation arrangements;
- vary the annual funding caps in section 49 of the Act for 2003, 2004 and 2005 to permit the Institute of Advanced Studies at the Australian National University to access the research schemes of the Australian Research Council; and
- insert an additional funding cap in section 49 of the Act for 2006 to reflect the current Budget forward estimates and to allow the Minister to approve projects for funding for up to four years.

Retrospective commencement Subclause 2(1)

The table to subclause 2(1) indicates, in item 4, that items 22 and 23 of Schedule 1 to this bill are to commence (presumably) retrospectively, immediately after the commencement of subsection 23(1C) of the *Higher Education Funding Act 1988*. However, although the Explanatory Memorandum describes the amendments proposed in those items as being

“technical”, neither that Memorandum, nor the Second Reading speech, provides any further information about those amendments. There is no indication of when subsection 23(1C) commenced, nor of whether retrospective commencement will adversely affect any person.

Given this, the Committee **seeks the Minister’s advice** as to the effect of the amendments and the reasons for the retrospectivity, if this is the case.

The Committee draws Senators’ attention to the provision, as it may be considered to trespass unduly on personal rights and liberties, in breach of principle 1(a)(i) of the Committee’s terms of reference.

National Health Amendment (Pharmaceutical Benefits—Budget Measures) Bill 2002

This bill was introduced into the House of Representatives on 6 June 2002 by the Minister representing the Minister for Health and Ageing. [Portfolio responsibility: Health and Ageing]

The bill proposes to amend the *National Health Act 1953* to implement increases to the Pharmaceutical Benefits Scheme patient co-payments and safety nets, as announced in the 2002-03 Budget, to reduce outlays under the Pharmaceutical Benefits Scheme. The increases are proposed to take the place of indexation changes that would otherwise occur with effect from 1 January 2003. Indexation of patient co-payments and safety net thresholds will then resume with effect from 1 January 2004.

The Committee has no comment on this bill.

New Business Tax System (Consolidation) Bill (No. 1) 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the *Income Tax Assessment Act 1997* to introduce a consolidation regime for resident entities that comprise a wholly-owned corporate group. The proposed regime is optional, although the choice to consolidate is irrevocable. The proposed amendments address efficiency and integrity issues in the current taxation of wholly owned groups, including compliance costs, double taxation of gains, tax avoidance through intra-group dealings, and value shifting to create artificial losses where there is no actual loss.

The bill also proposes amendments to the following bills:

- *Income Tax (Transitional Provisions) Act 1997* in relation to transitional concessions available for transferred losses;
- *Taxation Administration Act 1953* in relation to pay as you go instalments for entities in consolidated groups; and
- *Income Tax Assessment Act 1936* and *Income Tax Assessment Act 1997* to make consequential amendments.

The bill also contains application and transitional provisions.

The Committee has no comment on this bill.

New Business Tax System (Franking Deficit Tax) Bill 2002

This bill was introduced into the House of Representatives on 30 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Part of a package of three bills, the bill proposes to implement the Government's reform of business taxation to simplify the imputation system. The bill proposes a framework that would ensure that a company makes good the over-imputation of franking credits that it makes to its shareholders when making franked distributions to them. This will be the case where the company attaches more franking credits to shareholder distributions than the tax that it has actually paid.

The Committee has no comment on this bill.

New Business Tax System (Imputation) Bill 2002

This bill was introduced into the House of Representatives on 30 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Part of a package of three bills, the bill proposes to implement the Government's reform of business taxation to simplify the imputation system. The bill proposes to amend the *Income Tax Assessment Act 1936* to establish a framework that implements recommendations of the Ralph Review of Business Taxation to achieve integrity through the entity chain, and simplification of the franking account. The bill also amends the *Income Tax Assessment Act 1997* and the *Income Tax (Transitional Provisions) Act 1997* to make transitional arrangements.

The Committee has no comment on this bill.

New Business Tax System (Over-franking Tax) Bill 2002

This bill was introduced into the House of Representatives on 30 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Part of a package of three bills, the bill proposes to implement the Government's reform of business taxation to simplify the imputation system. The bill proposes a mechanism that ensures that companies frank distributions that they make in accordance with the benchmark rule.

The Committee has no comment on this bill.

Petroleum (Submerged Lands) Amendment Bill 2002

This bill was introduced into the House of Representatives on 15 May 2002 by the Parliamentary Secretary to the Minister for Industry, Tourism and Resources. [Portfolio responsibility: Industry, Tourism and Resources]

The bill proposes to amend the *Petroleum (Submerged Lands) Act 1967* to limit renewals of exploration permits and reduce compliance costs for the petroleum industry, thus enhancing competition. These measures implement recommendations from a national review of legislation governing exploration and development of offshore petroleum resources and its compliance with competition policy principles.

The Committee has no comment on this bill.

Statute Law Revision Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Defence. [Portfolio responsibility: Attorney-General]

The bill proposes to amend 42 Acts to correct technical errors that have occurred in Acts as a result of drafting and clerical mistakes. The corrections are proposed in order to improve the quality of the text of Commonwealth legislation and, in particular, to facilitate the publication of consolidated versions of Acts by the Attorney-General's Department and by private publishers of legislation. None of the corrections make any changes to the substance of the law.

Retrospective commencement **Subclause 2(1)**

By virtue of the table in subclause 2(1) of this bill, many of the amendments proposed therein would commence retrospectively. However, the purpose of all of the amendments in the bill is to correct minor clerical and drafting errors in current legislation. The Attorney-General has indicated in his Second Reading speech that “correcting errors of these kinds does not change the law.”

In the circumstances, the Committee makes no further comment on this provision.

Superannuation Guarantee Charge Amendment Bill 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Introduced with the Taxation Laws Amendment (Superannuation) Bill (No. 2) 2002, the bill proposes to amend the *Superannuation Guarantee Charge Act 1992* to establish the basis for requiring employers to make at least quarterly superannuation contributions on behalf of their employees. These amendments will enable the superannuation guarantee charge, which underpins the compulsory superannuation arrangements, to be imposed quarterly.

The Committee has no comment on this bill.

Taxation Laws Amendment Bill (No. 4) 2002

This bill was introduced into the House of Representatives on 30 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

Schedule 1 of the bill proposes to amend the *Income Tax Assessment Act 1936*, the *Income Tax Assessment Act 1997*, and the *Income Tax (Transitional Provisions) Act 1997* to ensure that the thin capitalisation regime operates as intended. The amendments, while largely technical in nature and apply from 1 July 2001, are intended to improve the integrity of the regime and clarify the operation of the law.

Schedule 2 of the bill proposes to amend the *Income Tax Assessment Act 1997* in respect of capital gains tax rollover, to facilitate a trust converting into a company by disposing of all its assets to the company. This rollover is optional and will be available for disposals of assets by the trust on or after 11 November 1999. The rollover will not apply to discretionary trusts. Transitional and application provisions are also included.

Schedule 3 of the bill proposes amendments to the *Income Tax Assessment Act 1936* and the *Income Tax Assessment Act 1997* to assist Australian businesses seeking to attract key personnel to Australia by reducing the tax burden on people who are considered to be temporary residents of Australia for taxation purposes; to exempt from Australian tax, all foreign source income and capital gains for a maximum period of four years to individuals who are considered to be temporary residents; and to exempt temporary residents from interest withholding tax obligations associated with overseas liabilities. Application provisions are also included.

Schedule 4 of the bill proposes to amend the *Income Tax Assessment Act 1997* to introduce certain statutory ‘caps’ to establish the effective life used to calculate the deduction for those depreciating assets if the taxpayer chooses to use an effective life determined by the Commissioner of Taxation. The cap, if any, that applies to that asset is shorter than the effective life determined by the commissioner. This means the taxpayer will be able to deduct the cost of the asset over a shorter period of time than would otherwise be the case.

Retrospective commencement
Item 17 of Schedule 2

The amendments proposed in Schedule 2 to this bill will, by virtue of item 17, in part 4 thereof, apply from 11 November 1999. However, it appears from the comments on page 4 of the Explanatory Memorandum relating to the financial impact of these amendments that they will be beneficial to taxpayers.

In the circumstances, the Committee makes no further comment on this provision.

Taxation Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Bill 2002

This bill was introduced into the House of Representatives on 14 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the *Medicare Levy Act 1986* and the *A New Tax (Medicare Levy Surcharge—Fringe Benefits) Act 1999* to:

- increase the Medicare levy low income thresholds for individuals, married couples and sole parents in line with movements in the Consumer Price Index; and
- increase the individual low income threshold for Medicare levy surcharge purposes;

for the 2001-2002 financial year and later financial years.

The bill also amends the *Medicare Levy Act 1986* in relation to eligibility to use a family income threshold and the *Income Tax Assessment Act 1936* to make technical amendments.

Retrospective commencement Items 1 and 2 of Schedule 2

By virtue of item 3 of Schedule 2 to this bill, the amendments proposed by items 1 and 2 thereof would apply retrospectively from the 1997-98 year of income, and by virtue of item 8 in the same schedule, the amendments proposed by items 4 to 7 would apply retrospectively from the 2000-01 year of income. The Explanatory Memorandum describes these amendments as “technical”, but does not indicate whether the proposed retrospective application will operate to the disadvantage of any taxpayers. Given this, the Committee **seeks the Treasurer’s advice** that no person will be adversely affected by the changes.

The Committee draws Senators’ attention to the provision, as it may be considered to trespass unduly on personal rights and

liberties, in breach of principle 1(a)(i) of the Committee's terms of reference.

Taxation Laws Amendment (Structured Settlements) Bill 2002

This bill was introduced into the House of Representatives on 6 June 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill proposes to amend the *Income Tax Assessment Act 1997* to encourage the use of structured settlements for personal injury compensation, by providing an income tax exemption for annuities and deferred lump sums paid as compensation for seriously injured persons under structured settlements and to make consequential amendments to the *Income Tax Assessment Act 1936* and the *Income Tax (Transitional Provisions) Act 1997*. Exemptions will only be available where certain eligibility criteria are met.

The bill also amends the *Life Insurance Act 1995* to provide that any commutation or assignment of a tax-exempt structured settlement annuity or lump sum will be ineffective.

This bill is the result of meetings between the Commonwealth, State and Territory ministers and extensive consultation with the structured settlements group, which represents a broad range of interested organisations. Application provisions are also included.

Retrospective commencement Part 1 of Schedule 1

By virtue of Part 3 of Schedule 1, the amendments proposed by Part 1 of that schedule will apply from 26 September 2001. However, the Explanatory Memorandum advises that those amendments are beneficial to persons entitled to compensation for personal injuries which they suffer.

In the circumstances, the Committee makes no further comment on this provision.

Taxation Laws Amendment (Superannuation) Bill (No. 2) 2002

This bill was introduced into the House of Representatives on 16 May 2002 by the Parliamentary Secretary to the Minister for Finance and Administration. [Portfolio responsibility: Treasury]

The bill was introduced with the Superannuation Guarantee Charge Amendment Bill 2002.

Schedule 1 of the bill proposes to amend the *Superannuation Guarantee (Administration) Act 1992* to provide for a quarterly superannuation guarantee regime, transitional arrangements and consequential amendments to 6 other Acts.

Part 1 of Schedule 2 of the bill proposes to amend the *Superannuation Contributions Tax Imposition Act 1997*, *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Imposition Act 1997*, and the *Termination Payments Tax Imposition Act 1997* to reduce the superannuation contributions and the termination payments surcharge rates by 1/10th of their current levels in each of the three income years commencing from 1 July 2002. The remaining parts of Schedule 2 propose to amend provisions in 5 Acts that impose a limit on the maximum amount of surcharge payable by members of constitutionally protected funds and the maximum reduction of benefits of members of certain unfunded defined benefits superannuation schemes; and include application and transitional provisions.

Schedule 3 of the bill proposes to amend the *Income Tax Assessment Act 1936* and *Income Tax Assessment Act 1997* to limit when a contribution to a complying superannuation fund or retirement saving account will be an allowable tax deduction.

Schedule 4 of the bill proposes to amend the *Income Tax Assessment Act 1936* to provide that superannuation contributions made on behalf of minors, other than by an employer, will not form part of the taxable income of a complying superannuation fund or a RSA provider.

Schedule 5 of the bill proposes to amend the *Income Tax Assessment Act 1936* to increase the deduction available to the self-employed for personal superannuation contributions.

Schedule 6 of the bill proposes to make technical amendments to four Acts and consequential amendments to six Acts to correct legislative oversights arising from the *Taxation Laws Amendment (Superannuation) Act (No. 1) 2002*, the *Taxation Laws Amendment Act (No. 5) 2001* and the *Family Law Amendment Act 2001*. These Acts relate to superannuation to be paid to temporary residents who permanently depart Australia, changing the status of a constitutionally protected fund to a taxed fund, and ensuring that the appropriate tax treatment is applied to superannuation interests which may be split.

The Schedule also proposes to amend the *Bankruptcy Act 1966* to ensure that the superannuation guarantee charge and any related general interest charge have the same priority in bankruptcy as salary or wages; and contains application and transitional provisions.

The Committee has no comment on this bill.

Vocational Education and Training Funding Amendment Bill 2002

This bill was introduced into the House of Representatives on 5 June 2002 by the Minister for Education, Science and Training. [Portfolio responsibility: Education, Science and Training]

The bill proposes to amend the *Vocational Education and Training Funding Act 1992* to:

- supplement 2002 vocational education and training funding in line with real price movements reflected in Treasury indices;
- appropriate general vocational education and training funding for 2003; and
- provide additional growth funding in 2003 for those States and Territories that satisfy the provisions set out in that Agreement.

The appropriation for 2003 also includes funding under the *Australians Working Together* policy and the VET-related elements of the *Recognising and Improving the Capacity of People with a Disability* initiative.

The Committee has no comment on this bill.

Workplace Relations Amendment (Paid Maternity Leave) Bill 2002

This bill was introduced into the Senate on 15 May 2002 by Senator Stott Despoja as a Private Senator's bill.

The bill proposes to amend the following Acts:

- *Workplace Relations Act 1996* to provide for a system of paid maternity leave, including provision for a Government-funded basic maternity payment, for employees not employed by Commonwealth, State or Territory governments; and
- *A New Tax System (Family Assistance) (Administration) Act 1999* to provide that women who receive this new maternity payment will be ineligible for the existing maternity allowance and maternity immunisation allowance.

The Committee has no comment on this bill.

PARLIAMENTARY AMENDMENTS AND THE COMMITTEE'S TERMS OF REFERENCE

AMENDMENTS IN THE HOUSE OF REPRESENTATIVES (21 March and 14 May – 6 June)

Migration Legislation Amendment (Transitional Movement) Bill 2002: On 21 March, the House of Representatives agreed to a Senate amendment to this bill. This amendment raised no issues within the Committee's terms of reference.

Superannuation Legislation (Commonwealth Employment) Repeal and Amendment Bill 2002: On 15 May, the House of Representatives agreed to amend this bill. These amendments raised no issues within the Committee's terms of reference.

Taxation Laws Amendment (Baby Bonus) Bill 2002: On 21 March, the House of Representatives disagreed to a Senate amendment to this bill. This amendment raised no issues within the Committee's terms of reference.

Workplace Relations amendment (Prohibition of Compulsory Union Fees) Bill 2002: On 16 May, the House of Representatives agreed to amend this bill. These amendments raised no issues within the Committee's terms of reference.

AMENDMENTS IN THE SENATE (14-16 May)

Taxation Laws Amendment (Baby Bonus) Bill 2002: On 15 May, the Senate agreed that it would not insist on a Senate amendment disagreed to by the House of Representatives. This amendment raised no issues within the Committee's terms of reference.

STANDING COMMITTEE FOR THE SCRUTINY OF BILLS
INDEX OF BILLS COMMENTED ON AND MINISTERIAL RESPONSES SOUGHT/RECEIVED - 2002

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Bills dealt with in 2001							
Air Passenger Ticket Levy (Collection) Act 2001	14(26.9.01)	20.9.01	26.9.01	Transport and Regional Services	27.9.01	31.12.01	1(20.2.02)
Border Protection (Validation and Enforcement Powers) Act 2001	13(20.9.01)	18.9.01	20.9.01	Immigration and Multicultural Affairs	20.9.01	6.02.02	1(20.2.02)
Defence Legislation Amendment (Application of Criminal Code) Act 2001	12(19.9.01)	29.8.01	24.9.01	Defence	20.9.01	8.11.01	1(20.2.02)
Electoral and Referendum Amendment Act (No. 1) 2001	4(28.3.01)	7.3.01	2.4.01	Finance and Administration	29.3.01	4.5.01	6(23.5.01)
Environment and Heritage Legislation Amendment Bill (No. 2) 2000 [2001]	1(7.2.01) 8(27.6.01)		7.12.00	Environment and Heritage	Further response required	10.1.02	1(20.2.02)
					24.5.01		
Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Act 2001	9(8.8.01)	25.6.01	24.5.01	Environment and Heritage re Amendments	28.6.01	20.8.01	10(22.8.01)
					23.8.01	26.9.01	1(20.2.02)
Health and Aged Care Legislation Amendment (Application of Criminal Code) Act 2001	10(22.8.01)	8.8.01	23.8.01	Health and Aged Care	23.8.01	18.10.01	1(20.2.02)
					23.8.01	8.10.01	1(20.2.02)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
<i>Migration Amendment (Excision from Migration Zone) Act 2001</i>	13(20.9.01)	18.9.01	20.9.01	Immigration and Multicultural Affairs	20.9.01	6.2.02	1(20.2.02)
<i>Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Act 2001</i>	13(20.9.01)	18.9.01	20.9.01	Immigration and Multicultural Affairs	20.9.01	6.2.02	1(20.2.02)
<i>Migration Legislation Amendment Act (No. 6) 2001</i>	13(20.9.01)	28.8.01	24.9.01	Immigration and Multicultural Affairs	20.9.01	6.2.02	1(20.2.02)
<i>Taxation Laws Amendment Act (No. 5) 2001</i>	11(29.8.01)	23.8.01	26.9.01	Treasurer	30.8.01	18.9.01	1(20.2.02)
<i>Trade Practices Amendment (Telecommunications) Act 2001</i>	10(22.8.01)	9.8.01	19.9.01	Communications, Information Technology and the Arts	23.8.01 20.9.01	17.9.01 25.9.01	12(19.9.01) FRR 13(26.9.01) 1(20.2.02)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Bills being dealt with in 2002							
Aboriginal and Torres Strait Islander Commission Amendment Bill 2002	3(20.3.02)	13.3.02	16.5.02	Immigration and Multicultural and Indigenous Affairs	21.3.02	13.5.02	5(19.6.02)
Airports Amendment Bill 2002	1(20.2.02)	14.2.02		Transport and Regional Services	21.2.02	6.5.02	DC
Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment Bill 2002	4(15.5.02)	21.3.02		Health and Ageing	16.5.02	4.6.02	
Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002	4(15.5.02)	21.3.02		Attorney-General	16.5.02		
Border Security Legislation Amendment Bill 2002	3(20.3.02)	12.3.02	14.3.02	Attorney-General	21.3.02	23.4.02	4(15.5.02)
Coal Industry Repeal Act 2001	1(20.2.02)	28.6.00	5.4.01	Industry, Science and Resources	21.2.02	11.3.02	2(13.3.02)
Coal Industry Repeal (Validation of Proclamation) Act 2002	2(13.3.02)	20.2.02	13.3.02	Industry, Tourism and Resources	14.3.02	22.3.02	4(15.5.02)
Copyright Amendment (Parallel Importation) Bill 2002	3(20.3.02)	13.3.02		Attorney-General	21.3.02	5.6.02	
Corporate Responsibility and Employment Security Bill 2002	3(20.3.02)	11.3.02		Mr McClelland	21.3.02		

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Criminal Code Amendment (Anti-hoax and Other Measures) Bill 2002	1(20.2.02)	13.2.02	11.3.02	Attorney-General	21.2.02 14.3.02 21.3.02	8.3.02 19.3.02 4.4.02	2(13.3.02) 3(20.3.02) 4(15.5.02)
Criminal Code Amendment (Espionage and Related Offences) Bill 2002	3(20.3.02)	13.3.02		Attorney-General	21.3.02	14.6.02	
Electoral and Referendum Amendment (Roll Integrity and Other Measures) Bill 2002	3(20.3.02)	14.3.02		Special Minister of State	21.3.02	30.4.02	
Financial Corporations (Transfer of Assets and Liabilities) Amendment Bill 2002	3(20.3.02)		12.3.02	Treasury	21.3.02	3.5.02	4(15.5.02)
Financial Sector Legislation Amendment Bill (No. 1) 2002	4(15.5.02)	21.3.02		Treasury	16.5.02	17.6.02	
Financial Services Reform Bill 2001	6(23.5.01) 11(29.8.01)	5.4.01	9.8.01	Treasurer re Amendments	24.5.01 30.8.01	7.8.01 13.5.02	9(8.8.01) 4(15.5.02)
Financial Services Reform (Consequential Provisions) Bill 2001	7(20.6.01)	7.6.01	9.8.01	Treasurer Further response requested	21.6.01 9.8.01	7.8.01 13.5.02	9(8.8.01) 4(15.5.02)
Higher Education Legislation Amendment Bill (No. 1) 2002	1(20.2.02)	14.2.02	13.3.02	Education, Science and Training		12.3.02	2(13.3.02)
Migration Legislation Amendment Bill (No. 1) 2002	3(20.3.02)	13.3.02		Immigration and Multicultural and Indigenous Affairs	21.3.02	27.5.02	
<i>Migration Legislation Amendment (Transitional Movement) Act 2002</i>	3(20.3.02)	13.3.02	20.3.02	Immigration and Multicultural and Indigenous Affairs	21.3.02	27.5.02	5(19.6.02)
Plant Breeder's Rights Amendment Bill 2002	3(20.3.02)		13.3.02	Agriculture, Fisheries and Forestry	21.3.02	23.5.02	5(19.6.02)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Proceeds of Crime Bill 2002	3(20.3.02)	13.3.02		Justice and Customs	21.3.02	9.5.02	
Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002	3(20.3.02)	13.3.02		Justice and Customs	21.3.02	9.5.02	
Quarantine Amendment Bill 2002	3(20.3.02)	14.3.02	21.3.02	Agriculture, Fisheries and Forestry	21.3.02		
Security Legislation Amendment (Terrorism) Bill 2002 [No. 2]	3(20.3.02)	13.3.02	14.3.02	Attorney-General	21.3.02	14.5.02	4(15.5.02)
Superannuation Legislation (Commonwealth Employment) Repeal and Amendment Bill 2002	2(13.3.02)	21.2.02		Finance and Administration	14.3.02	16.5.02	5(19.6.02)
Suppression of Financing of Terrorism Bill 2002	3(20.3.02)	12.3.02	14.3.02			14.5.02	4(15.5.02)
Taxation Laws Amendment Bill (No. 2) 2002	3(20.3.02)	14.3.02		Treasury	21.3.02		
Taxation Laws Amendment Bill (No. 3) 2002	4(15.5.02)	21.3.02		Treasury	16.5.02		
Telecommunications Interception Legislation Amendment Bill 2002	3(20.3.02)	12.3.02	14.3.02			14.5.02	4(15.5.02)
Therapeutic Goods Amendment Bill (No. 1) 2002	2(13.3.02)	20.2.02	20.3.02	Health and Ageing	14.3.02	19.3.02	3(20.3.02)
Transport and Regional Services Legislation Amendment (Application of Criminal Code) Bill 2002	2(13.3.02)	20.2.02	14.3.02	Transport and Regional Services	14.3.02		

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Veterans' Affairs Legislation Amendment Bill (No. 1) 2002	4(15.5.02)	21.3.02		Veterans' Affairs	16.5.02		
Veterans' Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2002	2(13.3.02)	21.2.02	21.3.02	Veterans' Affairs	14.3.02	19.3.02	3(20.3.02)
Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002	2(13.3.02)	20.2.02		Employment and Workplace Relations	14.3.02	22.5.02	5(19.6.02)
Workplace Relations (Registration and Accountability of Organisations) Bill 2002	4(15.5.02)	21.3.02		Employment and Workplace Relations	16.5.02		

