

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



**Alert Digest**

**No. 11 of 2007**

**12 September 2007**



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

**Alert Digest No. 11 of 2007**

**12 September 2007**

**ISSN 1329-668X**



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

## **Members of the Committee**

Senator R Ray (Chair)  
Senator J Adams (Deputy Chair)  
Senator G Barnett  
Senator A McEwen  
Senator A Murray  
Senator S Parry

## **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.



## TABLE OF CONTENTS

---

### **Commentary on bills**

Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007	5
• Defence Legislation Amendment Bill 2007	6
Families, Community Services and Indigenous Affairs Legislation Amendment (Child Disability Assistance) Bill 2007	8
Health Insurance Amendment (Medicare Dental Services) Bill 2007	9
• Higher Education Endowment Fund Bill 2007	10
Higher Education Endowment Fund (Consequential Amendments) Bill 2007	14
Indigenous Education (Targeted Assistance) Amendment (Cape York Measures) Bill 2007	15
• National Greenhouse and Energy Reporting Bill 2007	16
National Health Amendment (Pharmaceutical Benefits) Bill 2007	18
• National Market Driven Energy Efficiency Target Bill 2007	19
• Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2007	20
Privacy (Data Security Breach Notification) Amendment Bill 2007	22
Same-Sex: Same Entitlements Bill 2007	23

- **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  
Committee under its terms of reference is invited to do so.

---

• Social Security Amendment (2007 Measures No. 2) Bill 2007	24
Sydney Harbour Federation Trust Amendment Bill 2007	26
• Tax Laws Amendment (2007 Measures No. 5) Bill 2007	27
Trade Practices Amendment (Small Business Protection) Bill 2007	31
<b>Commentary on amendments to bills</b>	32
Provisions of bills which impose criminal sanctions for a failure to provide information	33
Scrutiny of standing appropriations	34

- **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  
Committee under its terms of reference is invited to do so.

## **Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007**

Introduced into the House of Representatives on 16 August 2007

Portfolio: Finance and Administration

### **Background**

This bill amends the *Commonwealth Electoral Act 1918* to authorise the Australian Electoral Commission (AEC) to use and disclose any information held by it, including information contained in an electoral roll, for the purpose of conducting an activity, such as a plebiscite, under subsection 7A(1) of that Act.

The bill also provides that a law of a state or territory has no effect if it prohibits anyone from, or penalises or discriminates against anyone for, entering or proposing to enter into an arrangement with the AEC in relation to an activity under subsection 7A(1) of the *Commonwealth Electoral Act 1918*.

*The Committee has no comment on this bill.*

## Defence Legislation Amendment Bill 2007

Introduced into the House of Representatives on 15 August 2007

Portfolio: Defence

### Background

This bill amends the *Defence Force Discipline Act 1982*, the *Defence Force Discipline Appeals Act 1955* and the *Defence Act 1903* to implement elements of the Government's response to the recommendations of the Senate Foreign Affairs, Defence and Trade References Committee report *The effectiveness of Australia's military justice system*. The bill:

- provides an accused with the right to elect trial by a Military Judge of the Australian Military Court (AMC), instead of a summary authority, for all but a limited number of certain disciplinary offences;
- clarifies that a summary authority will not be subject to the same formal rules of evidence that apply to the AMC;
- provides for review by a 'reviewing authority' in respect of technical errors related to the awarding of punishments and orders by a summary authority. For example, where the imposition of a punishment is beyond the power of the summary authority;
- requires that certain, more severe, punishments be approved by a 'reviewing authority' before they take effect;
- introduces an automatic right of appeal from a summary authority to a single Military Judge of the AMC;
- provides a Military Judge of the AMC with a statutory discretion to deal with an appeal on its merits, by way of a fresh trial and/or a 'paper review' of the evidence; and
- seeks to ensure that legal officers in the Australian Defence Force are not subject to inappropriate command direction in the exercise of their professional capacity.

The bill also contains application, consequential, saving, technical and transitional provisions.

**Commencement on Proclamation**  
**Items 2, 6, 7 and 9**

Items 2, 6, 7 and 9 in the table to subclause 2(1) of this bill provide that a number of the amendments proposed in the bill will commence on Proclamation, but must commence in any event by 1 May 2008. The Committee takes the view that Parliament is responsible for determining when laws are to come into force. The Committee will generally not comment where the period of delayed commencement is six months or less. Where the delay is longer the Committee expects that the explanatory memorandum to the bill will provide an explanation, in accordance with Paragraph 19 of Drafting Direction No. 1.3.

The Committee notes that, in this instance, the explanatory memorandum (paragraph 28) indicates that the delay in commencement is to ‘allow for the administrative arrangements required to support the new summary system [introduced by this bill] to be in place.’

*In the circumstances, the Committee makes no further comment on these provisions.*

## **Families, Community Services and Indigenous Affairs Legislation Amendment (Child Disability Assistance) Bill 2007**

Introduced into the House of Representatives on 16 August 2007  
Portfolio: Families, Community Services and Indigenous Affairs

### **Background**

This bill amends the *Social Security Act 1991*, the *Social Security (Administration) Act 1999*, the *Income Tax Assessment Act 1936* and the *Income Tax Assessment Act 1997* to introduce an annual, tax free, Child Disability Assistance payment. The bill provides for the payment (generally \$1,000) to be available to carers of disabled children under the age of 16 who are in receipt of a carer allowance on 1 July each year. The 2007 payment will be automatically paid to eligible families in October and in subsequent years the payment will be automatically paid in July.

*The Committee has no comment on this bill.*

## **Health Insurance Amendment (Medicare Dental Services) Bill 2007**

Introduced into the House of Representatives on 16 August 2007  
Portfolio: Health and Ageing

### **Background**

This bill amends the *Health Insurance Act 1973* to allow eligible patients (people with chronic conditions and complex care needs where the person's oral health is impacting on, or is likely to impact on, their general health) to access Medicare benefits for dental services, up to \$4,250 over two consecutive calendar years, from 1 November 2007. The bill provides for:

- a determination made under subsection 3C(1) of the *Health Insurance Act 1973* to set a monetary limit on Medicare benefits payable for dental services for eligible patients; and
- Medicare benefits to be paid for the supply of dental prostheses under new dental items.

The bill also contains a saving provision.

*The Committee has no comment on this bill.*

## Higher Education Endowment Fund Bill 2007

Introduced into the House of Representatives on 16 August 2007

Portfolio: Education, Science and Training

### Background

This bill establishes the Higher Education Endowment Fund (HEEF) to generate earnings for the provision of grants to higher education institutions for capital expenditure and research facilities. The bill:

- grants the Treasurer and Finance Minister (the responsible Ministers) the power to credit cash amounts (initially \$5 billion) to the HEEF through a Special Account, which is also established by this bill;
- grants the Future Fund Board of Guardians statutory responsibility for managing the investments of the HEEF;
- provides for the responsible Ministers to issue directions to the Board about the performance of its investment functions and to determine rules for the maximum level of payments from the HEEF;
- expands the operations of the Future Fund Management Agency to include the operational activities associated with the investment of the HEEF;
- provides for the Education Minister to authorise grants of financial assistance to eligible higher education institutions;
- establishes the Higher Education Endowment Fund Advisory Board, to be appointed by the Minister for Education, to provide advice to the Minister on matters referred to it; and
- specifies the Future Fund Board's reporting obligations to nominated Ministers.

**Legislative Instruments Act—determinations  
Subclauses 13(3), 14(2), 15(4), 45(5) and 47(7)**

Subclauses 13(3), 14(2), 15(4) and 45(5) each provide that a Ministerial determination or authorisation referred to elsewhere in the respective clause is a legislative instrument, but is not subject to disallowance under section 42 of the *Legislative Instruments Act 2003*. In each case, the explanatory memorandum states that the determination or authorisation, as a Ministerial direction or authorisation, ‘is not disallowable (see section 42 of the *Legislative Instruments Act 2003*) and this policy decision to exempt the instrument from the operation of the disallowance provisions has the approval of the Attorney-General.’

Similarly, subclause 47(7) provides that the Maximum Grants Rules to be made under subclause 47(1) are legislative instruments but are not subject to disallowance, and the explanatory memorandum states that the rules ‘are not disallowable (see section 42 of the *Legislative Instruments Act 2003*) and this policy decision to exempt the rules from the operation of the disallowance provisions has the approval of the Attorney-General.’

The Committee notes that item 41 in the table in subsection 44(2) of the *Legislative Instruments Act 2003* provides that ‘Ministerial directions to any person or body’ are not subject to disallowance. The instruments referred to in subclauses 13(3) and 14(2) appear to fall within this category and the explanatory memorandum (page 9) indicates that this is the case. Given the *Legislative Instruments Act 2003* already exempts these ministerial directions from disallowance, it is unclear to the Committee why the explanatory memorandum states that ‘this policy decision to exempt the instrument[s] from the operation of the disallowance provisions has the approval of the Attorney-General.’ This seems to imply that the instruments may be being made exempt from disallowance for reasons other than the fact that they are ministerial directions.

The Committee **seeks the Minister’s clarification** whether the instruments referred to in subclauses 13(3) and 14(2) are exempt from disallowance because they are ministerial directions and, if so, why the explanatory memorandum refers to policy decisions approved by the Attorney-General.

In relation to the remaining subclauses 15(4), 45(5) and 47(7), the Committee notes that, in each case, the explanatory memorandum refers to a ‘policy

decision to exempt the instrument from the operation of the disallowance provisions [which] has the approval of the Attorney-General.’ The Committee further notes that while the *Legislative Instruments Act 2003* provides for the Attorney-General to issue a certificate determining whether an instrument is a legislative instrument or not, it makes no provision for him or her to ‘exempt’ a determination from that Act.

The Committee takes the view that Parliament is responsible for determining whether a legislative instrument should be exempt from the disallowance provisions of the *Legislative Instruments Act 2003*. Where provisions express a policy intention to exempt instruments that are legislative in character from the usual tabling and disallowance regime set out in the *Legislative Instruments Act*, as is the case in these subclauses, the Committee expects to see a full explanation in the explanatory memorandum justifying the need for the exemptions.

The Committee **seeks the Minister’s advice** regarding the rationale for exempting each of the instruments referred to in subclauses 15(4), 45(5) and 47(7) from disallowance and whether these explanations could be included in the explanatory memorandum.

*Pending the Minister’s advice, the Committee draws Senators’ attention to the provisions, as they may be considered to insufficiently subject the exercise of legislative power to parliamentary scrutiny, in breach of principle 1(a)(v) of the Committee’s terms of reference.*

## **Special (Standing) Appropriation**

### **Clause 14**

Clause 14 provides for the responsible Ministers to determine, in writing, that a specified amount is to be credited to the Fund Account on a specified day or in specified instalments. While this determination is a legislative instrument, it is excluded from disallowance by subclause 14 (2).

In its *Fourteenth Report of 2005*, the Committee stated that:

*The appropriation of money from Commonwealth revenue is a legislative function. The committee considers that, by allowing the executive government to spend unspecified amounts of money for an indefinite time into the future, provisions which establish standing appropriations may, depending on the circumstances of the legislation, infringe upon the committee's terms of reference relating to the delegation and exercise of legislative power.*

The Committee expects that the explanatory memorandum to a bill establishing a standing appropriation will include an explanation of the reason the standing appropriation was considered necessary. In this instance, the Committee notes that the explanatory memorandum merely records the operation of the clause and does not provide any further reason for the special appropriation.

The Committee **seeks the Minister's advice** regarding why this special (standing) appropriation is considered necessary, whether any limit has been forecast as to the total amount of such an appropriation, and whether an explanation could have been included in the explanatory memorandum.

*Pending the Minister's advice, the Committee draws Senators' attention to the provision, as it may be considered to insufficiently subject the exercise of legislative power to parliamentary scrutiny, in breach of principle 1(a)(v) of the Committee's terms of reference.*

## Higher Education Endowment Fund (Consequential Amendments) Bill 2007

Introduced into the House of Representatives on 16 August 2007  
Portfolio: Education, Science and Training

### Background

This bill amends the *Future Fund Act 2006* to:

- extend the Future Fund Board of Guardian's (the Board) functions to include the Board's functions under the Higher Education Endowment Fund (HEEF) Act;
- clarify that there are two investment mandates that the Treasurer and Minister for Finance (responsible Ministers) can issue to the Board - one for the Future Fund and one for the HEEF;
- clarify that the Board has two investment functions – one for the Future Fund and one for the HEEF;
- set out the limitations of the Future Fund Investment Mandate; and
- prevent the responsible Ministers from directing the Board to use the assets of the Future Fund to invest or support particular financial assets.

The bill also amends the *Income Tax Assessment Act 1997* to allow deductible gifts of money to be made to the HEEF.

The bill also contains application and transitional provisions.

*The Committee has no comment on this bill.*

## **Indigenous Education (Targeted Assistance) Amendment (Cape York Measures) Bill 2007**

Introduced into the House of Representatives on 16 August 2007  
Portfolio: Education, Science and Training

### **Background**

This bill amends the *Indigenous Education (Targeted Assistance) Act 2000* to appropriate additional funding of \$2 million for the period 1 January 2008 to 30 June 2009, to facilitate improved educational opportunities for Indigenous students in the communities of Coen, Hope Vale, Aurukun and Mossman Gorge in the Cape York region of Queensland.

*The Committee has no comment on this bill.*

## **National Greenhouse and Energy Reporting Bill 2007**

Introduced into the House of Representatives on 15 August 2007  
Portfolio: Environment and Water Resources

### **Background**

This bill establishes a single national framework for reporting greenhouse gas emissions, abatement actions, and energy consumption and production by corporations from 1 July 2008. The bill:

- requires mandatory reporting of greenhouse gas emissions and energy production and consumption for corporations whose production, use and/or emissions exceed specified thresholds;
- establishes a National Greenhouse and Energy Register that will contain the name of each corporation registered under the Act and other matters that may be prescribed by regulation;
- requires corporations registered under the Act to keep certain records and provide specified reports to the Greenhouse and Energy Data Officer, and establishes civil penalty provisions for failure to comply;
- provides for data security and confidentiality and specifies circumstances in which information may be released; and
- establishes the position of ‘Greenhouse and Energy Data Officer’ to administer the scheme.

The bill also contains application provisions.

### **Determination of important matters by regulation Subclauses 5(1) and 10(1)**

Subclause 5(1) provides that the whole of that clause applies ‘on and after a day specified in the regulations.’ The purpose of clause 5 is to determine the

extent to which this bill is to ‘apply to the exclusion of all laws of a State or Territory which provide for reporting or disclosure of information related to: greenhouse gas emissions; or greenhouse gas projects; or energy consumption; or energy production...’.

Subclause 10(1) provides for the regulations to specify the meaning of a number of ‘key terms’ (as they are referred to in the explanatory memorandum – page 181, paragraph 23) including: *emissions* of greenhouse gas; *reduction* of greenhouse gas emissions; *removal* of greenhouse gas; *offsets* of greenhouse gas emissions; *production* of energy; and *consumption* of energy.

The Committee draws attention to provisions that may be considered to inappropriately delegate legislative powers of a kind that ought to be exercised by Parliament alone. The Committee notes that the definitions to be incorporated into regulations will be fundamental to the operation of the Act, as will the date on which the Act is taken to operate to the exclusion of state or territory law. As such, the Committee considers that these may be matters that would be more appropriately dealt with in the primary legislation.

The Committee notes that the explanatory memorandum indicates that the ‘Government’s intention is to work cooperatively with the State and Territory governments to transition towards a single reporting system across all jurisdictions’ but provides no indication of why the date of effect should be established through regulations rather than provided for in primary legislation. Similarly, the explanatory memorandum provides no explanation as to why these key terms are not defined in the primary legislation.

The Committee **seeks the Minister’s advice** as to why it was considered necessary for the Minister to be able to determine these matters by regulation, rather than through primary legislation.

*Pending the Minister’s advice, the Committee draws Senators’ attention to the provisions, as they may be considered to delegate legislative powers inappropriately, in breach of principle 1(a)(iv) of the Committee’s terms of reference.*

## **National Health Amendment (Pharmaceutical Benefits) Bill 2007**

Introduced into the Senate on 15 August 2007

Portfolio: Health and Ageing

### **Background**

This bill amends the *Health Insurance Act 1973* and the *National Health Act 1953* to allow authorised optometrists to prescribe certain ophthalmic medicines for supply under the Pharmaceutical Benefits Scheme (PBS) and to clarify the intent in relation to supply of pharmaceutical benefits by approved pharmacists. The bill:

- provides for suitably qualified optometrists to be approved to prescribe medicines as pharmaceutical benefits;
- regulates the prescribing of pharmaceutical benefits by optometrists in a similar way to medical practitioners and dentists;
- requires PBS medicines that may be prescribed by optometrists to be specified in a separate list;
- provides for entitlements associated with pharmaceutical benefits, including subsidies and PBS safety net benefits, to apply when supplied on the prescription of an authorised optometrist; and
- clarifies the intention of the *National Health Act 1953* in relation to the supply of pharmaceutical benefits ‘at or from’ approved premises, making it clear that a pharmacist who is approved under section 90 of that Act is required, at a minimum, to supply pharmaceutical benefits to persons who are ‘at’ the approved premises at reasonable times.

The bill also contains application provisions.

*The Committee has no comment on this bill.*

## National Market Driven Energy Efficiency Target Bill 2007

Introduced into the Senate on 14 August 2007

By Senator Allison

### Background

This bill amends the *Renewable Energy (Electricity) Act 2000* to create a market for energy savings from investment in energy efficiency activities that are in addition to actions required by current regulations. The bill sets a mandated National Market Driven Efficiency Target and provides for the creation, acquisition and trading of Energy Efficiency Certificates.

### Strict liability

#### Schedule 1, item 3

Proposed new subsection 30ZA(2) of the *Renewable Energy (Electricity) Act 2000*, to be inserted by item 3 of Schedule 1, would impose strict criminal liability for the offence created by subsection 30ZA(1). The Committee will generally draw to Senators' attention provisions that create strict liability offences. Where a bill creates such an offence, the Committee considers that the reason for its imposition should be set out in the explanatory memorandum that accompanies the bill. In this instance, the Committee notes that the explanatory memorandum does not make any reference to this subsection.

The Committee **seeks the advice of the proposer of the bill** as to whether the imposition of strict liability is justified in these circumstances and, further, whether the *Guide to Framing Commonwealth Offences, Civil Penalties and Enforcement Powers* was considered in the framing of these offences.

*Pending the Senator's advice, 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.*

## Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2007

Introduced into the Senate on 15 August 2007

Portfolio: Industry, Tourism and Resources

### Background

This bill amends the *Offshore Petroleum Act 2006* to:

- make some technical corrections following the rewrite of the *Petroleum (Submerged Lands) Act 1967*;
- convert geodetic data references of area descriptions to the current Geocentric Datum of Australia references; and
- repeal section 327 of the Act, which allows the Minister to exercise his emergency powers in the ‘Area to be Avoided’ (offshore Victoria in the Gippsland Basin).

### Possible retrospectivity

#### Subclause 2(1)

Items 2 to 5 in the table to subclause 2(1) of this bill provide that a number of the amendments proposed in the bill will commence immediately after the commencement of various provisions in the *Offshore Petroleum Act 2006*. The Committee notes that the explanatory memorandum does not acknowledge the existence of any of clauses 1, 2 or 3 of this bill and, as such, no information is provided to inform the reader whether the amendments proposed in this bill are intended to be retrospective or whether the substantive provisions of the *Offshore Petroleum Act 2006* have not yet been proclaimed to commence.

The Committee **seeks the Minister’s advice** whether any of the provisions of this bill are intended to apply retrospectively and, if so, whether an explanation for the retrospectivity and an assessment of its likely impact on individuals, could be included in the explanatory memorandum.

*Pending the Minister's advice, the Committee draws Senators' attention to these provisions, as they 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.*

## **Privacy (Data Security Breach Notification) Amendment Bill 2007**

Introduced into the Senate on 16 August 2007

By Senator Stott Despoja

### **Background**

This bill amends the *Privacy Act 1988* to require organisations and Commonwealth Government agencies to notify affected individuals where their personal information is accessed by, or disclosed to, an unauthorised person.

*The Committee has no comment on this bill.*

## Same-Sex: Same Entitlements Bill 2007

Introduced into the Senate on 14 August 2007

By Senators Allison, Bartlett, Murray and Stott Despoja

### Background

This bill makes amendments to numerous Acts to implement the recommendations of the *Same-Sex: Same Entitlements* report by the Human Rights and Equal Opportunity Commission. The bill removes from Australian laws statutory provisions that allow discrimination against people in de facto relationships on the grounds of gender identity or sexual orientation and, in doing so, provides same-sex couples and their children financial and work-related entitlements that are available to opposite-sex couples and their children.

The bill establishes a definition of ‘de facto relationship’ based largely on the judgement of Powell J in *Roy v Sturgeon* (1986) and recognises the relationship between a child and both parents in a same-sex relationship, with the purpose of protecting the best interests of the child.

*The Committee has no comment on this bill.*

## **Social Security Amendment (2007 Measures No. 2) Bill 2007**

Introduced into the House of Representatives on 16 August 2007

Portfolio: Workforce Participation

### **Background**

This bill amends the *Social Security Act 1991* and the *Social Security (Administration) Act 1999* to extend welfare to work participation exemptions to relatives, such as grandparents, who are principle carers of a child. Recipients of Parenting Payment, Newstart Allowance, Youth Allowance (Other) and Special Benefit, who care for a related child as a result of a family law order under the *Family Law Act 1975*, will now have access to this exemption.

The bill also:

- provides for a new section 12 of the *Social Security (Administration) Act 1999*, to ensure that claims arising as a result of the operation of that section are not taken to have been made more than 13 weeks prior to the Secretary's determination;
- clarifies that the recovery of a social security debt is not able to be waived if the debt has arisen due to a person knowingly failing or omitting to comply with the *Social Security (Administration) Act 1999*; and
- provides for the Minister to make guidelines regarding the determination of a person's capacity to work.

The bill contains application provisions.

**Retrospective commencement**  
**Schedule 1, item 35**

Item 6 in the table to subclause 2(1) of this bill provides that the amendment proposed in item 35 of Schedule 1 will commence retrospectively on 20 March 2000. As a matter of practice, the Committee draws attention to any bill that seeks to have retrospective impact and will comment adversely where such a bill has a detrimental effect on people.

The Committee notes that, in this instance, the explanatory memorandum (page 6) indicates that the amendment is no more than a clarification of the existing law (a clarification which, according to the explanatory memorandum, was suggested by the Administrative Appeals Tribunal) to make it clear that subparagraph 1237AAD(a)(ii) of the *Social Security Act 1991* refers not only to that Act but also to relevant provisions of the *Social Security (Administration) Act 1999*. The date of the commencement of the amendment proposed in item 35 of Schedule 1 (20 March 2000) is the date on which the *Social Security (Administration) Act 1999* commenced.

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

## **Sydney Harbour Federation Trust Amendment Bill 2007**

Introduced into the House of Representatives on 16 August 2007

Portfolio: Environment and Water Resources

### **Background**

This bill amends the *Sydney Harbour Federation Trust Act 2001* to extend the date by which the Act is to be repealed from September 2011 to 19 September 2033. The bill also extends the period for which the Sydney Harbour Federation Trust is prohibited from entering into a lease or licence of Trust land, except with the Minister's written approval, to 19 September 2033.

*The Committee has no comment on this bill.*

## Tax Laws Amendment (2007 Measures No. 5) Bill 2007

Introduced into the House of Representatives on 16 August 2007

Portfolio: Treasury

### Background

This bill amends the *Income Tax Assessment Act 1997*, the *Development Allowance Authority Act 1992*, the *Income Tax Assessment Act 1936*, the *Taxation Administration Act 1953*, the *Income Tax (Transitional Provisions) Act 1997*, the *Industry Research and Development Act 1986*, the *Pooled Development Funds Act 1992*, the *Industrial Research and Development Incentives Act 1976*, and the *Venture Capital Act 2002*.

Schedule 1 modifies the taxation treatment of leasing and similar arrangements between taxpayers and tax preferred end users (such as tax-exempt entities and non-residents) for the financing and provision of infrastructure and other assets.

Schedule 2 changes the definition of ‘excluded equity interest’ to exclude those equity interests that remain on issue for a total period of 180 days or more.

Schedule 3 provides that authorised deposit-taking institutions (ADIs) known as specialist credit card institutions may be treated as if they were not ADIs in certain circumstances.

Schedule 4 extends the capital gains tax marriage breakdown roll-over to *in specie* transfers of personal superannuation interests from a small superannuation fund to another complying superannuation fund under specific conditions.

Schedule 5 exempts from income tax the Prime Minister’s prize for Australian History and the Prime Minister’s prize for Science, to the extent that the prizes would otherwise be assessable income.

Schedule 6 amends the company loss recoupment rules to remove the \$100 million total income cap on the same business test.

Schedule 7 extends the existing statutory licence capital gains tax (CGT) roll-over to provide for roll-over where one or more new licences are issued in consequence of the ending of one or more licences and to provide for a partial roll-over.

Schedule 8 provides holders of ownership interests in stapled entities with a CGT roll-over when a public unit trust is interposed between those holders and the stapled entities and ensures that such restructures do not result in the interposed head trust being taxed as if it were a company.

Schedule 9 updates the list of deductible gift recipients.

Schedule 10 provides for incentives to reform and strengthen the Australian film industry.

Schedule 11 allows for an additional 75 per cent deduction for additional expenditure on foreign-owned research and development (R&D) activities.

Schedule 12 amends the administration and oversight arrangements for the Industry Portfolio's innovation and venture capital programmes, including establishing a new Board, Innovation Australia, which combines the roles, responsibilities and functions of the Industry Research and Development Board and the Venture Capital Registration Board.

The bill also contains application, consequential, saving and transitional provisions.

## **Commencement**

### **Schedule 10, part 3**

Item 6 in the table to subclause 2(1) of this bill provides that the amendments proposed in Part 3 of Schedule 10 will not commence until 1 July 2010. The Committee takes the view that Parliament is responsible for determining when laws are to come into force. The Committee will generally not comment where the period of delayed commencement is six months or less. Where the delay is longer the Committee expects that the explanatory memorandum to

the bill will provide an explanation, in accordance with Paragraph 19 of Drafting Direction No. 1.3.

In this instance, the Committee notes from the explanatory memorandum that Part 3 of Schedule 10 will repeal the current provisions relating to tax offsets for local film production, which are to be replaced by the amendments proposed in Parts 1 and 2 of Schedule 10.

*In the circumstances, the Committee makes no further comment on these provisions.*

### **Retrospective application Schedules 2, 3, 5, 6, 7, 8 and 10**

As a matter of practice, the Committee draws attention to any bill that seeks to have retrospective impact and will comment adversely where such a bill has a detrimental effect on people. This bill contains a number of relevant provisions:

- item 2 of Schedule 2 provides that the amendments made by that Schedule will apply from 1 July 2002. The Committee notes, however, that the explanatory memorandum (page 5) states that the amendments will have no financial impact;
- item 11 of Schedule 3 provides that the amendments made by that Schedule will apply ‘to income years starting after 1 January 2004.’ The Committee notes, however, that the explanatory memorandum (page 5) states that the amendments are expected to have negligible financial impact;
- item 3 of Schedule 5 provides that the amendments made by that Schedule apply ‘to assessments for the 2006-2007 income year and later income years.’ The Committee notes, however, that the amendments are beneficial to taxpayers;

- part 3 of Schedule 6 provides that the amendments made by that Schedule apply to ‘income years commencing on or after 1 July 2005.’ The Committee notes, however, that the explanatory memorandum (page 143) indicates that these amendments are beneficial to taxpayers;
- part 3 of Schedule 7 provides that the amendments made by that Schedule apply ‘to CGT events that happen in the 2006-2007 income year and later income years.’ However, the Committee notes from the explanatory memorandum that the amendments are beneficial to taxpayers;
- part 3 of Schedule 8 provides that the amendments made by that Schedule apply to the 2006-07 income year and later years of income and to CGT events happening on or after 1 July 2006. However, the Committee notes from the explanatory memorandum that the amendments are beneficial to taxpayers; and
- part 4 of Schedule 10 provides that the amendments made by that Schedule apply to films commencing principal photography or production of the animated image on or after 8 May 2007, and to post digital and visual effects production for a film that commenced on or after 1 July 2007. However, the Committee notes from the explanatory memorandum that the amendments are beneficial to taxpayers.

*In the circumstances, the Committee makes no further comment on these provisions.*

## **Trade Practices Amendment (Small Business Protection) Bill 2007**

Introduced into the House of Representatives on 15 August 2007

Portfolio: Treasury

### **Background**

This bill amends the *Trade Practices Act 1974* to allow the Australian Competition and Consumer Commission to take legal action on behalf of persons who have suffered, or are likely to suffer, loss or damage as a result of unlawful secondary boycotts.

The bill also contains application provisions.

*The Committee has no comment on this bill.*

## **COMMENTARY ON AMENDMENTS TO BILLS**

### **APEC Public Holiday Bill 2007**

On 13 August 2007 the House of Representatives agreed to eight amendments to the bill, none of which fall within the Committee's terms of reference.

### **Australian Citizenship Amendment (Citizenship Testing) Bill 2007**

On 10 September 2007 the Senate agreed to two amendments to the bill, neither of which fall within the Committee's terms of reference.

### **Water Bill 2007**

On 14 August 2007 the House of Representatives agreed to 26 amendments to the bill, none of which fall within the Committee's terms of reference.

## PROVISIONS OF BILLS WHICH IMPOSE CRIMINAL SANCTIONS FOR A FAILURE TO PROVIDE INFORMATION

The Committee's *Eighth Report of 1998* dealt with the appropriate basis for penalty provisions for offences involving the giving or withholding of information. In that Report, the Committee recommended that the Attorney-General develop more detailed criteria to ensure that the penalties imposed for such offences were 'more consistent, more appropriate, and make greater use of a wider range of non-custodial penalties'. The Committee also recommended that such criteria be made available to Ministers, drafters and to the Parliament.

The Government responded to that Report on 14 December 1998. In that response, the Minister for Justice referred to the ongoing development of the Commonwealth *Criminal Code*, which would include rationalising penalty provisions for 'administration of justice offences'. The Minister undertook to provide further information when the review of penalty levels and applicable principles had taken place.

For information, the following Table sets out penalties for 'information-related' offences in the legislation covered in this *Digest*. The Committee notes that imprisonment is still prescribed as a penalty for some such offences.

**TABLE**

<b>Bill/Act</b>	<b>Section/Subsection</b>	<b>Offence</b>	<b>Penalty</b>
National Greenhouse and Energy Reporting Bill 2007	Subclause 61(3)	Failure to provide information to a public authority	10 penalty units

## SCRUTINY OF STANDING APPROPRIATIONS

The Committee has determined that, as part of its standard procedures for reporting on bills, it should draw senators' attention to the presence in bills of standing appropriations. It will do so under provisions 1(a)(iv) and (v) of its terms of reference, which require the Committee to report on whether bills:

- (iv) inappropriately delegate legislative powers; or
- (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.

Further details of the Committee's approach to scrutiny of standing appropriations are set out in the Committee's *Fourteenth Report of 2005*. The following is a list of the bills containing standing appropriations that have been introduced since the beginning of the 41<sup>st</sup> Parliament.

### Bills introduced with standing appropriation clauses - 41<sup>st</sup> Parliament

<b>*Indicates passed by Senate</b>	<b>Bills and Clauses</b>
<b>*</b>	<b>Aged Care (Bond Security) Bill 2005</b> – clause 17
<b>*</b>	<b>Agricultural and Veterinary Chemicals (Administration) amendment Bill 2007</b> – Schedule 1, item 52, section 58 (CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i> )
<b>*</b>	<b>Agriculture, Fisheries and Forestry Legislation Amendment (2007 Measures No. 1) Bill 2007</b> – Schedule 1, item 18, subsection 64C(2) and 64D(2)
<b>*</b>	<b>Asbestos-related Claims (Management of Commonwealth Liabilities) Bill 2005</b> – subclause 8(2)
<b>*</b>	<b>Asbestos-related Claims (Management of Commonwealth Liabilities) (Consequential and Transitional Provisions) Bill 2005</b> – subclause 5(3)
<b>*</b>	<b>Australian Participants in British Nuclear Tests (Treatment) Bill 2006</b> – clause 49
<b>*</b>	<b>Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Bill 2005</b> – clause 23
<b>*</b>	<b>Australian Trade Commission Legislation Amendment Bill 2006</b> – Schedule 4, item 16

*	<b>Child Support Legislation Amendment (Reform of the Child Support Scheme—Initial Measures) Bill 2006</b> – Schedule 5, subitem 20(3)
	<b>Federal Magistrates Amendment (Disability and Death Benefits) Bill 2006</b> – Schedule 1, item 13, section 9G
*	<b>Financial Framework Legislation Amendment Bill 2004</b> – Schedule 1, item 397, paragraphs 124(1)(b) and (c) and item 422, subsection 235(2)  [also Schedule 1, items 58, 63, 82, 86, 95, 99, 114, 135, 136, 145, 153, 164, 169, 182, 197, 205, 218, 261, 293, 317, 324, 370, 419, 437, 448, 484 and 493 – CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i> ]
*	<b>Forestry Marketing and Research and Development Services Bill 2007</b> – clause 9
*	<b>Forestry Marketing and Research and Development Services (Transitional and consequential Provisions) Bill 2007</b> – Schedule 1, subitem 16(4)
*	<b>Future Fund Bill 2006</b> – CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i>
*	<b>Governance Review Implementation (Treasury Portfolio Agencies) Bill 2007</b> – Schedule 1, items 12 and 63 (CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i> ) and Schedule 2, subitems 2(3) and (4)
*	<b>Great Barrier Reef Marine Park Amendment Bill 2007</b> – Schedule 1, item 29 (CRF appropriated by virtue of section 28 of the <i>Financial Management and Accountability Act 1997</i> ), Schedule 1, item 32 (CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i> ) and Schedule 2, subitem 2(4)
	<b>Higher Education Endowment Fund Bill 2007</b> – clause 12 (CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i> )
	<b>Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007</b> – Schedule 1, item 16 [NB bill repeals existing standing appropriation in section 164-25 (item 15 of Schedule 1) and inserts a new standing appropriation in item 16]
*	<b>Housing Loans Insurance Corporation (Transfer of Assets and Abolition) Repeal Bill 2006</b> – Schedule 2, subitem 1(3)
*	<b>Housing Loans Insurance Corporation (Transfer of Pre-transfer Contracts) Bill 2006</b> – clause 9
*	<b>Human Services Legislation Amendment Bill 2005</b> – Schedule 2, subitem 720(4)
*	<b>Indigenous Education (Targeted Assistance) Amendment Bill 2004</b> – Schedule 1, item 3, subsection 14A(1)

*	<b>Medibank Private Sale Bill 2006</b> – Schedule 2, subitem 8(1)
	<b>Migration Amendment (Designated Unauthorised Arrivals) Bill 2006</b> – Schedule 1, subitem 43(3)
*	<b>National Water Commission Bill 2004</b> – CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i>
*	<b>Northern Territory National Emergency Response Bill 2007</b> – section 63
*	<b>Offshore Petroleum Bill 2005</b> – clause 56
*	<b>Plant Health Australia (Plant Industries) Funding Amendment Bill 2006</b> – Schedule 1, item 17, section 10B
*	<b>Private Health Insurance Bill 2006</b> – clause 282-40 and subclause 318-5
*	<b>Private Health Insurance (Transitional Provisions and Consequential Amendments) Bill 2006</b> – subclause 39(2)
*	<b>Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Bill 2004</b> – clause 133
*	<b>Skilling Australia's Workforce Bill 2005</b> – clause 40
*	<b>Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007</b> - Schedule 1, section 123ZN
*	<b>Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006</b> – Schedule 4, subitem 1(4)
*	<b>Social Security and Veterans' Affairs Legislation Amendment (One-off Payments and Other 2007 Budget Measures) Bill 2007</b> – Schedule 2, subitems 1(4) and 2(4) and Schedule 4, subitem 1(4)
*	<b>Superannuation Bill 2005</b> – subclause 29(4)
*	<b>Superannuation (Consequential Amendments) Bill 2005</b> – Schedule 5, item 1, subsection 4AA(5) and Schedule 6, item 1, subsection 12A(5)
*	<b>Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005</b> – Schedule 1, item 1, subsections 158ZO(4), 158ZP(7) and 158ZQ(5) and Schedule 3, item 1, subsection 136C(4)
*	<b>Textile Clothing and Footwear Strategic Investment Program Amendment (Post-2005 Scheme) Bill 2004</b> – Schedule 1, item 12, section 37ZH and subsection 37ZJ(3)
*	<b>Water Efficiency Labelling and Standards Bill 2004</b> – CRF appropriated by virtue of section 21 of the <i>Financial Management and Accountability Act 1997</i>

### Other relevant appropriation clauses

*Indicates Passed by Senate	Bills and Clauses
*	<b>AusLink (National Land Transport—Consequential and Transitional Provisions) Bill 2004</b> – Schedule 2, item 3: special appropriation clause – for a finite amount and a finite period of time.
*	<b>Social Security Legislation Amendment (One-off Payments for Carers) Bill 2005</b> – Schedule 2, item 1: special appropriation clause – for a finite period of time (i.e. for circumstances arising in a particular financial year).

## STANDING COMMITTEE FOR THE SCRUTINY OF BILLS

## INDEX OF BILLS COMMENTED ON AND MINISTERIAL RESPONSES SOUGHT/RECEIVED - 2006/2007

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Bills dealt with in 2006							
Airspace Bill 2006	15(6.12.06) 1(7.2.07)	29.11.06	6.2.06	Transport and Regional Services	7.12.06 8.2.07	26.2.07 26.2.07	2(28.2.07) 2(28.2.07)
Australian Energy Market Amendment (Gas Legislation) Bill 2006	15(6.12.06)	29.11.06	22.3.07	Industry, Tourism and Resources	7.12.06	6.2.07	1(7.2.07)
Australian Participants in British Nuclear Tests (Treatment) Bill 2006	11(11.10.06)	14.9.06	12.10.06	Veterans' Affairs	12.10.06	7.2.07	2(28.2.07)
Copyright Amendment Act 2006	13(8.11.06)	19.10.06	1.12.06	Attorney-General	--	29.1.07	1(7.2.07)
Fuel Quality Standards (Renewable Content of Motor Vehicle Fuel) Amendment Bill 2006	10(13.9.06)	4.9.06	--	Mr Katter	14.9.06	--	RNP
Trade Practices Legislation Amendment Bill 2006	7(9.8.06)	19.6.06	--	Mr Katter	10.8.06	--	RNP
Bills dealt with in 2007							
Aboriginal Land Rights (Northern Territory Amendment (Township Leasing) Act 2007	6(13.6.07)	24.5.07	14.6.07	Families, Community Services and Indigenous Affairs	14.6.07	5.7.07	8(8.8.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
ACIS Administration Amendment (Unearned Credit Liability) Bill 2007	2(28.2.07)	7.2.07	26.2.07	Industry, Tourism and Resources	1.3.07	20.3.07	3(21.3.07)
Aged Care Amendment (Residential Care) Bill 2007	4(28.3.07)	21.3.07	21.6.07	Ageing	29.3.07	8.5.07	5(9.5.07)
Airport Development and Aviation Noise Ombudsman Bill 2007	2(28.2.07)	12.2.07		Mr Georganas	1.3.07	21.3.07	4(28.3.07)
Anti-Money Laundering and Counter-Terrorism Financing Amendment Bill 2007	2(28.2.07)	15.2.07	1.3.07	Justice and Customs	1.3.07	16.3.07	3(21.3.07)
Appropriation (Northern Territory National Emergency Response) Bill (No. 1) 2007-2008	9(13.8.07)	7.8.07	8.8.07	Finance and Administration	13.8.07	15.8.07	9(12.9.07)
Appropriation (Northern Territory National Emergency Response) Bill (No. 2) 2007-2008	9(13.8.07)	7.8.07	8.8.07	Finance and Administration	13.8.07	15.8.07	9(12.9.07)
<i>Australian Centre for International Agricultural Research Amendment Act 2007</i>	6(13.6.07)	10.5.07	12.6.07	Foreign Affairs	14.6.07 21.6.07	19.3.07 21.6.07	7(20.6.07) 8(8.8.07)
Australian Citizenship Amendment (Citizenship Testing) Bill 2007	6(13.6.07)	30.5.07	8.8.07	Immigration and Citizenship	14.6.07	12.7.07	8(8.8.07)
Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007	8(8.8.07)	13.8.07	21.6.07	Transport and Regional Services	9.8.07	29.8.07	9(12.9.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Aviation Transport Security Amendment (Additional Screening Measures) Bill 2007	2(28.2.07)	14.2.07	1.3.07	Transport and Regional Services	1.3.07	16.3.07	3(21.3.07)
Bankruptcy Legislation Amendment (Debt Agreements) Bill 2007	2(28.2.07)	15.2.07	20.3.07	Attorney-General	1.3.07	15.3.07	3(21.3.07)
Bankruptcy Legislation Amendment (Superannuation Contributions) Bill 2006	1(7.2.07)	1.3.07	6.12.06	Attorney-General	8.2.07	26.2.07	2(28.2.07)
Broadcasting Legislation Amendment (Digital Radio) Bill 2007	5(9.5.07)	28.3.07	9.5.07	Communications, Information Technology and the Arts	10.5.07		Now an Act
Classification (Publications, Films and Computer Games) Amendment Bill 2006	1(7.2.07)	7.12.06	8.2.07	Attorney-General	8.2.07	26.2.07	2(28.2.07)
<i>Communications Legislation Amendment (Content Services) Act 2007</i>	6(13.6.07)	10.5.07	12.6.07	Communications, Information Technology and the Arts	14.6.07 21.6.07	19.6.07 7.8.07	7(20.6.07) 8(8.8.07)
Corporations Amendment (Insolvency) Bill 2007	6(13.6.07)	31.5.07	9.8.07	Treasurer	14.6.07	7.8.07	8(8.8.07)
<i>Corporations Legislation Amendment (Simpler Regulatory System) Act 2007</i>	6(13.6.07)	31.5.07	14.6.07	Treasurer	14.6.07	21.6.07	8(8.8.07)
Education Services for Overseas Students Legislation Amendment Bill 2007	4(28.3.07)	22.3.07	9.5.07	Education, Science and Training	29.3.07	26.4.07	5(9.5.07)
Employment and Workplace Relations Legislation (Welfare to Work and Vocational Rehabilitation Services) Bill 2006	1(7.2.07)	7.12.06	27.2.07	Employment and Workplace Relations	8.2.07 1.3.07	22.2.07 15.3.07	2(28.2.07) 3(21.3.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures Bill 2007	9(13.8.07)	7.8.07	8.8.07	Families, Community Services and Indigenous Affairs	13.8.07	16.8.07	9(12.9.07)
Families, Community Services and Indigenous Affairs Legislation Amendment (Child Support Reform Consolidation and Other Measures) Bill 2007	5(9.5.07)	29.3.07	9.5.07	Families, Community Services and Indigenous Affairs	10.5.07	28.5.07	6(13.6.07)
Financial Framework Legislation Amendment Bill (No. 1) 2007	6(13.6.07)	10.5.07	21.6.07	Finance and Administration	14.6.07		
Financial Sector Legislation Amendment (Discretionary Mutual Funds and Direct Offshore Foreign Insurers) Bill 2007	8(8.8.07)	21.6.07		Treasurer	9.8.07		
<i>Financial Sector Legislation Amendment (Restructures) Act 2007</i>	6(13.6.07)	24.5.07	14.6.07	Treasurer	14.6.07	3.8.07	8(8.8.07)
Financial Sector Legislation Amendment (Simplifying Regulation and Review) Bill 2007	8(8.8.07)	21.6.07		Treasurer	9.8.07		
Fisheries Legislation Amendment Bill 2007	6(13.6.07)	23.5.07	13.6.07	Agriculture, Fisheries and Forestry	14.6.07	19.6.07	7(20.6.07)
Food Standards Australia New Zealand Amendment Bill 2007	5(9.5.07)	18.6.07	28.3.07	Health and Ageing	10.5.07	31.5.07	6(13.6.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
<i>Forestry Marketing and Research and Development Services Act 2007</i>	5(9.5.07)	29.3.07	12.6.07	Fisheries, Forestry and Conservation	10.5.07 14.6.07 1.6.07	8.6.07 19.6.07 20.7.07	6(13.6.07) 7(20.6.07) 8(8.8.07)
Gene Technology Amendment Bill 2007	5(9.5.07)	10.5.07	28.3.07	Health and Ageing	10.5.07	29.5.07	6(13.6.07)
Health Insurance Amendment (Diagnostic Imaging Accreditation) Bill 2007	5(9.5.07)	29.3.07	12.6.07	Health and Ageing	10.5.07	12.6.07	6(13.6.07)
Health Insurance Amendment (Inappropriate and Prohibited Practices and Other Measures) Bill 2007	5(9.5.07)	29.3.07	10.5.07	Health and Ageing	10.5.07	12.6.07	6(13.6.07)
Higher Education Legislation Amendment (2007 Budget Measures) Bill 2007	6(13.6.07)	24.5.07	14.6.07	Education, Science and Training	14.6.07	19.6.07	7(20.6.07)
Higher Education Legislation Amendment (2007 Measures No. 1) Bill 2007	3(21.3.07)	28.2.07	9.5.07	Education, Science and Training	22.3.07	27.3.07	4(28.3.07)
Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007	8(8.8.07)	21.6.07		Education, Science and Training	9.8.07	7.9.07	9(12.9.07)
Human Services (Enhanced Service Service Delivery) Bill 2007	2(28.2.07)	7.2.07	28.2.07	Human Services	1.3.07	27.3.07	4(28.3.07)
International Trade Integrity Bill 2007	7(20.6.07)	14.6.07	17.8.07	Attorney-General	21.6.07	16.7.07	8(8.8.07)
Judges' Pensions Amendment Bill 2007	7(20.6.07)	14.6.07	14.8.07	Attorney-General	21.6.07	5.7.07	8(8.8.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
Liquid Fuel Emergency Amendment Bill 2007	5(9.5.07)	28.3.07	12.6.07	Industry, Tourism and Resources	10.5.07	1.6.07	6(13.6.07)
Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Bill 2006	1(7.2.07)	6.12.06	26.2.07	Transport and Regional Services	8.2.07	26.2.07	2(28.2.07)
Murray-Darling Basin Amendment Bill 2006	1(7.2.07)	7.12.06		Agriculture, Fisheries and Forestry	8.2.07	8.5.07	5(9.5.07)
<i>Native Title Amendment (Technical Amendments) Act 2007</i>	5(9.5.07)	29.3.07	12.6.07	Attorney-General	10.5.07	4.6.07 28.6.07	6(13.6.07) 8(8.8.07)
Non-Proliferation Legislation Amendment Bill 2006	1(7.2.07)	1.3.07	6.12.06	Foreign Affairs	8.2.07	27.2.07	2(28.2.07)
Northern Territory National Emergency Response Bill 2007	9(13.8.07)	7.8.07	8.8.07	Families, Community Services and Indigenous Affairs	13.8.07	16.8.07	9(12.9.07)
Privacy Protection for Off-shoring Bill 2007	8(8.8.07)	18.6.07		Ms Burke	9.8.07		
<i>Private Health Insurance Act 2007 Amendments</i>	1(7.2.07) 4(28.3.07)	7.12.06	26.2.07	Health and Ageing	8.2.07 29.3.07	26.2.07 8.5.07	2(28.2.07) 5(9.5.07)
Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007	9(13.8.07)	7.8.07	8.8.07	Families, Community Services and Indigenous Affairs	13.8.07	16.8.07	9(12.9.07)

NAME OF BILL	ALERT DIGEST	INTRODUCED		MINISTER	RESPONSE		REPORT NUMBER
		HOUSE	SENATE		SOUGHT	RECEIVED	
<i>Social Security and Veterans' Affairs Legislation Amendment (One-off Payments and Other 2007 Budget Measures) Act 2007</i>	6(13.6.07)	9.5.07	10.5.07	Families, Community Services and Indigenous Affairs	14.6.07	5.7.07	8(8.8.07)
Tax Laws Amendment (2006 Measures No. 7) 2006	1(7.2.07)	7.12.06	7.2.07	Treasurer	8.2.07 1.3.07	27.2.07 15.3.07	2(28.2.07) 3(21.3.07)
Telecommunications (Interception and Access) Amendment Bill 2007	7(20.6.07)	14.6.07	16.8.07	Attorney-General	21.6.07	19.7.07	8(8.8.07)
Veterans' Affairs Legislation Amendment (2007 Measures No. 1) Bill 2007	5(9.5.07)	28.3.07	12.6.07	Veterans' Affairs	10.5.07	1.6.07	6(13.6.07)
Water Bill 2007	10(15.8.07)	8.8.07	15.8.07	Environment and Water Resources	16.8.07		
Workplace Relations Amendment (A Stronger Safety Net) Bill 2007 <b>Amendment</b>	6(13.6.07) 8(8.8.07)	28.5.07	13.6.07	Employment and Workplace Relations	14.6.07 20.8.07	19.6.07 17.8.07	7(20.6.07) 9(12.9.07)