

SELECTION OF BILLS COMMITTEE

REPORT NO. 7 OF 2016

13 October 2016

MEMBERS OF THE COMMITTEE

Senator David Bushby (Government Whip, Chair)

Senator Anne Urquhart (Opposition Whip)

Senator Brian Burston (Pauline Hanson's One Nation Whip)

Senator Derryn Hinch (Derryn Hinch's Justice Party Whip)

Senator Skye Kakoschke-Moore (Nick Xenophon Team Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator John Williams (The Nationals Whip)

Senator Catryna Bilyk

Senator David Fawcett

Senator Katy Gallagher

Senator the Hon Mitch Fifield

Secretary: Chris Reid
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 7 OF 2016

1. The committee met in private session on Wednesday, 12 October 2016 at 7.34 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Australian Crime Commission Amendment (Criminology Research) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 9 November 2016 (see appendix 1 for a statement of reasons for referral);
 - (b) the Criminal Code Amendment (Firearms Trafficking) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 2 for a statement of reasons for referral);
 - (c) the Great Australian Bight Environment Protection Bill 2016 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by the last sitting day March 2017 (see appendix 3 for a statement of reasons for referral);
 - (d) the *provisions* of the Income Tax Rates Amendment (Working Holiday Maker Reform) Bill 2016, the Treasury Laws Amendment (Working Holiday Maker Reform) Bill 2016, the Superannuation (Departing Australia Superannuation Payments Tax) Amendment Bill 2016 and the Passenger Movement Charge Amendment Bill 2016 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 7 November 2016 (see appendices 4, 5 and 6 for a statement of reasons for referral);
 - (e) the *provisions* of the Social Services Legislation Amendment (Simplifying Student Payments) Bill 2016 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 7 November 2016 (see appendix 7 for a statement of reasons for referral);
 - (f) contingent upon its introduction in the House of Representatives, the *provisions* of the Social Services Legislation Amendment (Transition Mobility Allowance to the National Disability Insurance Scheme) Bill 2016 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 21 November 2016 (see appendices 8 and 9 for a statement of reasons for referral); and
 - (g) contingent upon its introduction in the House of Representatives, the *provisions* of the VET Student Loans Bill 2016, the VET Student Loans (Consequential Amendments and Transitional Provisions) Bill 2016 and the VET Student Loans (Charges) Bill 2016 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 7 November 2016 (see appendices 10, 11 and 12 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:

- Broadcasting Legislation Amendment (Television and Radio Licence Fees) Bill 2016
- Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
- Counter-Terrorism Legislation Amendment Bill (No. 1) 2016
- Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2016
- Criminal Code Amendment (War Crimes) Bill 2016
- Guardian for Unaccompanied Children Bill 2014
- Independent National Security Legislation Monitor (Improved Oversight and Resourcing) Bill 2014
- Migration Amendment (Free the Children) Bill 2016
- Offshore Petroleum and Greenhouse Gas Storage Amendment (Petroleum Pools and Other Measures) Bill 2016
- Private Health Insurance Amendment (GP Services) Bill 2014
- Register of Foreign Ownership of Agricultural Land Amendment (Water) Bill 2016
- Water Legislation Amendment (Sustainable Diversion Limit Adjustment) Bill 2016.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
- Australian Centre for Social Cohesion Bill 2015
 - Automotive Transformation Scheme Amendment (Securing the Automotive Component Industry) Bill 2015
 - Charter of Budget Honesty Amendment (Intergenerational Report) Bill 2015
 - Corporations Amendment (Life Insurance Remuneration Arrangements) Bill 2016
 - Customs Amendment (2017 Harmonized System Changes) Bill 2016
Customs Tariff Amendment (2017 Harmonized System Changes) Bill 2016
 - End Cruel Cosmetics Bill 2014
 - Freedom to Marry Bill 2016
 - Higher Education Support Legislation Amendment (2016 Measures No. 1) Bill 2016
 - Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
 - Motor Vehicle Standards (Cheaper Transport) Bill 2014
 - Narcotic Drugs Legislation Amendment Bill 2016
Narcotic Drugs (Licence Charges) Bill 2016
 - National Integrity Commission Bill 2013
 - Privacy Amendment (Re-identification Offence) Bill 2016
 - Racial Discrimination Amendment Bill 2016
 - Racial Discrimination Law Amendment (Free Speech) Bill 2016
 - Recognition of Foreign Marriages Bill 2014
 - Regulatory Powers (Standardisation Reform) Bill 2016
 - Seafarers and Other Legislation Amendment Bill 2016
Seafarers Safety and Compensation Levies Bill 2016
Seafarers Safety and Compensation Levies Collection Bill 2016

- Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016
- Tax and Superannuation Laws Amendment (2016 Measures No. 2) Bill 2016
- Veterans' Affairs Legislation Amendment (Budget and Other Measures) Bill 2016.

(David Bushby)

Chair

13 October 2016

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Australian Crime Commission Amendment (Criminology Research) Bill 2016

Reasons for referral/principal issues for consideration:

Since an earlier version of this Bill was introduced into the 44th Parliament in 2015, there have been significant changes made to the Explanatory Memorandum that should be examined.

There has also been a significant change in the composition of the Senate and it would be appropriate to allow the new Senators the opportunity to engage with this legislation.

Very limited submissions were received by the previous inquiry into the 2015 Bill and a further referral would provide another opportunity for submissions from stakeholders.

Possible submissions or evidence from:

Attorney-General's Department
Australian Institute of Criminology
Academics with specialisation in law, criminology and crime statistics.
Australian and New Zealand Society of Criminology
NSW Bureau of Crime Statistics and Research
Crime Statistics Agency Victoria
Australian Psychological Society
Crime and Corruption Commission Queensland
South Australian Office of Crime Statistics & Research

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee.

Possible hearing date(s):

To be determined by the Committee.

Possible reporting date:

21 November 2016.

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Criminal Code Amendment (Firearms Trafficking) Bill 2016

Reasons for referral/principal issues for consideration:

This is legislation which proposes changes to the criminal law. The criminal law has a significant impact on the rights and obligations of the Australian people, including potentially the ability to see them deprived of their liberty.

It is appropriate and responsible for the Senate to properly examine the impact of proposed criminal laws, including in light of recent developments.

There has also been a significant change in the composition of the Senate and it would be appropriate to allow the new Senators the opportunity to engage with this legislation.

Possible submissions or evidence from:

Attorney-General's Department
Australian Strategic Policy Institute
State and Territory Bar Associations (e.g. NSW Bar Association)
The Commonwealth Magistrates' and Judges' Association
The Law Society of New South Wales
Law Council of Australia
Australian Human Rights Commission
Department of Immigration and Border Protection
State and Territory Police (e.g. Victoria Police)
Australian Federal Police

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee.

Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

First sitting Monday in 2017.

Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: [Great Australian Bight Environment Protection Bill 2016](#)

Reasons for referral/principal issues for consideration:

Although BP pulled out yesterday the risk remains - 6 companies currently have expressed an intention to drill in the Bight.

Possible submissions or evidence from:

Environmental Groups, small business owners, Aboriginal TOs, NOPSEMA.

Committee to which bill is to be referred:

Enviro

Possible hearing date(s):

December / Jan / Feb

Possible reporting date: March / April

(signed)

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Print name: Senator Siewert

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:

Income Tax Rates Amendment (Working Holiday Maker Reform) Bill 2016
Treasury Laws Amendment (Working Holiday Maker Reform) Bill 2016
Superannuation (Departing Australia Superannuation Payments Tax) Amendment Bill 2016
Passenger Movement Charge Amendment Bill 2016

Reasons for referral/principal issues for consideration:

- No public consultation on the package to-date
- Stakeholders have expressed concern following the Government's new package being announced
- How this package places Australia in terms of international competitiveness
- Opportunity to explore economic modelling and costing assumptions that underpin the package

Possible submissions or evidence from:

- Bodies representing regional bodies including farmers associations
- Tourism bodies like TTF, Qantas and regional councils
- Trade unions
- Superannuation peak bodies

Committee to which bill is to be referred:

Senate Economics Legislative Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

Monday 7 November 2016

Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: [Income Tax Rates Amendment \(Working Holiday Maker Reform\) Bill 2016](#)

[Treasury Laws Amendment \(Working Holiday Maker Reform\) Bill 2016](#)

[Superannuation \(Departing Australia Superannuation Payments Tax\) Amendment Bill 2016](#)

[Passenger Movement Charge Amendment Bill 2016](#)

Reasons for referral/principal issues for consideration:

To scrutinise the proposed changes of the backpacker tax and passenger movement charge and the impact they will have on agricultural and tourism dependent communities

Possible submissions or evidence from:

Tourism and Transport Forum Australia
Australian Federation of Travel Agents
Tourism Australia
AusVeg
WAFarmers
Department of Agriculture

Committee to which bill is to be referred:

Economics References Committee

Possible hearing date(s):

Wednesday 9th November

Possible reporting date:

Monday 21st November

(signed)

Print name:

Senator Siewert

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: Income Tax Rates Amendment (Working Holiday make Reform) Bill 2016.
Treasury Laws Amendment (Working Holiday make Reform) Bill 2016.
Superannuation (Reporting Australia

Reasons for referral/principal issues for consideration: Superannuation Payments Tax) Amendment Bill 2016.

EFFECT on the backpacker sector and the tourism sector and associated sectors. passenger movement change

Possible submissions or evidence from:

National Farmers Federation

Amendment Bill 2016

Committee to which bill is to be referred:

~~Finance and Public Administration.~~
Economics

Possible hearing date(s):

31 / 10 / 2016

Possible reporting date:

7 November 2016.

(signed)

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Print name:

Senator Stave Karkosche - Moore

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:

Social Services Legislation Amendment (Transition Mobility Allowance to the National Disability Insurance Scheme) Bill 2016

Reasons for referral/principal issues for consideration:

- To determine what will happen to current mobility allowance recipients after they transition off the payment in 2020.
- Consider the impact of the abolition of the Mobility Allowance in 2020.

Possible submissions or evidence from:

Disability advocacy groups – ACOSS, AFDO, DANA, NDS, Queensland Advocacy Incorporated, People with Disabilities WA, Children and Young People with Disability Australia.

Committee to which bill is to be referred:

Senate Community Affairs Legislation Committee

Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

21st November 2016

Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:

VET Student Loans Bill 2016

VET Student Loans (Consequential Amendments and Transitional Provisions) Bill 2016

VET Student Loans (Charges) Bill 2016

Reasons for referral/principal issues for consideration:

An opportunity for stakeholders to provide feedback on the proposed arrangements.

Possible submissions or evidence from:

Industry/employer groups

Training organisation representative bodies/providers

Students/Student representatives

Unions

States and Territory Governments

Committee to which bill is to be referred:

Education and Employment Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

7 November 2016

(signed)

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Print name:

Senator the Hon Mitch Fifield

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:

VET Student Loans Bill 2016 – REFER

VET Student Loans (Consequential Amendments and Transitional Provisions) Bill 2016

VET Student Loans (Charges) Bill 2016

Reasons for referral/principal issues for consideration:

Involved serious and wide-spread changes, industry and stake-holder concerns, Bills require consideration and examination.

Possible submissions or evidence from:

Education providers, unions

Committee to which bill is to be referred:

Education and Employment

Possible hearing date(s):

Week of 14th November

Possible reporting date:

Monday 28 November 2016

(signed)

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Print name: Senator Siewert

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill:

VET Student Loans Bill 2016

VET Student Loans (Consequential Amendments and Transitional Provisions) Bill 2016

VET Student Loans (Charges) Bill 2016

Reasons for referral/principal issues for consideration:

Scrutiny of major changes to VET student loans – opportunity for stakeholder scrutiny.

Possible submissions or evidence from:

Australian Council of Private Education and Training

TAFE Directors Association

Consumer Action Law Centre

Australian Education Union

Department of Education and Training

Committee to which bill is to be referred:

Senate Employment and Education Legislation Committee

Possible hearing date(s):

To be agreed

Possible reporting date:

7 November 2016 – (as agreed with Senator Birmingham)

Senator Anne Urquhart

**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 7 REPORT OF 2016—
AMENDMENT AGREED TO BY THE SENATE ON
13 OCTOBER 2016**

At the end of the motion, add, “but, in respect of the provisions of the Criminal Code Amendment (Firearms Trafficking) Bill 2016, the Legal and Constitutional Affairs Legislation Committee report by 7 November 2016.”.