

SELECTION OF BILLS COMMITTEE

REPORT NO. 8 OF 2016

10 November 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. 8 OF 2016

1. The committee met in private session on Wednesday, 9 November 2016 at 7.20 pm.
2. The committee resolved to recommend—That—
 - (a) the *provisions* of the Civil Nuclear Transfers to India Bill 2016 be *referred immediately* to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 24 November 2016 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Fairer Paid Parental Leave Bill 2016 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 15 February 2017 (see appendices 2 and 3 for a statement of reasons for referral);
 - (c) contingent upon its introduction in the House of Representatives, the *provisions* of the Interactive Gambling Amendment Bill 2016 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 30 November 2016 (see appendix 4 for a statement of reasons for referral);
 - (d) the *provisions* of the Migration Amendment (Visa Revalidation and Other Measures) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 28 November 2016 (see appendix 5 for a statement of reasons for referral);
 - (e) the *provisions* of the Migration Legislation Amendment (Regional Processing Cohort) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 22 November 2016 (see appendices 6 and 7 for a statement of reasons for referral);
 - (f) the Privacy Amendment (Re-identification Offence) Bill 2016 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 7 February 2017 (see appendix 8 for a statement of reasons for referral);
 - (g) the *provisions* of the Seafarers and Other Legislation Amendment Bill 2016, the Seafarers Safety and Compensation Levies Bill 2016 and the Seafarers Safety and Compensation Levies Collection Bill 2016 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 7 February 2017 (see appendices 9 and 10 for a statement of reasons for referral);
 - (h) the *provisions* of the Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 21 November 2016 (see appendices 11 and 12 for a statement of reasons for referral);
 - (i) the *provisions* of the Superannuation (Objective) Bill 2016 be *referred immediately* to the Economics Legislation Committee for inquiry and

report by 14 February 2017 (see appendices 13 and 14 for a statement of reasons for referral); and

- (j) the *provisions* of the Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016 and the Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 23 November 2016 (see appendix 15 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- 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
 - Customs Tariff Amendment (Expanded Information Technology Agreement Implementation and Other Measures) Bill 2016
 - Freedom to Marry Bill 2016
 - Higher Education Support Legislation Amendment (2016 Measures No. 1) Bill 2016
 - Law Enforcement Legislation Amendment (State Bodies and Other Measures) 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
 - Privacy Amendment (Notifiable Data Breaches) Bill 2016
 - Recognition of Foreign Marriages Bill 2014
 - Regulatory Powers (Standardisation Reform) Bill 2016
 - Tax and Superannuation Laws Amendment (2016 Measures No. 2) Bill 2016.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
- Australian Organ and Tissue Donation and Transplantation Authority Amendment (New Governance Arrangements) Bill 2016
 - End Cruel Cosmetics Bill 2014
 - Export Finance and Insurance Corporation Amendment (Support for Commonwealth Entities) Bill 2016
 - National Integrity Commission Bill 2013
 - Racial Discrimination Amendment Bill 2016
 - Racial Discrimination Law Amendment (Free Speech) Bill 2016
 - Safety, Rehabilitation and Compensation Legislation Amendment (Defence Force) Bill 2016

- Social Services Legislation Amendment (Family Assistance Alignment and Other Measures) Bill 2016
- Telecommunications and Other Legislation Amendment Bill 2016
- Veterans' Affairs Legislation Amendment (Budget and Other Measures) Bill 2016.

(David Bushby)

Chair

10 November 2016

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Civil Nuclear Transfers to India Bill 2016

Reasons for referral/principal issues for consideration:

To ensure the bill achieves the object of codifying, for the special case of India, and for the purposes of the relevant laws, the content of Australia's relevant international obligations in relation to nuclear safeguards to be applied by the IAEA in India.

Possible submissions or evidence from:

Department of Foreign Affairs and Trade
Department for Industry, Innovation and Science
Individuals and organisations with relevant expertise
Export businesses

Committee to which bill is to be referred:

Senate Foreign Affairs, Defence and Trade Legislation Committee.

Possible hearing date(s):

To be determined by the committee.

Possible reporting date:

24 November 2016.

Senator Anne Urquhart

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

Name of bill:

Fairer Paid Parental Leave 2016

Reasons for referral/principal issues for consideration:

Impact of bill on working mothers and their children, particularly women who are already pregnant

Overall economic productivity

Possible submissions or evidence from:

Fair Agenda

ACOSS

ACTU

Committee to which bill is to be referred:

Education and Employment

Possible hearing date(s):

Possible reporting date: 7/2/2017

(signed)

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Print name: Senator Rachel Siewert

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

Name of bill: *Fairer Paid Parental Leave Bill 2016*

Reasons for referral/principal issues for consideration:

- Proper scrutiny of the Bill.
- Examine implications of the proposed changes on women and newborn babies.
- Examine implications of the proposed changes on employer provided paid parental leave.
- Examine implications of the proposed changes on family living standards.
- Examine implications of the proposed changes on women's workforce participation.

Possible submissions or evidence from:

- Department of Social Services
- The Parenthood
- Women & Work Research Group, University of Sydney
- National Foundation for Australian Women
- ACOSS
- Fair Agenda

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:

15th February 2017

Senator Anne Urquhart

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

Name of bill: Interactive Gambling Amendment Bill 2016

Reasons for referral/principal issues for consideration:

Concerns about enforcement of penalties on offshore gambling providers in problematic jurisdictions
~~the~~ concerns whether legislation will prevent offshore wagering in a meaningful way.

Possible submissions or evidence from:

Mission Australia
Financial Counselling Australia
Sportsbet.

Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s): 25/11/2016.

Possible reporting date: ~~25~~³⁰/11/2016

(signed)

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Print name: Senator Kakoschke - Moore

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

Name of bills: Migration Amendment (Visa Revalidation and Other Measures) Bill 2016

Reasons for referral/principal issues for consideration: to further investigate the potential impacts of the bill and seek views from affected stakeholders.

Possible submissions or evidence from:

Tourism sector
Community and Public Union
Unions

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:

Thursday 28 November 2016

Senator Anne Urquhart

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

Name of bill: Migration Legislation Amendment (Regional Cohort Processing Bill) 2016

Reasons for referral/principal issues for consideration: Impact on families and children, compliance with Australia's International Human Rights obligations.

Possible submissions or evidence from: Aus. Human Rights Commission, Refugee Council of Australia, Law Council of Australia, Kaldor Centre for International Refugee Law

Committee to which bill is to be referred: Legal & Constitutional Affairs Legislation

Possible hearing date(s): Friday 18th November 2016

Possible reporting date: 24th November 2016

(signed)

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Print name: Senator Rachel Siewert

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

Name of bills: Migration Legislation Amendment (Regional Processing Cohort) Bill 2016

Reasons for referral/principal issues for consideration: to further investigate the potential impacts of the bill and seek views from affected stakeholders.

Possible submissions or evidence from:

Refugee advocates
Resettlement services
Legal services
Migration agents
UNHCR
Amnesty International
The Salvation Army
Save the Children
Get Up

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:

Thursday 24 November 2016

Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Privacy Amendment (Re-identification Offence) Bill 2016

Reasons for referral/principal issues for consideration:

This is legislation which proposes changes to the Privacy Act. Privacy law has a significant impact on the Australian people's rights to privacy.

It is appropriate and responsible for the Senate to properly examine the impact of proposed privacy laws.

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
Office of the Australian Information Commissioner
Law Council of Australia
Australian Privacy Foundation
Liberty Victoria
Civil Liberties Australia
Electronic Frontiers Australia
Digital Rights Watch
Universities Australia

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:

7 February 2017

Senator Anne Urquhart

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

Name of bill:

Seafarers and Other Legislation Amendment Bill 2016

Seafarers Safety and Compensation Levies Bill 2016

Seafarers Safety and Compensation Levies Collection Bill 2016

Reasons for referral/principal issues for consideration:

Impact of bill on conditions of workers in maritime industry

Possible submissions or evidence from:

MUA

AIMPE

AMOU

State governments

Committee to which bill is to be referred:

Education and Employment

Possible hearing date(s):

Possible reporting date: 7/2/2017

(signed)

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Print name: Senator Rachel Siewert

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

Name of bills:

Seafarers and Other Legislation Amendment Bill 2016

Seafarers Safety and Compensation Levies Bill 2016

Seafarers Safety and Compensation Levies Collection Bill 2016

Reasons for referral/principal issues for consideration:

To ensure a thorough and complete assessment of its potential impact on workers, the maritime industry and governance of the Seacare scheme. There must also be an examination to ensure there are no unforeseen consequences arising from the Bill.

Possible submissions or evidence from:

Unions (MUA, AIMPE, AMOU), employers, employer associations (Maritime Industry Association) and academics.

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

7 February 2017

Senator Anne Urquhart

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

Name of bill:

Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016

Reasons for referral/principal issues for consideration:

To apply proper scrutiny to the Bill and the wider program. To give an opportunity for affected stakeholders to provide evidence and give input to the program. To ascertain the possible consequences of the program. To examine thoroughly the Bill to ensure there are no unforeseen or unintended consequences.

Possible submissions or evidence from:

Department of Employment
Interns Australia
Jobs Australia
Australian Council of Trade Unions
National Employment Services Association
Anglicare
Brotherhood of St Laurence
Employers
Employer Associations (ACCI, BCA, AIGroup)

Committee to which bill is to be referred:

Senate Education and Employment Legislation Committee.

Possible hearing date(s):

Possible reporting date:

November 29, 2016

Senator Anne Urquhart

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

Name of bill:

Superannuation (Objective) Bill 2016

Reasons for referral/principal issues for consideration:

- Requires broader stakeholder consultation
- \$7.6 billion package (revenue positive/negative)
- Stakeholder concerns/pushing technical amendments
- Political parties have already flagged amendments
- Assessing whether the package can be made fairer and more fiscally sustainable

Possible submissions or evidence from:

- Super sector stakeholders – ISA, AIST, FSC, SPAA
- Grattan Institute, ACOSS, Council of the Ageing
- Unions and employers groups

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:

- 14 February 2017

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

Name of bill: Superannuation (Objective) Bill 2016 Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016 Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016 (to be originated in the House of Representatives on Wednesday 9 November 2016)

Reasons for referral/principal issues for consideration:

- Examining for unintended consequences and loopholes
- Concerns that the government's proposed carry-forward contributions and tax deductibility for personal contributions open up even more possibility for exploitation by financial planners.

Possible submissions or evidence from:

- ATO
- Treasury
- Grattan Institute
- Australia Institute

Committee to which bill is to be referred:

- Economics

Possible hearing date(s):

Possible reporting date:

- Tuesday 2nd February 2017

(signed)

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Print name: _____

Senator Siewert

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

Name of bill:

Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016
Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016

Reasons for referral/principal issues for consideration:

- \$7.6 billion package (revenue positive/negative)
- Stakeholder concerns/pushing technical amendments
- Political parties have already flagged amendments
- Assessing whether the package can be made fairer and more fiscally sustainable

Possible submissions or evidence from:

- Super sector stakeholders – ISA, AIST, FSC, SPAA
- Grattan Institute, ACOSS, Council of the Ageing
- Unions and employers groups

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:

- Wednesday, 23 November 2016