

# **SELECTION OF BILLS COMMITTEE**

**REPORT NO. 15 OF 2018**

*6 December 2018*

## **MEMBERS OF THE COMMITTEE**

Senator David Bushby (Government Whip, Chair)

Senator Brian Burston (United Australia Party Whip)

Senator Stirling Griff (Centre Alliance Whip)

Senator Peter Georgiou (Pauline Hanson's One Nation Whip)

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

Senator Rachel Siewert (Australian Greens Whip)

Senator Anne Urquhart (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Fraser Anning

Senator the Hon Jacinta Collins

Senator the Hon Mitch Fifield

Senator Chris Ketter

Senator Dean Smith

Senator Tim Storer

Secretary: Rachel Callinan  
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## SELECTION OF BILLS COMMITTEE

### REPORT NO. 15 OF 2018

1. The committee met in private session on Wednesday, 5 December 2018 at 7.28 pm.
2. The committee recommends that—
  - (a) the Corporations (Aboriginal and Torres Strait Islander) Amendment (Strengthening Governance and Transparency) Bill 2018 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 11 February 2019 (see appendix 1 for statements of reasons for referral);
  - (b) contingent upon introduction in the House of Representatives, the ***provisions*** of the Export Finance and Insurance Corporation Amendment (Support for Infrastructure Financing) Bill 2018 be ***referred immediately*** to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 6 February 2019 (see appendix 2 for a statement of reasons for referral);
  - (c) the ***provisions*** of the Future Drought Fund Bill 2018 and Future Drought Fund (Consequential Amendments) Bill 2018 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 8 February 2019 (see appendix 3 for a statement of reasons for referral);
  - (d) the Galilee Basin (Coal Prohibition) Bill 2018 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 13 February 2019 (see appendix 4 for a statement of reasons for referral);
  - (e) the Lower Tax Bill 2018 be ***referred immediately*** to the Economics Legislation Committee for inquiry and report by 2 April 2019 (see appendix 5 for a statement of reasons for referral);
  - (f) the ***provisions*** of the Migration Amendment (Streamlining Visa Processing) Bill 2018 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 25 February 2019 (see appendix 6 for a statement of reasons for referral);
  - (g) contingent upon introduction in the House of Representatives, the ***provisions*** of the National Disability Insurance Scheme Amendment (Worker Screening Database) Bill 2018 be ***referred immediately*** to the Community Affairs Legislation Committee for inquiry and report by 8 February 2019 (see appendix 7 for a statement of reasons for referral);
  - (h) the Parliamentary Joint Committee on the Australia Fund Bill 2018 be ***referred immediately*** to the Economics Legislation Committee for inquiry and report by 3 April 2019 (see appendix 8 for a statement of reasons for referral);
  - (i) the ***provisions*** of the Social Services and Other Legislation Amendment (Supporting Retirement Incomes) Bill 2018 be ***referred immediately*** to the

Economics Legislation Committee for inquiry and report by 11 February 2019 (see appendix 9 for a statement of reasons for referral); and

- (j) contingent upon introduction in the House of Representatives, the *provisions* of the Treasury Laws Amendment (Consumer Data Right) Bill 2018 be *referred immediately* to the Economics Legislation Committee for inquiry **but was unable to reach agreement on a reporting date** (see appendix 10 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
- Aboriginal Land Rights (Northern Territory) Amendment (Land Scheduling) Bill 2018
  - Australian Research Council Amendment (Ensuring Research Independence) Bill 2018
  - Environment Protection and Biodiversity Conservation Amendment (Great Australian Bight) Bill 2018
  - Halal Certification Transitional Authority Bill 2018
  - Sex Discrimination Amendment (Removing Discrimination Against Students) Bill 2018
  - Social Security Commission Bill 2018 [No. 2]
  - Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Bill 2018.
4. The committee deferred consideration of the following bills to its next meeting:
- Australian Cannabis Agency Bill 2018
  - Commonwealth Registers Bill 2018
  - Treasury Laws Amendment (Registries Modernisation and Other Measures) Bill 2018
  - Business Names Registration (Fees) Amendment (Registries Modernisation) Bill 2018
  - Corporations (Fees) Amendment (Registries Modernisation) Bill 2018
  - National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Bill 2018
  - Customs Tariff Amendment (Craft Beer) Bill 2018
  - Customs Amendment (Peru-Australia Free Trade Agreement Implementation) Bill 2018
  - Customs Tariff Amendment (Peru-Australia Free Trade Agreement Implementation) Bill 2018
  - Defence Legislation Amendment Bill 2018
  - Major Sporting Events (Indicia and Images) Protection Amendment Bill 2018
  - National Integrity Commission Bill 2018 [No. 2]
  - Offshore Petroleum and Greenhouse Gas Storage Amendment (Regulations References) Bill 2018
  - Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Regulations References) Bill 2018
  - Parliamentary Service Amendment (Post-election Report) Bill 2018
  - Sex Discrimination and Marriage Legislation Amendment (Protecting Supporters of Traditional Marriage) Bill 2018

- Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
  - Tertiary Education Quality and Standards Agency Amendment Bill 2018
  - Treasury Laws Amendment (2018 Measures No. 6) Bill 2018  
Excise Tariff Amendment (Supporting Craft Brewers) Bill 2018
  - Treasury Laws Amendment (Combating Illegal Phoenixing) Bill 2018
  - Treasury Laws Amendment (Tax Integrity and Other Measures No. 3) Bill 2018.
5. The committee considered the following bill but was unable to reach agreement (see appendix 11 for statements of reasons for proposed referral):
- Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018.

(David Bushby)

**Chair**

6 December 2018

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

Name of bill:

**Corporations (Aboriginal and Torres Strait Islander) Amendment (Strengthening Governance and Transparency) Bill 2018**

Reasons for referral/principal issues for consideration:

**Content of the Bill may raise governance issues for Indigenous Organisations, Increase costs of compliance, and unnecessarily infringe of service delivery for remote disadvantaged communities.**

Possible submissions or evidence from:

**National Congress, members of the Redfern Collation, Land Councils**

Committee to which bill is to be referred:

**Senate Finance and Public Administration Legislation Committee**

Possible hearing date(s):

**To be determined by the committee**

Possible reporting date:

**February 11<sup>th</sup> 2019**



Senator Anne Urquhart



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

Name of bill: EXPORT FINANCE & INSURANCE CORPORATION  
AMENDMENT (SUPPORT FOR INFRASTRUCTURE  
FINANCING) BILL 2018

Reasons for referral/principal issues for consideration:

Ensure proper scrutiny of the legislation +  
to allow key stakeholders an opportunity to  
provide views.

Possible submissions or evidence from:

- Department of Foreign Affairs + Trade
- AusTrade.
- Exporters

Committee to which bill is to be referred:

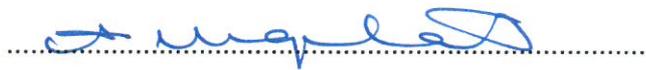
Senate Foreign Affairs, Defense + Trade Legislation  
Committee.

Possible hearing date(s):

**To be determined by the committee**

Possible reporting date:

6 FEBRUARY, 2018



Senator Anne Urquhart

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

Name of bill: Future Drought Fund Bill 2018 and Future Drought Fund (Consequential Amendments) Bill 2018

Reasons for referral/principal issues for consideration:

- To investigate the terms on which the bill details as to how the Future Drought Fund will be managed and invested by the Board.
- To scrutinise the development of the Drought Resilience Funding Plan.
- To scrutinise the adequacy of the Fund's earnings for the funding of nominated drought strategies, including
  - Research, development and innovation;
  - Infrastructure projects;
  - Adoption of technology and;
  - Improved environmental and natural resource management.
- Any other related matters.

Possible submissions or evidence from:

- Department of Agriculture and Water Resources
- Department of Industry and Science
- Department of Infrastructure
- Department of Finance
- National Farmers' Federation
- Farmers for Climate Change Action
- State and Territory signatories to the Intergovernmental on National Drought Program reform.
- Research and Development Corporations

Committee to which bill is to be referred: Senate Finance and Public Administration Legislation Committee

Possible hearing date(s):

**To be determined by the committee**

Possible reporting date: 8 February 2019

  
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Senator Anne Urquhart

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

Name of bill: *Galilee Basin (Coal Prohibition) Bill 2018*

Reasons for referral/principal issues for consideration: *The impacts to the climate, groundwater and surface water, Australia's natural environment, human health and infrastructure if the Galilee basin is opened up for mining and the coal is burnt.*

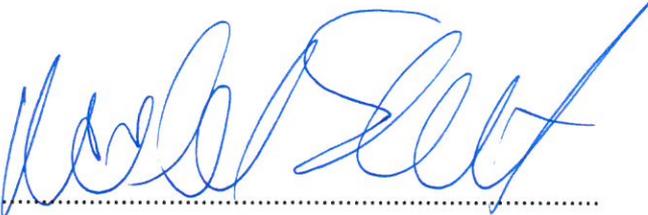
Possible submissions or evidence from: *Australian Conservation Foundation, The Australia Institute, Australian Youth Climate Coalition, North Queensland Conservation Council, CSIRO, Independent Scientific Committee on Coal and Coal Seam Gas, Global Change Institute (University of Queensland), Minerals Council of Australia, Queensland Resources Council, Agforce, Wangan and Jagalingou Traditional Owners Council, Law Council of Australia, Australian Network of Environmental Defenders Offices, Queensland Tourism Council.*

Committee to which bill is to be referred: *Environment and Communications Committee*

Possible hearing date(s): *dates during week 14 -18 January 2019, week 4-8 February 2019*

Possible reporting date: *Wednesday 13<sup>th</sup> February 2019*

(signed)



A handwritten signature in blue ink, written over a dotted horizontal line. The signature is cursive and appears to be 'Mark Field'.

Print name: \_\_\_\_\_

## SELECTION OF BILLS COMMITTEE

### Proposal to refer a bill to a committee

**Name of bill:** *Lower Tax Bill 2018*

**Reasons for referral/principal issues for consideration:** Whether there is a case for each of the tax reductions and abolitions, in the context of larger reductions in government spending.

**Possible submissions or evidence from:**

Parliamentary Budget Office re the costings of both tax cuts and spending cuts;  
Treasury, ATO and Border Force;  
business groups (ACCI, BCA, AIG), unions (ACTU, CPSU) and ACOSS;  
think tanks, lobbyists and consultancies (IPA, CIS, CIE, Deloitte, Grattan, Australia Institute, Per Capita, GetUp)  
motoring organisations re fuel and luxury car tax (AAA, FCAI);  
petroleum extraction industry re crude oil duty abolition (APPEA);  
alcohol industry re alcohol tax (Alcohol Beverages Australia);  
tobacco industry re tobacco tax (British American, Philip Morris, Imperial);  
Health Department;  
Tourism industry re passenger movement charge (TTF);  
Banking industry re major bank levy (ABA, NAB, Westpac, CommBank, ANZ, Macquarie).

**Committee to which bill is to be referred:** Economics Legislation Committee.

**Possible hearing date(s):** 11 February 2019, 15 February 2015, or the weeks of 29 January, 4 February or 25 February.

**Possible reporting date:** 2 April 2019.

(signed)

  
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Whip / Selection of Bills Committee member

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

Name of bill:

**Migration Amendment (Streamlining Visa Processing) Bill 2018**

Reasons for referral/principal issues for consideration:

- The complex nature of the Migration Act and the impact any changes on visa conditions may have on people seeking a visa, jobs, Australia's migration system, and tourism amongst other things warrants further consultation and investigation
- Stakeholders have been vocal in raising their concerns about unintended consequences of changes to visa conditions and requirements.
- Understanding the purpose and intent of the legislation and any subsequent legislative instruments – namely the visa classes and people it is intended to captured by the provisions in the Bill.

Possible submissions or evidence from:

- Department of Home Affairs
- Law Council of Australia
- Migration Institute of Australia
- Legal Aid
- The Federation of Ethnic Communities' Councils of Australia (FECCA)
- Australian Human Rights Commission
- Australian Lawyers for Human Rights
- Community and Public Sector Union

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:

**25 February 2019**

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Senator Anne Urquhart

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

Name of bill:

**National Disability Insurance Scheme Amendment (Worker Screening Database) Bill  
2018**

Reasons for referral/principal issues for consideration:

**Rollout issues with the NDIS and state interaction issues**

Possible submissions or evidence from:

**National Disability Services**

**AFDO**

**CYDA**

**Brotherhood of St Laurence**

**State governments**

Committee to which bill is to be referred:

**Senate Community Affairs Legislation Committee**

Possible hearing date(s):

**To be determined by the committee**

**Might be able to be done on the papers – but one short hearing is probably advisable**

Possible reporting date:

**8 February 2018**



Senator Anne Urquhart

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

**Parliamentary Joint Committee on the Australia Fund 2018**

**Reasons for referral/principal issues for consideration:**

To consider the merits of forming a joint committee as set out in the bill for the formation and management of an Australia Fund.

**Possible submissions or evidence from:**

Australian farmers (who have experienced drought), Fire Services, Financial institutions, Councils responsible for housing in the aftermath of disasters.

**Committee to which bill is to be referred:**

Economics Committee.

**Possible hearing date(s):**

**Possible reporting date:**

03/04/2019



(signed)

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**Whip / Selection of Bills Committee member**

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

Name of bill: **Social Services and Other Legislation Amendment (Supporting Retirement Incomes) Bill 2018**

Reasons for referral/principal issues for consideration:

**Complexity of Schedule 1: The change to the means test for pooled lifetime income stream products needs to be better understood and stakeholders, including the industry super sector, needs to be able to comment on the bill.**

Possible submissions or evidence from:

**Industry Super Australia**

**COTA**

**National Seniors**

Committee to which bill is to be referred:

**Senate Economics Legislation Committee**

Possible hearing date(s):

**To be determined by the committee**

**NOTE – hearings are not required – the complex and technical issues can likely be dealt with on the papers.**

Possible reporting date:

**11 February 2019**



Senator Anne Urquhart

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

Name of bill:

- Treasury Laws Amendment (Consumer Data Right) Bill 2018

Reasons for referral/principal issues for consideration:

- To determine the consequences of the proposed data framework and understand the impacts across the multiple sectors affected.
- To obtain clarity on the interaction of the legislation (along with the ACCC Rules Framework and Data Standards) with other legislation and instruments e.g. Australian Privacy Principles.
- Significant stakeholder concerns about aspects of the bill in relation to data access, small business cyber capabilities, level of informed consumer consent, appropriate powers with regulators and potential data related fees.

Possible submissions or evidence from:

CHOICE	Australian Financial Markets Association
Consumer Policy Research Centre	Australian Retail Credit Association
Treasury	Energy Consumers Australia
ACCC	Insurance Council of Australia
Data 61	Optus
Australian Banking Association	Telstra
Energy Australia	Data Republic
Australian Strategic Policy Institute	Financial Rights Legal Centre
Business Council of Australia	Communications Alliance
AGL	

Committee to which bill is to be referred:

Senate Economics Legislation Committee

Possible hearing date(s):

To be determined by the Committee

Possible reporting date: Monday 18 March 2019



Senator Anne Urquhart

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

Name of bill:

- **Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018**

Reasons for referral/principal issues for consideration:

- **Major government intervention in the market.**
- **Potential for divestment powers to be spread to other areas of the economy.**
- **Risks of this government intervention causing sovereign risk, stymieing investment and increasing power prices.**

Possible submissions or evidence from:

**Business Council of Australia**  
**Australian Energy Council**  
**Australian Industry Group**  
**Energy Networks Australia**  
**Energy Users Association of Australia**  
**Clean Energy Council**  
**Australian Chamber of Commerce and Industry**  
**Treasury**  
**Department of Environment and Energy**

Committee to which bill is to be referred:

**Senate Economics Legislation Committee**

Possible hearing date(s):

**To be determined by the Committee**

Possible reporting date:

**Monday 18 March 2019**



Senator Anne Urquhart

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

Name of bill:

- Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018

Reasons for referral/principal issues for consideration:

- To understand the implications of the new prohibited market conduct provisions, particularly on prices and investment.

Possible submissions or evidence from:

- Energy companies
- Industry representatives
- Consumer advocates
- Trade unions
- Economists

Committee to which bill is to be referred:

- Economics

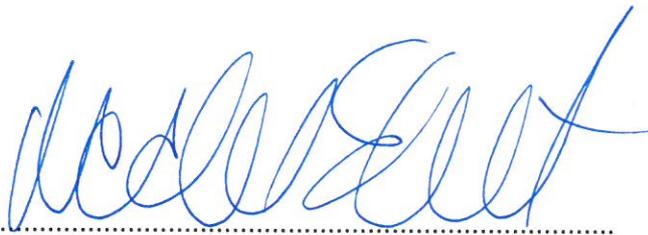
Possible hearing date(s):

- February 2019

Possible reporting date:

- March 2019

(signed)



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Print name: \_\_\_\_\_

**SELECTION OF BILLS COMMITTEE—  
PRESENTATION OF 15 REPORT OF 2018—  
AMENDMENT AGREED TO BY THE SENATE ON  
THURSDAY, 6 DECEMBER 2018**

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At the end of the motion, add, “and, in respect of:

- (a) the Sex Discrimination Amendment (Removing Discrimination Against Students) Bill 2018, the bill and all circulated amendments to the bill be referred to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 11 February 2019;
- (b) the Treasury Laws Amendment (Consumer Data Right) Bill 2018, the bill be referred to the Economics Legislation Committee for inquiry and report by 18 March 2019;
- (c) the Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2018, the bill be referred to the Economics Legislation Committee for inquiry and report by 18 March 2019;
- (d) National Integrity (Parliamentary Standards) Bill 2018, the provisions of the bill be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 5 April 2019; and
- (e) National Integrity Commission Bill 2018 (No. 2), the bill be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 5 April 2019.”.