

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 12 OF 2015**

*17 September 2015*

## **MEMBERS OF THE COMMITTEE**

Senator David Bushby (Government Whip, Chair)

Senator Anne McEwen (Opposition Whip)

Senator Matthew Canavan (The Nationals Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator Dio Wang (Palmer United Party Whip)

Senator Catryna Bilyk

Senator the Hon Mitch Fifield

Senator Claire Moore

Senator Anne Ruston

Secretary: Chris Reid  
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## SELECTION OF BILLS COMMITTEE

### REPORT NO. 12 OF 2015

1. The committee met in private session on Wednesday, 16 September 2015 at 7.15 pm.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Migration Amendment (Charging for a Migration Outcome) Bill 2015 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 10 November 2015 (see appendices 1 and 2 for a statement of reasons for referral);
  - (b) the *provisions* of the Migration and Maritime Powers Amendment Bill (No. 1) 2015 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 10 November 2015 (see appendices 3 and 4 for a statement of reasons for referral);
  - (c) the *provisions* of the Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill 2015 be *referred immediately* to the Education and Employment Legislation Committee for inquiry and report by 24 November 2015 (see appendices 5 and 6 for a statement of reasons for referral);
  - (d) the *provisions* of the Superannuation Legislation Amendment (Trustee Governance) Bill 2015 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 9 November 2015 (see appendices 7 and 8 for a statement of reasons for referral); and
  - (e) the *provisions* of the Tax Laws Amendment (Combating Multinational Tax Avoidance) Bill 2015 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 9 November 2015 (see appendix 9 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
  - Australian Immunisation Register Bill 2015  
Australian Immunisation Register (Consequential and Transitional Provisions) Bill 2015
  - Maritime Legislation Amendment Bill 2015
  - Marriage Equality Plebiscite Bill 2015
  - Social Services Legislation Amendment (Cost of Living Concession) Bill 2015
  - Social Services Legislation Amendment (Low Income Supplement) Bill 2015
  - Social Services Legislation Amendment (No Job, No Pay) Bill 2015.

*The committee recommends accordingly.*

4. The committee considered the following bill but was unable to reach agreement:
  - Customs Amendment (China-Australia Free Trade Agreement Implementation) Bill 2015
  - Customs Tariff Amendment (China-Australia Free Trade Agreement Implementation) Bill 2015
5. The committee deferred consideration of the following bills to its next meeting:
  - Aviation Transport Security Amendment (Cargo) Bill 2015
  - Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
  - Corporations Amendment (Publish What You Pay) Bill 2014
  - Customs Amendment (Fees and Charges) Bill 2015
  - Customs Depot Licensing Charges Amendment Bill 2015
  - Import Processing Charges Amendment Bill 2015
  - Education Legislation Amendment (Overseas Debt Recovery) Bill 2015
  - Student Loans (Overseas Debtors Repayment Levy) Bill 2015
  - Education Services for Overseas Students Amendment (Streamlining Regulation) Bill 2015
  - Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015
  - Food Standards Australia New Zealand Amendment (Forum on Food Regulation and Other Measures) Bill 2015
  - Health Legislation Amendment (eHealth) Bill 2015
  - Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
  - Social Services Legislation Amendment (Youth Employment) Bill 2015.

(David Bushby)

**Chair**

17 September 2015

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

Name of bill:

***Migration Amendment (Charging for a Migration Outcome) Bill 2015***

Reasons for referral/principal issues for consideration:

***To further investigate potential impacts and unintended consequences of the Bill***

Possible submissions or evidence from:

- ***Department of Immigration and Border Protection***
- ***Migration Council of Australia***
- ***ACTU***
- ***CFMEU***
- ***Scanlon Foundation***
- ***Law Council of Australia***

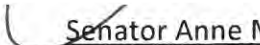
Committee to which bill is to be referred:

***Senate Legal and Constitutional Affairs Legislation Committee***

Possible hearing date(s):

Possible reporting date:

***10 November 2015***

  
Senator Anne McEwen

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

Name of bill: [Migration Amendment \(Charging for a Migration Outcome\) Bill 2015](#)

Reasons for referral/principal issues for consideration:

- Extends the grounds upon which a visa may be cancelled to include situations in which the Minister is satisfied that a benefit was asked for by the visa holder from another person in return for a sponsorship related event (regardless of whether this sponsorship event occurs). This needs to be investigated more fully.

Possible submissions or evidence from:

- Refugee Advice and Casework Service
- Asylum Seeker Resource Centre
- Refugee Churches Taskforce
- Human Rights Law Centre
- Australian Law Council

Committee to which bill is to be referred:

- Legal and Constitutional Affairs References Committee

Possible hearing date(s):

- TBC

Possible reporting date:

- ~~12<sup>th</sup> February 2016~~

10/11/15

(signed)

Print name:

*Rachel Siewert*

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

Name of bill:

***Migration and Maritime Powers Amendment (No.1) Bill 2015***

Reasons for referral/principal issues for consideration:

***To further investigate potential impacts and unintended consequences of the Bill***

Possible submissions or evidence from:

- ***Department of Immigration and Border Protection***
- ***United Nations High Commissioner for Refugees***
- ***Australian Human Rights Commissioner***
- ***Law Council of Australia***

Committee to which bill is to be referred:

***Senate Legal and Constitutional Affairs Legislation Committee***

Possible hearing date(s):

Possible reporting date:

***10 November 2015***

Senator Anne McEwen

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

Name of bill: [Migration and Maritime Powers Amendment Bill \(No. 1\) 2015](#)

Reasons for referral/principal issues for consideration:

- Of concern, this amendment extends the definition of who can be determined to be 'of character concern' to a person the Minister 'reasonably suspects' is a member of an organisation which has been involved in criminal conduct, whether or not the person has been convicted of an offence.
- It also extends definition of 'substantial criminal record' to someone whose been found unfit to plead and detained in an institution (i.e. presumably mental) where found guilty on evidence.

Possible submissions or evidence from:

- Refugee Advice and Casework Service
- Asylum Seeker Resource Centre
- Refugee Churches Taskforce
- Human Rights Law Centre
- Australian Law Council

Committee to which bill is to be referred:

- Legal and Constitutional Affairs References Committee

Possible hearing date(s):

- TBC

Possible reporting date:

- 12<sup>th</sup> February 2016

10/11/15

(signed)

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

Rachel Siewert



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

Name of bill:

**Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill 2015**

Reasons for referral/principal issues for consideration:

- To scrutinise and ascertain implications of the Bill in practice;
- To fully consider all stakeholder views on the Bill; and
- To make sure there are no unintended consequences of enacting this legislation.

Possible submissions or evidence from:

- Department of Employment;
- Department of Social Services;
- Employment Services Providers;
- Peak bodies such as Jobs Australia, Australian Unemployment Union, National Employment Services Association (NESA); and
- Not for profit organisations such as the Australian Council of Social Service (ACOSS).

Committee to which bill is to be referred:

- Senate Community Affairs Legislation Committee

Possible hearing date(s):

Possible reporting date:

**10 November 2015**

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Senator Anne McEwen



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

Name of bill: Superannuation Legislation Amendment (Trustee Governance) Bill 2015

Reasons for referral/principal issues for consideration:

- Whether there is currently a problem with superannuation governance
- What impact the bill would have on superannuation funds and their members

Possible submissions or evidence from:

- Affected funds
- Representatives of superannuants

Committee to which bill is to be referred:

- Economics committee

Possible hearing date(s):

Possible reporting date:

19 - November 2015

(signed)

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

Rachel Siewert

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

Name of bill: ***Superannuation Legislation Amendment (Trustee Governance) Bill 2015***

Reasons for referral/principal issues for consideration:

- **To ensure detailed scrutiny of the legislation and seek stakeholder input on the impact of the bill.**

Possible submissions or evidence from:

- **Financial Services sector – FSC, ISA, ASFA, and AIST**
- **Australian Institute of Company Directors**
- **Relevant government agencies and department**

Committee to which bill is to be referred:

- **Senate Economics Legislation Committee**

Possible hearing date(s):

Possible reporting date:  
**9 November 2015**



Senator Anne McEwen

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

Name of bill:

***Tax Laws Amendment (Combating Multinational Tax Avoidance) Bill 2015***

Reasons for referral/principal issues for consideration:

***To ensure appropriate scrutiny of significant changes to Australian taxation law and seek stakeholder feedback on the consequences of the bill being enacted as written.***

Possible submissions or evidence from:

- ***Australian Taxation Office***
- ***Big Four accounting firms***
- ***OECD***
- ***Affected companies (Google, Apple, BHP etc)***
- ***Law Society of Australia***

Committee to which bill is to be referred:

***Senate Economics Legislation Committee***

Possible hearing date(s):

Possible reporting date:

***9 November 2015***

**Senator Anne McEwen**

**SELECTION OF BILLS COMMITTEE—  
PRESENTATION OF 12TH REPORT OF 2015—  
AMENDMENTS AGREED TO BY THE SENATE ON  
17 SEPTEMBER 2015**

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At the end of the motion, add, “but in respect of the Customs Amendment (China-Australia Free Trade Agreement Implementation) Bill 2015 and the Customs Tariff Amendment (China-Australia Free Trade Agreement Implementation) Bill 2015, the provisions of the bills be referred immediately to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report on the next working day after the tabling of the report of the Foreign Affairs Defence and Trade References Committee on the Proposed China-Australia Free Trade Agreement.

At the end of the motion, add, “but in respect of the Social Services Legislation Amendment (No Jab, No Pay) Bill 2015 the provisions of the bill be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 9 November 2015”.