

**SELECTION OF BILLS COMMITTEE**

**REPORT NO. 11 OF 2017**

*14 September 2017*

## **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 Sam Dastyari

Senator David Fawcett

Senator Katy Gallagher

Senator the Hon Mitch Fifield

Secretary: Rachel Callinan  
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## SELECTION OF BILLS COMMITTEE

### REPORT NO. 11 OF 2017

1. The committee met in private session on Wednesday, 13 September 2017 at 7.15pm.
2. The committee recommends that—
  - (a) the *provisions* of the Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 16 October 2017 (see appendices 1 and 2 for a statement of reasons for referral);
  - (b) the *provisions* of the Criminal Code Amendment (Impersonating a Commonwealth Body) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 November 2017 (see appendix 3 for a statement of reasons for referral);
  - (c) the *provisions* of the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 November 2017 (see appendix 4 for a statement of reasons for referral);
  - (d) contingent upon introduction in the Senate, the *provisions* of the Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 1) Bill 2017 and Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017 be *referred immediately* to the Economics Legislation Committee **but was unable to reach agreement on a reporting date** (see appendices 5 and 6 for a statement of reasons for referral);
  - (e) the *provisions* of the Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 2) Bill 2017 be *referred immediately* to the Economics Legislation Committee **but was unable to reach agreement on a reporting date** (see appendices 7 and 8 for a statement of reasons for referral); and
  - (f) contingent upon introduction in the Senate, the *provisions* of the Treasury Laws Amendment (Putting Consumers First—Establishment of the Australian Financial Complaints Authority) Bill 2017 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 17 October 2017 (see appendices 9 and 10 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
  - Australian Grape and Wine Authority Amendment (Wine Australia) Bill 2017
  - Lands Acquisition Amendment (Public Purpose) Bill 2017
  - Medicinal Cannabis Legislation Amendment (Securing Patient Access) Bill 2017

- Treasury Laws Amendment (Housing Tax Integrity) Bill 2017  
Foreign Acquisitions and Takeovers Fees Imposition Amendment (Vacancy Fees) Bill 2017
  - Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No. 1) Bill 2017  
First Home Super Saver Tax Bill 2017.
4. The committee deferred consideration of the following bills to its next meeting:
- Australian Broadcasting Corporation Amendment (Regional Australia) Bill 2017
  - Clean Energy Finance Corporation Amendment (Carbon Capture and Storage) Bill 2017
  - Coastal Trading (Revitalising Australian Shipping) Amendment Bill 2017
  - Corporations Amendment (Crowd-sourced Funding for Proprietary Companies) Bill 2017
  - Customs Amendment (Anti-Dumping Measures) Bill 2017
  - Customs Amendment (Safer Cladding) Bill 2017
  - Customs Amendment (Singapore-Australia Free Trade Agreement Amendment Implementation) Bill 2017  
Customs Tariff Amendment (Singapore-Australia Free Trade Agreement Amendment Implementation) Bill 2017
  - Defence Legislation Amendment (Instrument Making) Bill 2017
  - Family Assistance and Child Support Legislation Amendment (Protecting Children) Bill 2017
  - Investigation and Prosecution Measures Bill 2017
  - Live Animal Export (Slaughter) Prohibition Bill 2017
  - Parliamentary Business Resources Amendment (Voluntary Opt-out) Bill 2017
  - Regional Forest Agreements Legislation (Repeal) Bill 2017
  - Social Services Legislation Amendment (Housing Affordability) Bill 2017
  - Therapeutic Goods Amendment (2017 Measures No. 1) Bill 2017  
Therapeutic Goods (Charges) Amendment Bill 2017
  - Treasury Laws Amendment (2017 Measures No. 5) Bill 2017  
ASIC Supervisory Cost Recovery Levy Amendment Bill 2017
  - Treasury Laws Amendment (2017 Measures No. 6) Bill 2017.

(David Bushby)

**Chair**

14 September 2017

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

Name of bill:

Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2017

Reasons for referral/principal issues for consideration:

Investigate how the Bill works to protect vulnerable children and the community from child sex offenders.

Possible submissions or evidence from:

Australian Federal Police  
Commonwealth Department of Public Prosecutions

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

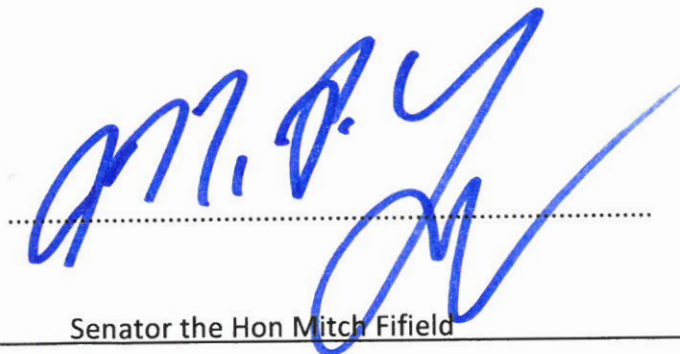
Possible hearing date(s):

To be determined by Committee

Possible reporting date:

8 November

(signed)



Print name:

\_\_\_\_\_  
Senator the Hon Mitch Fifield

## SELECTION OF BILLS COMMITTEE

### Proposal to refer a bill to a committee

**Name of bill:** Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2017

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

This Bill deals with the protection of children from the dangers of child sexual abuse. The Bill targets all aspects of the child sex offender cycle from the commission of an offence, to bail, sentencing and post-imprisonment.

Given the importance of the subject matter, the complexity of some of the Bill's provisions and the broad scope of the Bill, it would be appropriate to refer the Bill to committee for consideration.

**Possible submissions or evidence from:**

Attorney-General's Department, CDPP, Office of the eSafety Commissioner, the Australian Federal Police, Law Council of Australia, State and Territory Law Associations (e.g. Law Institute of Victoria), State and Territory Bar Associations, Australian Criminal Intelligence Commission, Alannah and Madeline Foundation, State and Territory police forces, Australian Institute of Health and Welfare, State, Territory and Federal Government Departments responsible for child protection, major internet service providers (e.g. Telstra, Optus, iiNet, Internode, TPG Internet)

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

Senate Standing Committees on Legal and Constitutional Affairs Legislation Committee

**Possible hearing date(s):** to be determined by the committee

**Possible reporting date:** 16 October 2017

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Senator Anne Urquhart

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

**Name of bill:** Criminal Code Amendment (Impersonating a Commonwealth Body) Bill 2017

**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.

**Possible submissions or evidence from:**

Attorney-General's Department  
Australian Federal Police  
Commonwealth Director of Public Prosecutions  
Australian Human Rights Commission  
Law Council of Australia

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

Senate Legal & Constitutional Affairs Legislation Committee

**Possible hearing date(s):** N/A

**Possible reporting date:** 13 November 2017

  
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Senator Anne Urquhart

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

Name of bill: **Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017**

Reasons for referral/principal issues for consideration:

The Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017 (the Bill) amends the Migration Act 1958 (Migration Act) to allow the Minister to determine a thing as prohibited. This is a significant change to the operation of Immigration Detention Centres. There is a level of concern among stakeholders about the proposed amendments that suggests that further examination of the bill is necessary.

Possible submissions or evidence from:

Refugee Council of Australia, Refugee Legal, Asylum Seeker Resource Centre


Committee to which bill is to be referred:

Legal & Constitutional Affairs Legislation Committee

Possible hearing date(s):

Possible reporting date: 14<sup>th</sup> November 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:

- Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 1) Bill 2017; and
- Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017

Reasons for referral/principal issues for consideration:

- Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 1) Bill 2017
  - Investigate how the Bill will work to protect superannuation members' money and interests through a strong, transparent and more accountable superannuation system with a strong prudential regulator
- Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017
  - Investigate how the Bill will work to strengthen the superannuation system and improve conflict management across all superannuation funds
  - Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017 was considered by the Senate Economics Legislation Committee in the last Parliament over a period of approximately seven weeks. The name of the Bill in the last parliament was *Superannuation Legislation Amendment (Trustee Governance) Bill 2015*.

Possible submissions or evidence from:

- The Committee should be granted access to evidence provided during the previous inquiry conducted in the 44<sup>th</sup> Parliament.
- Possible submitters could include:
  - Superannuation industry participants including associations and individual superannuation funds
  - Consumer representatives
  - Corporate Governance and legal experts
  - Trade unions
  - Employer associations
  - Small and large business associations

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:

4 October 2017

(signed)



Print name:

\_\_\_\_\_  
 Senator the Hon Mitch Fifield

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

**Name of bills:**

Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 1) Bill 2017

Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017

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

Detailed scrutiny of the provisions of the Bill and their implications

**Possible submissions or evidence from:**

Industry and community stakeholders, relevant government departments

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

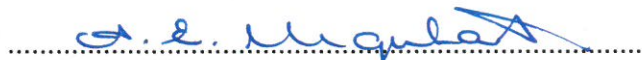
Senate Economics Legislation Committee

**Possible hearing date(s):**

TBD by Committee

**Possible reporting date:**

27 November 2017

A handwritten signature in blue ink, appearing to read "A. E. Urquhart", is written over a horizontal dotted line.

Senator Anne Urquhart

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

Name of bill:

Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 2) Bill 2017

Reasons for referral/principal issues for consideration:

Investigate how the Bill will operate to enable an additional one million people to choose their own superannuation fund; and how it will ensure that workers who make salary sacrifice contributions to superannuation are not short-changed and receive their full superannuation guarantee entitlements

Possible submissions or evidence from:

Superannuation industry participants including associations and individual superannuation funds

Consumer representatives

Trade unions

Employer associations

Small and large business associations

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:

11 October 2017

(signed)



Print name:

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Senator the Hon Mitch Fifield

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

**Name of bill:**

Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 2) Bill 2017

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

Detailed scrutiny of the provisions of the Bill and their implications

**Possible submissions or evidence from:**

Industry and community stakeholders, relevant government departments

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


Senate Economics Legislation Committee

**Possible hearing date(s):**

TBD by Committee

**Possible reporting date:**

27 November 2017

  
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Senator Anne Urquhart

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

Name of bill:

Treasury Laws Amendment (Putting Consumers First - Establishment of the Australian Financial Complaints Authority) Bill 2017

Reasons for referral/principal issues for consideration:

Investigate how the Bill will improve access to redress, for both consumers and small businesses, in respect of their disputes with financial institutions.

Possible submissions or evidence from:

Financial Ombudsman Services

Superannuation Complaints Tribunal

Credit and Investment Ombudsman

Australian Small Business and Family Enterprise Ombudsman

ASIC

Consumer Action Law Centre, and associated entities.

CHOICE

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:

1 November 2017

(signed)



Print name: Senator the Hon Mitch Fifield



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

**Name of bill:**

Treasury Laws Amendment (Putting Consumers First – Establishment of the Australian Financial Complaints Authority) Bill 2017

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

Detailed scrutiny of the provisions of the Bill and their implications

**Possible submissions or evidence from:**

Consumer groups, industry and community stakeholders, relevant agencies and organisations

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

Senate Economics Legislation Committee

**Possible hearing date(s):**

TBD by Committee

**Possible reporting date:**

17 October 2017

  
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Senator Anne Urquhart

**SELECTION OF BILLS COMMITTEE—  
PRESENTATION OF 11 REPORT OF 2017—  
AMENDMENT AGREED TO BY THE SENATE ON  
14 SEPTEMBER 2017**

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

- (a) the Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 1) Bill 2017 and the Superannuation Laws Amendment (Strengthening Trustee Arrangements) Bill 2017; and
- (b) the Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 2) Bill 2017,

the Economics Legislation Committee report on 23 October 2017;  
and

- (c) the Customs Amendment (Anti-Dumping Measures) Bill 2017, the provisions of the bill be referred immediately to the Economics Legislation Committee for inquiry and report by 6 October 2017.”.