



8 December 2023

Introduction

This newsletter highlights key aspects of the work of the Senate Scrutiny of Bills Committee and the Senate Scrutiny of Delegated Legislation Committee. It has a particular focus on information that may be useful while bills are under consideration and legislative instruments are subject to disallowance and seeks to raise awareness about the committees' scrutiny principles set out in Senate standing orders 23 and 24.

For more detail and discussion of these matters see the committees' [Scrutiny Digests](#) and [Delegated Legislation Monitors](#).

Scrutiny of Bills Committee

Scrutiny Digest 16 of 2023 reports on the committee's consideration of **4** bills which were introduced into the Parliament during recent sitting weeks. It also contains the committee's comments on ministerial responses in relation to **1** bill.

Key scrutiny issues: Bills (*Scrutiny Digest 16 of 2023*)

Australian Citizenship Amendment (Citizenship Repudiation) Bill 2023

- Procedural fairness; undue trespass on rights and liberties; significant penalties: the committee is seeking advice on:
 - the nature of the process associated with an application made to cease a person's Australian citizenship, and how procedural fairness will be ensured;
 - whether consideration of the minister's application will necessitate a substantive hearing where an individual is provided an opportunity to respond to any arguments progressed by the minister in relation to their citizenship;
 - why the significant penalty of revocation of citizenship is considered necessary, appropriate and proportionate; and
 - the impact of disapplying Part IB of the *Crimes Act 1914* in relation to an order to revoke citizenship, which deals with sentencing, imprisonment and release of federal offenders.
- Retrospective application: the committee is drawing this matter to the attention of senators and recommending that the bill be amended to remove the retrospective application of the legislation.

Scrutiny of Delegated Legislation Committee

The Scrutiny of Delegated Legislation Committee did not report this week.

For any comments or questions, please contact:

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