

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2021

18 February 2021

MEMBERS OF THE COMMITTEE

Senator Dean Smith (Government Whip, Chair)

Senator Perin Davey (The Nationals Whip)

Senator Stirling Griff (Centre Alliance Whip)

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

Senator Rachel Siewert (Australian Greens Whip)

Senator Anne Urquhart (Opposition Whip)

Senator Raff Ciccone

Senator Katy Gallagher

Senator Jacqui Lambie

Senator the Hon James McGrath

Senator Rex Patrick

Senator the Hon Anne Ruston

Secretary: Tim Bryant
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2021

1. The committee met in private session on Wednesday, 17 February 2021 at 7.35 pm.
2. The committee recommends that—
 - (a) the Environment Protection and Biodiversity Conservation Amendment (Regional Forest Agreements) Bill 2020 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 11 May 2021 (see appendix 1 for a statement of reasons for referral)
 - (b) the *provisions* of the Treasury Laws Amendment (Your Future, Your Super) Bill 2021 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 22 April 2021.
3. The committee deferred consideration of the following bills to its next meeting:
 - Air Services Amendment Bill 2018
 - Biosecurity Amendment (Strengthening Penalties) Bill 2021
 - Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
 - Customs Amendment (Safer Cladding) Bill 2019
 - Customs Tariff Amendment (Incorporation of Proposals and Other Measures) Bill 2020
 - Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2020
 - Discrimination Free Schools Bill 2018
 - Education Legislation Amendment (2021 Measures No. 1) Bill 2021
 - Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021
 - Family Assistance Legislation Amendment (Early Childhood Education and Care Coronavirus Response and Other Measures) Bill 2021
 - Governor-General Amendment (Cessation of Allowances in the Public Interest) Bill 2019
 - Great Australian Bight Environment Protection Bill 2019
 - Health Insurance Amendment (Prescribed Fees) Bill 2021
 - Industry Research and Development Amendment (Industry Innovation and Science Australia) Bill 2021
 - Interactive Gambling Amendment (Prohibition on Credit Card Use) Bill 2020
 - Migration Amendment (New Maritime Crew Visas) Bill 2020
 - Narcotic Drugs Amendment (Medicinal Cannabis) Bill 2021
 - Regional Forest Agreements Legislation (Repeal) Bill 2017
 - Social Security Amendment (COVID-19 Supplement) Bill 2020
 - Social Services and Other Legislation Amendment (Student Assistance and Other Measures) Bill 2021
 - Social Services Legislation Amendment (Better Targeting Student Payments) Bill 2019

- Social Services Legislation Amendment (Payment Integrity) Bill 2019.
4. The committee considered the following bill but was unable to reach agreement:
- Treasury Laws Amendment (2021 Measures No. 1) Bill 2021.

(Dean Smith)

Chair

18 February 2021

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

Name of bill: Environment Protection and Biodiversity Conservation Amendment (Regional Forest Agreements) Bill 2020

Reasons for referral/principal issues for consideration:

- The Independent Review of the EPBC Act - Final Report (October 2020) states "There are fundamental shortcomings in the interactions between Regional Forest Agreements (RFAs) and the EPBC Act" and the Independent Review of the EPBC Act Interim Report (Samuels 2020) stated that "Legal ambiguities in the relationship between EPBC Act and the RFA Act should be clarified...".
- The RFA framework is such that the Commonwealth accredits the State Government's regulatory framework to ensure there is independent oversight of forestry operations and robust powers to conduct audits and impose sanctions if forestry operations breach regulations.
- The finding of Justice Mortimer (*Friends of Leadbeater's Possum Inc v VicForests*) has created ambiguity on the interaction of the EPBC Act and RFAs.
- Referring this Bill will allow consultation with a broad range of stakeholders to ensure all have opportunity to provide input to obtain the greatest understanding of issues relating to the interaction between RFAs and the EPBC Act by state, and potential legislative solutions that remove ambiguity while enabling forestry operations to continue to operate with best sustainable practice in line with state and Commonwealth environmental objectives.
- Time sensitive given state government decision making.

Possible submissions or evidence from:


- Forestry industry stakeholders
- State governments / state government forestry and environmental agencies
- Environmental groups

Committee to which bill is to be referred: Environment Communications Legislation Committee

Possible hearing date(s): March, April, 2021

Possible reporting date: 11 May 2021

(signed)


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Print name: Bridget McKewin

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

Name of bill:

Environment Protection and Biodiversity Conservation Amendment (Regional Forest Agreements) Bill 2020

Reasons for referral/principal issues for consideration:

Examine nature of the bill and its implication - employment and environmental - with regard to the context of the bill, including but not limited to the Samuel review.

Possible submissions or evidence from:

Industry, unions and environmental stakeholders

Committee to which bill is to be referred:

Senate Environment and Communications Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

~~28 April 2021~~ **MAY 2021**

.....*A. Urquhart*.....

Senator Anne Urquhart

**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 2nd REPORT OF 2021—
AMENDMENT AGREED TO BY THE SENATE ON
18 FEBRUARY 2021**

At the end of the motion, add: “and, in respect of the Treasury Laws Amendment (2021 Measures No. 1) Bill 2021, the provisions of the bill be referred to the Economics Legislation Committee for inquiry and report by 12 March 2021”.