

HOUSE OF REPRESENTATIVES

SELECTION COMMITTEE

REPORT No. 53

Consideration of bills

24 May 2012

MEMBERS OF THE COMMITTEE

Chairman Hon P N Slipper, Speaker

Members Mr A P Bandt MP

Mr M M Coulton MP, Chief Nationals Whip

Hon W G Entsch MP, Chief Opposition Whip

Hon J L Fitzgibbon MP, Chief Government Whip

Ms J G Hall MP

Mr E N Husic MP

Mr R J M Oakeshott MP

Hon P M Ruddock MP

Ms J A Saffin MP

Mr P D Secker MP

Ms A E Burke MP, Deputy Speaker

Secretary Ms C Surtees

Committee support Mr J Rees

Mr D Pecar

Mr J Sherd

Ms A Hall

Report relating to the consideration of bills introduced 21 to 24 May 2012

1. The committee met in private session on 23 and 24 May 2012.
2. The committee determined that the following referrals of bills to committees be made—

Standing Committee on Climate Change, Environment and the Arts:

- Water Efficiency Labelling and Standards Amendment (Scheme Enhancements) Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: The bill gives the Minister power to make changes which will be disallowable legislative instruments. It is appropriate then that a committee investigate the reasons for giving the Minister this power.

Parliamentary Joint Committee on Corporations and Financial Services:

- Superannuation Legislation Amendment (Stronger Super) Bill 2012; and
- Superannuation Supervisory Levy Imposition Amendment Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: Industry concerns that technical details may not operate as intended, and dissatisfaction with the consultation process.

Standing Committee on Economics:

- Clean Energy Finance Corporation Bill 2012;
- Clean Energy Legislation Amendment Bill 2012;
- Clean Energy (Customs Tariff Amendment) Bill 2012; and
- Clean Energy (Excise Tariff Legislation Amendment) Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: (a) The advantages to the Australian economy from the establishment of the Clean Energy Finance Corporation (CEFC); (b) the need for such a government entity given its stated purpose, and to investigate why market failures have occurred, particularly if such projects are expected to deliver a commercial return; (c) to investigate whether the legislation has adequate provisions when it comes to assessing the commercial feasibility of projects selected by the CEFC, and the suitability of the initiatives the CEFC will be supplementing in terms of the government's clean energy programs; (d) whether adequate safeguards and standards exist in relation to the selection of projects by the CEFC to prevent waste of taxpayer's money; and (e) the suitability of the government's accounting treatment in light of the allocation of appropriations for this government entity.

- Passenger Movement Charge Amendment Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: The government told the industry that they were not going to increase the passenger movement charge – the industry did not have an adequate consultation process prior to it being flagged. It will likely have an adverse effect on the tourism sector and would be worthwhile allowing stakeholders to have input.

- Tax Laws Amendment (2012 Measures No. 2) Bill 2012;
- Income Tax (Managed Investment Trust Withholding Tax) Amendment Bill 2012; and
- Pay As You Go Withholding Non-compliance Tax Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: In relation to the managed investment trust withholding tax — doubling of tax, impact on investment in Australia, sovereign risk issues and impact on long term infrastructure investment. In relation to consolidation measures — retrospective application of tax charges.

Standing Committee on Social Policy and Legal Affairs:

- Australian Human Rights Commission Amendment (National Children’s Commissioner) Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: The adequacy of funding for the functions of the National Children’s Commissioner and whether any existing functions of the Australian Human Rights Commission will be compromised thereby. Also, the interoperability of the functions of the National Children’s Commissioner with state and territory child welfare and guardian responsibilities.

- Do Not Knock Register Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: The constitutionality of the bill.

- Privacy Amendment (Enhancing Privacy Protection) Bill 2012.

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: Consideration of: (a) the adequacy of the proposed Australian Privacy Principles; (b) the efficacy of the proposed measures relating to credit reporting; (c) whether defences to contraventions should extend to inadvertent disclosures where systems incorporate appropriate protections; and (d) whether provisions relating to use of depersonalised data are appropriate.

Peter Slipper MP
Chairman

24 May 2012