

SELECTION OF BILLS COMMITTEE

REPORT NO. 15 OF 2017

7 December 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 Stirling Griff (Nick Xenophon Team Whip)

Senator Derryn Hinch (Derryn Hinch's Justice Party Whip)

Senator Rachel Siewert (Australian Greens Whip)

Senator John Williams (The Nationals Whip)

Senator David Fawcett

Senator the Hon Mitch Fifield

Senator Katy Gallagher

Senator Chris Ketter

Secretary: Rachel Callinan
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 15 OF 2017

1. The committee met in private session on Wednesday, 6 December 2017 at 7.19 pm.
2. The committee recommends that—
 - (a) the Judiciary Amendment (Commonwealth Model Litigant Obligations) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 8 May 2018 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Bankruptcy Amendment (Debt Agreement Reform) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 19 March 2018 (see appendix 2 for a statement of reasons for referral);
 - (c) the Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 19 March 2018 (see appendix 3 for a statement of reasons for referral);
 - (d) the Communications Legislation Amendment (Regional and Small Publishers Innovation Fund) Bill 2017 be *referred immediately* to the Environment and Communications Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 4 for a statement of reasons for referral);
 - (e) the Copyright Amendment (Service Providers) Bill 2017 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 19 March 2018 (see appendix 5 for a statement of reasons for referral);
 - (f) the Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 20 April 2018 (see appendix 6 for a statement of reasons for referral);
 - (g) the Family Law Amendment (Family Violence and Other Measures) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 20 April 2018 (see appendix 7 for a statement of reasons for referral); and
 - (h) the Family Law Amendment (Parenting Management Hearings) Bill 2017 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 26 March 2018 (see appendix 8 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
 - Aboriginal Land Rights (Northern Territory) Amendment Bill 2017
 - Broadcasting Legislation Amendment (Digital Radio) Bill 2017

- Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017
 - Great Barrier Reef Marine Park Amendment (Authority Governance and Other Matters) Bill 2017
 - Home Affairs and Integrity Agencies Legislation Amendment Bill 2017
 - National Security Legislation (Espionage and Foreign Interference) Bill 2017
 - Foreign Influence Transparency Scheme Bill 2017
 - Foreign Influence Transparency Scheme (Charges Imposition) Bill 2017
 - Security of Critical Infrastructure Bill
 - Security of Critical Infrastructure (Consequential and Transitional Provisions) Bill.
4. The committee deferred consideration of the following bills to its next meeting:
- Agriculture and Veterinary Chemicals Legislation Amendment (Operational Efficiency) Bill 2017
 - Australian Capital Territory (Planning and Land Management) Amendment Bill 2017
 - Broadcasting Legislation Amendment (Foreign Media Ownership and Community Radio) Bill 2017
 - Clean Energy Finance Corporation Amendment (Carbon Capture and Storage) Bill 2017
 - Corporations Amendment (Crowd-sourced Funding for Proprietary Companies) Bill 2017
 - Enhancing Online Safety (Non-consensual Sharing of Intimate Images) Bill 2017
 - Export Control 2017
 - Imported Food Control Amendment (Country of Origin) Bill 2017
 - Live Animal Export (Slaughter) Prohibition Bill 2017
 - National Broadcasters Legislation Amendment (Enhanced Transparency) Bill 2017
 - National Health Amendment (Pharmaceutical Benefits – Budget and Other Measures) Bill 2017
 - Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2017.

(David Bushby)

Chair

7 December 2017

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

Name of bill: Judiciary Amendment (Commonwealth Model Litigant Obligations) Bill 2017

Reasons for referral/principal issues for consideration:

Whether the bill appropriately responds to the September 2014 Productivity Commission recommendation, in its Access to Justice report, that compliance with model litigant obligations should be enforceable.

Possible submissions or evidence from:


The Attorney-General's Department, the ATO and other frequent Commonwealth litigants, civil liberty groups, and victims of Commonwealth failure to act in accordance with model litigant obligations.

Committee to which bill is to be referred: Legal and Constitutional Legislation Committee

Possible hearing date(s):

Possible reporting date: 8 MAY 2018

(signed)



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Print name: Senator David Leyonhjelm

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

Name of bill: **Bankruptcy Amendment (Debt Agreement Reform) Bill**

Reasons for referral/principal issues for consideration:

- Issues of concern to relevant stakeholders require opportunity for feedback
- Need to consider expert views on impacts

Possible submissions or evidence from:

- Key stakeholders and groups in the community
- Relevant shadow ministers
- Government departments

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): To be determined by the Committee

Possible reporting date:

19 March 2018



Senator Anne Urquhart

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

Name of bill:

Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017

Reasons for referral/principal issues for consideration:

Scrutiny of impact of bill on key industry stakeholders and efficacy of bill for consumers.

Possible submissions or evidence from:

Department of Communications, Australian Communications and Media Authority, online platforms; sporting organisations; wagering service providers.

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:

19 March 2018.



Senator Anne Urquhart

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

Name of bill: *Communications Legislation Amendment
(Regional and Small Publishers Innovation Fund) Bill 2017*

Reasons for referral/principal issues for consideration:

- power of minister to advise A CMA
- Criteria for grant applicat
- eligibility of grant receipt (proposed section 252)

Possible submissions or evidence from:

- Walkley Foundation
- ABC
- APC

Committee to which bill is to be referred:

Senate Standing Committee on Enr. & Comms

Possible hearing date(s):

Possible reporting date:

(signed)



Print name:

Rachel

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

Name of bill:

Communications Legislation Amendment (Regional and Small Publishers Innovation Fund)
Bill 2017

Reasons for referral/principal issues for consideration:

To provide Senators with an opportunity for further consideration of the suitability of the ACMA to administer the Regional and Small Publishers Innovation Fund.

Possible submissions or evidence from:

Small publishers from regional areas and online publishers, journalism academics, the ACMA.

Committee to which bill is to be referred:

Senate Environment and Communications Legislation Committee

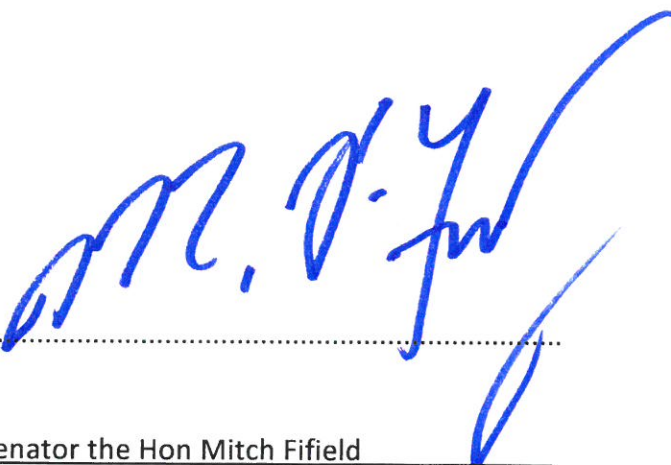
Possible hearing date(s):

To be determined by the committee

Possible reporting date:

12 February 2018

(signed)



Print name:

Senator the Hon Mitch Fifield

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

Name of bill:

Copyright Amendment (Service Providers) Bill 2017

Reasons for referral/principal issues for consideration:

To provide Senators with an opportunity for further consideration of the scope of the proposed extension of copyright safe harbour.

Possible submissions or evidence from:

Copyright rights holders (e.g. music industry, film and TV industry), online service providers (e.g. Google, Facebook, Red Bubble, Envato), other copyright users (education sector, libraries and archives sector, disabilities sector).

Committee to which bill is to be referred:

Senate Environment and Communications Legislation Committee

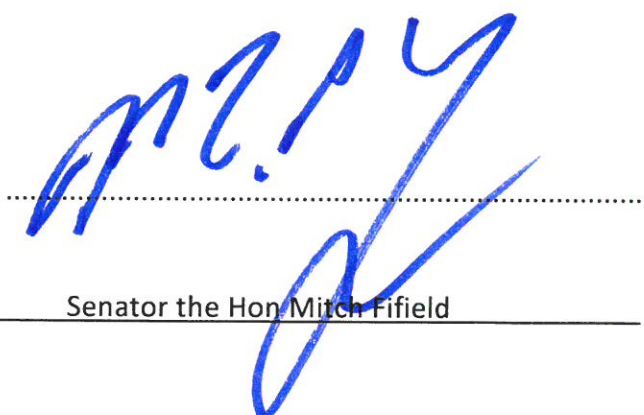
Possible hearing date(s):

To be determined by the committee

Possible reporting date:

19 March 2018

(signed)



Print name:

Senator the Hon Mitch Fifield

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

Name of bill: Copyright Amendment (Service Providers)
BITU 2017

Reasons for referral/principal issues for consideration:

- ~~extent~~ extent of expansion of scheme

Possible submissions or evidence from:

- Startup AVS
- Enrato
- Google
- NAA

Committee to which bill is to be referred:

Senate Standing Committee on Env. & Comm.

Possible hearing date(s):

Possible reporting date:

(signed)

Rachel Stewart

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Rachel Stewart

Print name: _____

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

Name of bill: **Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2017**

Reasons for referral/principal issues for consideration:

- Issues of concern to relevant stakeholders require opportunity for feedback
- Need to consider expert views on impacts and possible improvements

Possible submissions or evidence from:

- Attorney-General's Department
- Commonwealth Department of Public Prosecutions
- Australian Federal Police
- Law Council of Australia
- Transparency International
- Uniting Church of Australia
- International Bar Association
- Academics who provided submissions to the Senate Economics References Committee Inquiry into Foreign Bribery
- Major law firms
- Australian Institute of Company Directors
- Business Council of Australia

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): To be determined by the Committee

Possible reporting date:

20 April 2018



Senator Anne Urquhart

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

Name of bill: **Family Law Amendment (Family Violence and Other Measures) Bill 2017**

Reasons for referral/principal issues for consideration:

- Issues of concern to relevant stakeholders require opportunity for feedback
- Need to consider expert views on impacts and possible improvements

Possible submissions or evidence from:

- Key stakeholders and groups in the community
- Relevant shadow ministers
- Government departments
- Law Council of Australia

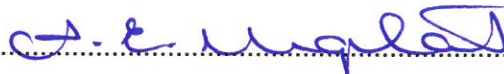
Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): To be determined by the Committee

Possible reporting date:

20 April 2018



Senator Anne Urquhart

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

Name of bill: **Family Law Amendment (Parenting Management Hearings) Bill 2017**

Reasons for referral/principal issues for consideration:

- Issues of concern to relevant stakeholders require opportunity for feedback
- Need to consider expert views on impacts and possible improvements

Possible submissions or evidence from:

- Key stakeholders and groups in the community
- Relevant shadow ministers
- Government departments
- Law Council of Australia

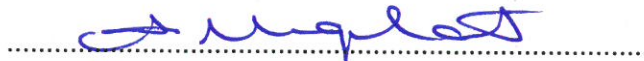
Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): To be determined by the Committee

Possible reporting date:

20 April 2018



Senator Anne Urquhart

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

Name of bill:

Family Law Amendment (Parenting Management Hearings) Bill 2017

Reasons for referral/principal issues for consideration:

To provide Senators with an opportunity to consider what, in the family law setting, is an innovative proposal tailored to the particular needs of self-represented litigants.

Possible submissions or evidence from:

Women's legal services and advocacy groups, men's advocacy groups, academics, peak bodies of service providers (not just legal services, but also counselling and other support services), individual practitioners

Committee to which bill is to be referred:

Senate Legal and Constitutional Affairs Committee

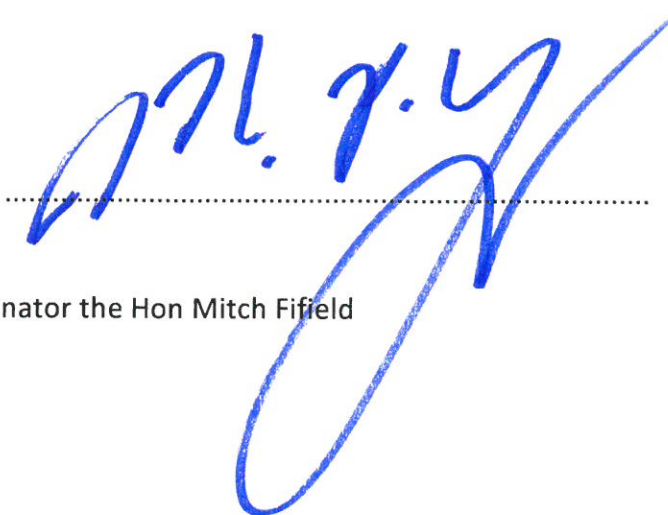
Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

16 February 2018

(signed)



Print name:

Senator the Hon Mitch Fifield

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

Name of bill: Family Law

Reasons for referral/principal issues for consideration:

Concerns about the bill dramatically affecting the manner in which proceedings are conducted.
Impact on families experiencing family violence

Possible submissions or evidence from:

Law Council of Australia (Family Law Section)
The Hon. Peter Rose
National Association of Community Legal Centres

Committee to which bill is to be referred:

Legal and Constitutional Affairs

Possible hearing date(s):

Possible reporting date:

26 March 2018

(signed)



Print name:

Senator Stirling Griff

**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 15 REPORT OF 2017—
AMENDMENT AGREED TO BY THE SENATE ON
THURSDAY, 7 DECEMBER 2017**

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

- (a) the Communications Legislation Amendment (Regional and Small Publishers Innovation Fund) Bill 2017, the Environment and Communications Legislation Committee report on 12 February 2018; and
- (b) the Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017, the Environment and Communications Legislation Committee report on 12 February 2018.”.