

SELECTION OF BILLS COMMITTEE

REPORT NO. 9 OF 2018

23 August 2018

MEMBERS OF THE COMMITTEE

Senator David Bushby (Government Whip, Chair)

Senator Brian Burston (United Australia Party Whip)

Senator Stirling Griff (Centre Alliance Whip)

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

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

Senator Rachel Siewert (Australian Greens Whip)

Senator Anne Urquhart (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator the Hon Jacinta Collins

Senator David Fawcett

Senator the Hon Simon Birmingham

Senator Chris Ketter

Senator Tim Storer

Secretary: Rachel Callinan
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 9 OF 2018

1. The committee met in private session on Wednesday, 22 August 2018 at 7.13 PM.
2. The committee recommends that—
 - (a) contingent upon introduction in the House of Representatives, the *provisions* of the Customs Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation) Bill 2018 and the Customs Tariff Amendment (Comprehensive Agreement for Trans-Pacific Implementation) Bill 2018 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 10 October 2018 (see appendix 1 for a statement of reasons for referral);
 - (b) contingent upon introduction in the House of Representatives, the *provisions* of the Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 2 for a statement of reasons for referral);
 - (c) the Freedom of Information Legislation Amendment (Improving Access and Transparency) Bill 2018 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 30 November 2018 (see appendix 3 for a statement of reasons for referral);
 - (d) the Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 12 November 2018 (see appendix 4 for a statement of reasons for referral);
 - (e) the *provisions* of the My Health Records Amendment (Strengthening Privacy) Bill 2018 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 8 October 2018 (see appendix 5 for a statement of reasons for referral);
 - (f) contingent upon introduction in the Senate, the Social Security Legislation Amendment (Community Development Program) Bill 2018 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 12 October 2018 (see appendix 6 for a statement of reasons for referral); and
 - (g) the Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by 23 November 2018 (see appendix 7 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:

- Customs Amendment (Pacific Agreement on Closer Economic Relations Plus Implementation) Bill 2018
 - Customs Tariff Amendment (Pacific Agreement on Closer Economic Relations Plus Implementation) Bill 2018
 - Therapeutic Goods Amendment (2018 Measures No. 1) Bill 2018
 - Tobacco Plain Packaging Amendment Bill 2018.
4. The committee deferred consideration of the following bill to its next meeting:
- Veterans' Entitlements Amendment Bill 2018.

(David Bushby)

Chair

23 August 2018

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

Name of bill:

Customs Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Partnership Implementation) Bill 2018

Customs Tariff Amendment (Comprehensive and Progressive Agreement for Trans-Pacific Implementation) Bill 2018

(to be originated in the House of Representatives on Thursday 23 August 2018)

Reasons for referral/principal issues for consideration:

Further scrutiny by non-government Senators.

Possible submissions or evidence from:

AFTINET, ACTU, The Australia Institute, Friends of the Earth, Productivity Commission, Australian Medical Association.

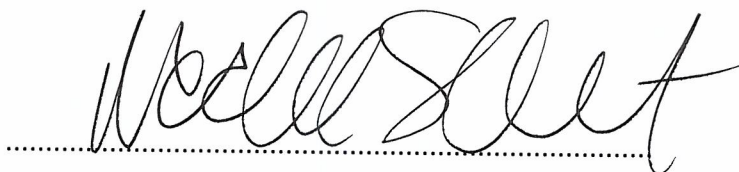
Committee to which bill is to be referred:

Senate Economics Legislative Committee

Possible hearing date(s):

Possible reporting date: 18th October

(signed)

A handwritten signature in black ink, appearing to read 'Rachel Siewert', written over a horizontal dotted line.

Print name:

Senator Rachel Siewert

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

Name of bill: Federal Circuit and Family Court of Australia Bill 2018; Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018

Reasons for referral/principal issues for consideration: concerns regarding the Federal Circuit's ability to absorb the functions of Family Court

Possible submissions or evidence from: Legal and family rights experts and advocates

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

Possible hearing date(s): 3-4 October 2018; 7-8 November 2018; 31 January-1February 2019

Possible reporting date: 15 April 2019 (after Professor Helen Rhoades delivers her report on the Review by the Australian Law Reform Commission of the Family Law System, on 31 March 2019)

(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:

- Federal Circuit and Family Court of Australia Bill 2018
Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018

Reasons for referral/principal issues for consideration:

- To understand the impacts on families across Australia by the sweeping changes to the family courts that would be brought about by these bills, and which have not been the subject of any exposure draft or public consultation;
- To hear the views of court officers, legal experts, stakeholder groups, and members of the Australian public, including from regional areas, who may have used the family courts, about the merits of the government's proposed reforms.

Possible submissions or evidence from:

- The Law Council of Australia;
- State and Territory Bar Associations'
- Womens' groups
- Parents' groups
- The Attorney-General's Department
- Community Legal Services
- Members of the public who have experience with the family courts

Committee to which bill is to be referred:

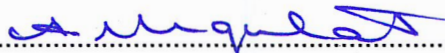
Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

15 April 2019



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Senator Anne Urquhart

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

Appendix 3

Name of Bill:

Freedom of Information Legislation Amendment (Improving access and transparency)

Reasons for referral/principal issues for consideration:

Impact and benefits

Affect on OAIC resources/processes

Possible submissions or evidence from:

OAIC / Attorney / Law Council / Media Organisations
Accountability Roundtable

Committee to which bill is to be referred:

Legal and Constitutional

Possible Hearing Date(s):"

Possible reporting date:

3- November 2018

Print Name: REX PATRICK



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

Name of Bill:

Intelligence Services Amendment

(Enhanced parliamentary oversight of Intelligence Agencies Bill 2018)

Reasons for referral/principal issues for consideration:

The need for operational oversight and the best mechanisms for achieving this.

Possible submissions or evidence from:

AFP	DIO	ONA	AGO
ASIO	Defence	IGIS	DFAT
ASIS	ASD	Home Affairs	

Committee to which bill is to be referred:

Finance and Public Administration (Intel Service coordinated from PM's Office)

Possible Hearing Date(s):"

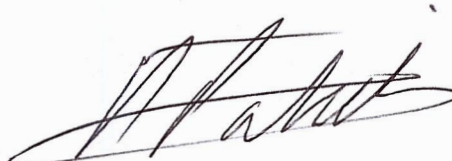
Possible reporting date:

H

November 2018

Print Name:

REX PATRICK



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

Name of bill: Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018

Reasons for referral/principal issues for consideration:

To understand:

- The impact of the proposed changes on the quality of parliamentary oversight;
- The views of the national intelligence community, affected agencies/departments, legal experts and members of civil society and the wider Australian community with an interest in the oversight of our intelligence and security agencies;
- The interaction of the proposed changes with the ongoing reorganisation of the national intelligence community, and the recommendations of the 2017 Independent Intelligence Review.

Possible submissions or evidence from:

Department of the Prime Minister and Cabinet

Intelligence agencies

Department of Home Affairs

Department of the Attorney General

Law Council of Australia and other members of civil society who regularly submit to the PJCIS

Committee to which bill is to be referred:

Senate Finance and Public Administration Legislation Committee is the appropriate committee because:

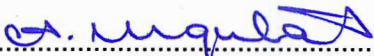
- The Department of the Prime Minister and Cabinet ultimately has oversight of intelligence matters.
- The Office of National Intelligence Bill 2018 would establish the ONI as an independent statutory agency within the Prime Minister's portfolio reporting directly to the Prime Minister.
- Appointments to the PJCIS are made by the Prime Minister (and the leader of the government in the Senate)

Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

12 November 2018


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Senator Anne Urquhart

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

Name of bill:

My Health Records Amendment (Strengthening Privacy) Bill 2018

Reasons for referral/principal issues for consideration:

Range of privacy and security concerns about the implementation of the My Health Record (particularly the opt out system) and the adequacy of the bill in addressing these concerns

Possible submissions or evidence from:

See attached list

Committee to which bill is to be referred:

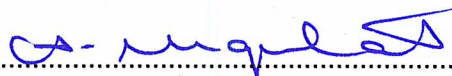
Senate Community Affairs Legislation Committee

Possible hearing date(s):

To be determined by the Committee

Possible reporting date:

Monday 8 October 2018



Senator Anne Urquhart

- Australian Digital Health Agency
- Department of Health
- Department of Human Services
- Digital Transformation Agency
- Office of the Australian Information Commissioner
- ACON
- Australian and New Zealand College of Anaesthetists
- Australian and New Zealand Society for Geriatric Medicine
- Australian College of Nurse Practitioners
- Australian College of Rural and Remote Medicine
- Australian Commission for Safety and Quality in Healthcare
- Australian Dental Association
- Australian Federation of Disability Organisations
- Australian Healthcare and Hospitals Association
- Australian Medical Association
- Australian Network on Disability
- Australian Nursing and Midwifery Federation
- Australian Primary Health Care Nurses Association
- Australian Privacy Foundation
- Breast Cancer Network Australia
- Bupa Australia
- Catholic Health Australia
- Children's Healthcare Australasia
- Choice
- Consumers Health Forum of Australia
- COTA Australia (Councils on the Aging)
- Diabetes Australia
- Federation of Ethnic Communities' Councils of Australia
- HCF
- Health Consumers' Council
- Health Issues Centre
- Institute for Urban Indigenous Health
- National LGBTI Health Alliance
- Medibank Private
- Mental Health Australia
- Menzies Centre for Health Policy
- MS Australia
- National Asthma Council of Australia
- National Farmers' Federation
- NIB Health Funds Ltd
- The National Aboriginal Community Controlled Health Organisation
- National Rural Health Alliance
- National Seniors Australia
- Palliative Care Australia
- Pharmacy Guild of Australia
- Public Health Association of Australia
- Royal Australasian College of Physicians
- Royal Australasian College of Surgeons
- Royal Australian College of General Practitioners
- The Australasian College for Emergency Medicine

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

Name of bill: Social Security Legislation Amendment (Community Development Program) Bill 2018

Reasons for referral/principal issues for consideration: Impact on Community Development Program participants

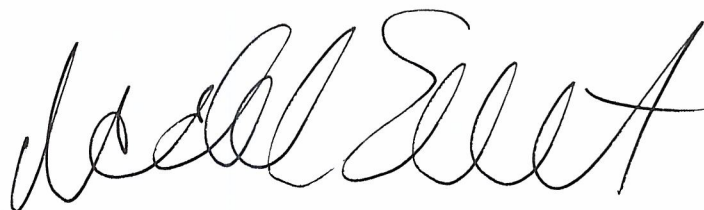
Possible submissions or evidence from: ACOSS, Ms Lisa Fowkes, Australian Unemployed Workers' Union, Dr Elise Klein, Dr Janet Hunt, Jobs Australia, Professor Jon Altman, Human Rights Law Centre, Australian Human Rights Commission, National Social Security Rights Network, National Employment Services Association, National Congress of Australia's First Peoples

Committee to which bill is to be referred: Community Affairs Legislation Committee

Possible hearing date(s):

Possible reporting date: 12 November 2018

(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:

Social Security Legislation Amendment (Community Development Program) Bill 2018

Reasons for referral/principal issues for consideration:

To provide CDP providers, academics and community leaders with an opportunity to scrutinise the legislation.

Possible submissions or evidence from:

CDP providers

Academics

APONT

Land Councils

Committee to which bill is to be referred:

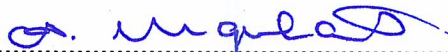
Senate Community Affairs Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

12 October 2018


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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 (Improving the Energy Efficiency of Rental Properties) Bill 2018.

Reasons for referral/principal issues for consideration:

The Bill is fundamentally an environmental measure. Therefore, the Bill is appropriate for review by an environment committee rather than an economics committee. Principal issues for consideration are policy options for how energy bills and energy demand can be reduced, specifically a) whether this policy is a robust and responsible first step to that end; and b) what steps should be taken for more ambitious policies to be successful.

Possible submissions or evidence from:

Australian Building Sustainability Association
ClimateWorks Australia
CSIRO
Low Carbon Living CRC
Australian Sustainability Built Environment Council
Energy Efficiency Council
Property Council of Australia
Pro Clima Australia
Australian Housing and Urban Research Institute
Green Building Council of Australia
Australian Institute of Refrigeration, Airconditioning and Heating
Insulation Council of Australia and New Zealand
Australian Window Association
ACOSS
University of Melbourne
RMIT University
University of Adelaide
University of Wollongong
Real Estate Institute of Australia
Department of the Environment and Energy

Committee to which bill is to be referred:

Environment and Communications Legislation Committee.

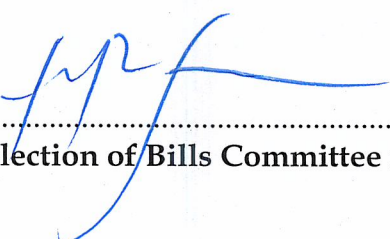
Possible hearing date(s):

October.

Possible reporting date:

23 November 2018.

(signed)


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Whip / Selection of Bills Committee member

**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 9TH REPORT OF 2018—
AMENDMENT AGREED TO BY THE SENATE ON
THURSDAY, 23 AUGUST 2018**

At the end of the motion, add, “but, and, in respect of the provisions of the Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018, the Legal and Constitutional Affairs Legislation Committee report by 15 April 2019.”.