

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2019

4 July 2019

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 Cory Bernardi

Senator Raff Ciccone

Senator Katy Gallagher

Senator the Hon James McGrath

Senator the Hon Anne Ruston

Secretary: Rachel Callinan
 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 2 OF 2019

1. The committee met in private session on Wednesday, 3 July 2019 at 7.33 pm.
2. The committee recommends that—
 - (a) contingent on restoration, the Coal-Fired Power Funding Prohibition Bill 2017 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 2 December 2019 (see appendix 1 for a statement of reasons for referral);
 - (b) contingent on restoration, the Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 5 December 2019 (see appendix 2 for a statement of reasons for referral);
 - (c) contingent on restoration, the Ministers of State (Checks for Security Purposes) Bill 2019 be ***referred immediately*** to the Finance and Public Administration Legislation Committee for inquiry and report by 11 November 2019 (see appendix 3 for a statement of reasons for referral);
 - (d) contingent on restoration, the Murray-Darling Basin Commission of Inquiry Bill 2019 be ***referred immediately*** to the Environment and Communications Legislation Committee for inquiry and report by 19 September 2019 (see appendix 4 for a statement of reasons for referral);
 - (e) contingent upon introduction in the House of Representatives, the ***provisions*** of the Criminal Code Amendment (Agricultural Protection) Bill 2019 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 6 September 2019 (see appendix 5 for a statement of reasons for referral);
 - (f) contingent upon introduction in the House of Representatives, the ***provisions*** of the Customs Amendment (Immediate Destruction of Illicit Tobacco) Bill 2019 be ***referred immediately*** to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 19 July 2019 (see appendix 6 for a statement of reasons for referral);
 - (g) contingent upon introduction in the House of Representatives, the provisions of the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019 be ***referred immediately*** to the Education and Employment Legislation Committee for inquiry and report by 25 October 2019 (see appendix 7 for a statement of reasons for referral);
 - (h) contingent upon introduction in the House of Representatives, the provisions of the Fair Work Laws Amendment (Proper Use of Worker Benefits) Bill 2019 ***referred immediately*** to the Education and Employment Legislation Committee for inquiry and report by 25 October 2019 (see appendix 8 for a statement of reasons for referral);
 - (i) contingent upon introduction in the House of Representatives, the ***provisions*** of the Migration Amendment (Repairing Medical Transfers) Bill 2019 be ***referred***

immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 18 October 2019 (see appendix 9 for a statement of reasons for referral);

- (j) contingent upon introduction in the House of Representatives, the provisions of the Migration Amendment (Strengthening the Character Test) Bill 2019 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 September 2019 (see appendix 10 for a statement of reasons for referral);
- (k) contingent upon introduction in the House of Representatives, the provisions of the Migration Legislation Amendment (Regional Processing Cohort) Bill 2019 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 13 September 2019 (see appendix 11 for a statement of reasons for referral); and
- (l) contingent upon introduction in the House of Representatives, the *provisions* of the Treasury Laws Amendment (Putting Members' Interests First) Bill 2019 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 18 October 2019 (see appendix 12 for a statement of reasons for referral).

3. The committee recommends that the following bills *not* be referred to committees:

- Australian Multicultural Bill 2018
- Australian Research Council Amendment (Ensuring Research Independence) Bill 2018
- Commonwealth Electoral Amendment (Lowering Voting Age and Increasing Voter Participation) Bill 2018
- Competition and Consumer Amendment (Truth in Labelling-Palm Oil) Bill 2017
- Environment and Infrastructure Legislation Amendment (Stop Adani) Bill 2017
- Freedom of Information Legislation Amendment (Improving Access and Transparency) Bill 2018
- Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018
- Higher Education Support (Charges) Bill 2019
- Higher Education Support (Cost Recovery) Bill 2019
- Live Animal Export (Slaughter) Prohibition Bill 2019
- Water Amendment (Indigenous Authority Member) Bill 2019.

4. The committee deferred consideration of the following bills to its next meeting:

- Agriculture Legislation Repeal Bill 2019
- Air Services Amendment Bill 2018
- Australian Cannabis Agency Bill 2018
- Australian Institute of Health and Welfare Amendment (Assisted Reproduction Treatment Statistics) Bill 2019
- Australian Security Intelligence Organisation Amendment (Sunsetting of Special Powers Relating to Terrorism Offences) Bill 2019
- Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019
- Broadcasting Services Amendment (Audio Description) Bill 2019

- Civil Aviation Amendment Bill 2019
- Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
- Constitution Alteration (Water Resources) 2019
- Counter-Terrorism (Temporary Exclusion Orders) Bill 2019
Counter-Terrorism (Temporary Exclusion Orders) (Consequential Amendments) Bill 2019
- Crimes Legislation Amendment (Police Powers at Airports) Bill 2019
- Discrimination Free Schools Bill 2018
- Farm Household Support Amendment Bill 2019
- Galilee Basin (Coal Prohibition) Bill 2018
- Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019
- Landholders' Right to Refuse (Gas and Coal) Bill 2015
- Migration Amendment (Streamlining Visa Processing) Bill 2019
- Military Rehabilitation and Compensation amendment (Single Treatment Pathway) Bill 2019
- National Disability Insurance Scheme Amendment (Worker Screening Database) Bill 2019
- National Health Amendment (Pharmaceutical Benefits) Bill 2019
- National Integrity Commission Bill 2018 (No. 2)
- National Rental Affordability Scheme Amendment Bill 2019
- Nuclear Fuel Cycle (Facilitation) Bill 2017
- Regional Forest Agreements Legislation (Repeal) Bill 2017
- Road Vehicle Standards Legislation Amendment Bill 2019
- Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
- Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019
- Timor Sea Maritime Boundaries Treaty Consequential Amendment Bill 2019
Passenger Movement Charge Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
- Treasury Laws Amendments (2018 Measures No. 2) Bill 2019
- Treasury Laws Amendment (Combatting Illegal Phoenixing) Bill 2019
- Treasury Laws Amendment (Making Sure Multinationals Pay Their Fair Share of Tax in Australia and Other Measures) Bill 2019
- Treasury Laws Amendment (Tax Relief So Working Australia's Keep More Of Their Money) Bill 2019.

(Dean Smith)

Chair

4 July 2019

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

Name of bill: Coal-Fired Power Funding Prohibition Bill

Reasons for referral/principal issues for consideration:

Soon the Government may announce projects they are underwriting as part of their program for new power generation and there is a risk it will include underwriting coal generation projects, exposing the Commonwealth and taxpayers to significant financial and climate risk.

Possible submissions or evidence from:

The Australia Institute
Investor Group on Climate Change
Beyond Zero Emissions

Committee to which bill is to be referred:

Environment and Communications Legislation Committee

Possible hearing date(s):

Possible reporting date: 2nd December 2019

(signed)



Print name: Senator Rachel Siewert

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

Name of bill: Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019

Reasons for referral/principal issues for consideration: to hear from relevant stakeholders about the impact of this Bill on their livelihoods and from experts in Arts Law.

Possible submissions or evidence from: Indigenous Art Code, Aboriginal Art Association of Australia, Association of Northern, Kimberley and Arnhem Aboriginal Artists, Allens Linklaters, Arts Law Centre of Australia, Art dealers, Art departments of local and state government, Indigenous Artists.

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

Possible hearing date(s): September and October 2019

Possible reporting date: 5 December 2019

(signed)



Print name: Senator Rachel Siewert

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

Name of bill:

Minister of State (Checks for Security Purposes)
Bill 2019

Reasons for referral/principal issues for consideration:

Bill raises important question of security
checks for ministers of state

Possible submissions or evidence from:

Defence PM and C
AFP AG
ASIO Law Council

Committee to which bill is to be referred:

F.P.A.

Possible hearing date(s):

As determined by committee

Possible reporting date:

11 November 2019

(signed)


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Print name:

REX PATRICK

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

Name of bill: Murray-Darling Basin Commission of Inquiry Bill 2019

Reasons for referral/principal issues for consideration: To hear from stakeholders about the issues they would like considered in a Commission of Inquiry and further hone the terms of reference.

Possible submissions or evidence from: the Wentworth Group, Southern Riverina Irrigators, The Australia Institute, River Fellowship, Friends of the Earth, The Wilderness Society, Conservation Council SA, David Papps, Australian Conservation Foundation, National Farmer's Federation, National Irrigator's Council.

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

Possible hearing date(s): August 2019

Possible reporting date: September 19, 2019

(signed)



Print name: _____ Senator Rachel Siewert _____

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Criminal Code Amendment (Agricultural Protection) Bill 2019

Reasons for referral/principal issues for consideration:

As with any legislation that makes conduct that has until now been lawful into a criminal offence, it is important to ensure that an appropriate balance is struck between the conduct being prohibited and the harm to be prevented, and that there are no unintended adverse consequences from the new laws.

The Attorney-General said the new laws would include “appropriate exemptions for bona-fide journalists and for situations where the information being released shows a law being broken, such as whistleblowing on animal cruelty.”

Given widespread current concerns about the efficacy of whistleblower protections and recent examples of threats to the free press and to the public’s right to know in this country, as well as the desire many Australians have to end illegal cruelty to animals, it is appropriate that this bill be referred to committee so that the prohibitions it introduces and adequacy of the exemptions it contains can be subject to public scrutiny input.

Possible submissions or evidence from:

- Law Council of Australia
- National Farmers Federation
- Meat & Livestock Australia
- RSPCA
- Animals Australia

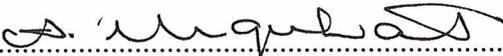
Committee to which bill is to be referred:

Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s): August

Possible reporting date: Fri 6 September 2019

(signed)


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Whip / Selection of Bills Committee member

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

Name of bill: *Criminal Code Amendment (Agricultural Protection) Bill 2019*

Reasons for referral/principal issues for consideration: Human and digital rights concerns. Essentially anti-protest legislation, on top of the *Privacy Amendment (Protection of Australian Farms) Regulations 2019 (Cth) (Protection of Australian Farms Regulations)*, which commenced on 6 April 2019.

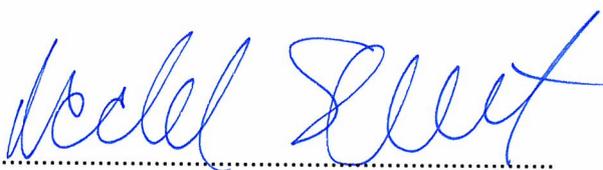
Possible submissions or evidence from: legal and human rights experts and advocates such as The Law Council of Australia, Australian Lawyers for Human Rights, Australian Human Rights Commission, and Civil Liberties Australia.

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

Possible hearing date(s): 22-23 August 2019

Possible reporting date: 17 September 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:

Customs Amendment (Immediate Destruction of Illicit Tobacco) Bill 2019

Reasons for referral/principal issues for consideration:

To inquire into the contents of the Bill and allow stakeholders to inform the Committee of detailed concerns.

Possible submissions or evidence from:

Various stakeholders

Committee to which bill is to be referred:

Legal and Constitutional *Legislation Committee*

Possible hearing date(s):

Possible reporting date: *6 September 2019*

(signed)

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[Signature]
Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Fair Work (Registered Organisations) Amendment (Ensuring Integrity Bill) 2019*

Reasons for referral/principal issues for consideration:

Complex issue

Workers need an opportunity to tell their stories / present their views

Engage with stakeholders

Possible submissions or evidence from:

All Unions

Any union members

Other relevant stakeholders

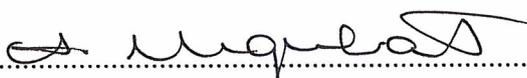
Committee to which bill is to be referred:

Education & Employment Legislation Committee

Possible hearing date(s):

Possible reporting date: 25 October 2019

(signed)


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Whip / Selection of Bills Committee member

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

Name of bill: Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019

Reasons for referral/principal issues for consideration:

The Bill is incompatible with International Labour Organisations (ILO) treaties and infringes on the rights of workers and their unions.

Possible submissions or evidence from:

Unions
Fair Work Commission
Fair Work Ombudsman

Committee to which bill is to be referred:

Education and Employment Legislation Committee

Possible hearing date(s):

Possible reporting date:

(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: Fair Work Laws Amendment (Proper Use of Workers Benefits) Bill 2019

Reasons for referral/principal issues for consideration:

Impacts on the ability of workers and their unions to collectively determine how to spend their money. Submissions in previous inquiry noted the bill contravened International Labour Organisations (ILO) treaties.

Possible submissions or evidence from:

Unions
Fair Work Commission
Fair Work Ombudsman

Committee to which bill is to be referred:

Education and Employment Legislation Committee

Possible hearing date(s):

Possible reporting date:

(signed)



Print name: Senator Rachel Siewert

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: *Fair Work Laws Amendment (Proper Use of Worker Benefits) Bill 2019*

Reasons for referral/principal issues for consideration:

Complex issue

Workers need an opportunity to tell their stories / present their views

Engage with stakeholders

Possible submissions or evidence from:

All Unions

Any union members

Other relevant stakeholders

Committee to which bill is to be referred:

Education & Employment Legislation Committee

Possible hearing date(s):

Possible reporting date: 25 October 2019

(signed)


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Whip / Selection of Bills Committee member

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

Name of bill: *Migration Amendment (Repairing Medical Transfers) Bill 2019*

Reasons for referral/principal issues for consideration: Repeals the Medevac Legislation, which was an amendment, sponsored by Senators Storer and McKim, to the *Home Affairs Legislation Amendment (Miscellaneous Measures) Bill 2018*, and passed with the support of Centre Alliance, the Australian Labor Party and the Greens, independent Banks, McGowan, Phelps, and Wilkie in the House, and independent Hinch in the Senate.

Possible submissions or evidence from: refugee and medical experts and advocates such as The Law Council of Australia, the Human Rights Law Centre, the Refugee Council, the Kaldor Centre, and the Royal Australasian College of Physicians.

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

Possible hearing date(s): 28-30 August 2019

Possible reporting date: 19 September 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:

Migration Amendment (Repairing Medical Transfers) Bill 2019

Reasons for referral/principal issues for consideration:

To inquire into the contents of the Bill and allow stakeholders to inform the Committee of detailed concerns.

Possible submissions or evidence from:

Refugee, legal, civil society, national security and other stakeholders

Committee to which bill is to be referred:

Legal and Constitutional *Legislation Committee*

Possible hearing date(s):

Possible reporting date:

18 October 2019

(signed)

.....*[Signature]*.....
Whip / Selection of Bills Committee member

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

Migration Amendment (Strengthening the Character Test) Bills 2019

Reasons for referral/principal issues for consideration:

To inquire into the contents of the Bill and allow stakeholders to inform the Committee of detailed concerns.

Possible submissions or evidence from:

Refugee, legal, civil society, national security and other stakeholders

Committee to which bill is to be referred:

Legal and Constitutional *Legislation Committee*

Possible hearing date(s):

Possible reporting date: *18 October 2019*

(signed)


.....
Whip / Selection of Bills Committee member

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

Name of bill: *Migration Amendment (Strengthening the Character Test) Bills 2019*

Reasons for referral/principal issues for consideration: This will lower an already low bar for refusing or cancelling the visas of non-citizens, for reasons such as sharing intimate images, verbally threatening someone, associating with members of a gang, or holding a rock in a threatening way.

Possible submissions or evidence from: legal and human rights experts and advocates such as the Law Council of Australia, Human Rights Law Centre, Civil Liberties Australia, Kaldor Centre for International Refugee Law, Refugee Advice and Casework Service, Immigration and Advice and Rights Centre, and Refugee and Immigration Legal Service.

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

Possible hearing date(s): 25-27 September 2019

Possible reporting date: 17 October 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: *Migration Legislation Amendment (Regional Processing Cohort) Bill 2019*
[otherwise known as the lifetime visa ban bill]

Reasons for referral/principal issues for consideration: Human rights laws and obligations.

Possible submissions or evidence from: legal and human rights experts and advocates such as the Law Council of Australia, Human Rights Law Centre, Civil Liberties Australia, Kaldor Centre for International Refugee Law, Refugee Advice and Casework Service, Immigration and Advice and Rights Centre, and Refugee and Immigration Legal Service.

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

Possible hearing date(s): 9-11 October 2019

Possible reporting date: 25 November 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:

Migration Legislation Amendment (Regional Processing Cohort) Bill 2019

Reasons for referral/principal issues for consideration:

To inquire into the contents of the Bill and allow stakeholders to inform the Committee of detailed concerns.

Possible submissions or evidence from:

Refugee, legal, civil society, national security and other stakeholders

Committee to which bill is to be referred:

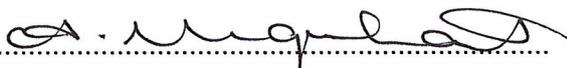
Legal and Constitutional *Legislation Committee*

Possible hearing date(s):

Possible reporting date:

18 October 2019

(signed)



Whip / Selection of Bills Committee member

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

Name of bill:

- Treasury Laws Amendment (Putting Members' Interests First) Bill 2019

Reasons for referral/principal issues for consideration:

- To understand the impact of the level of insurance taken out by affected superannuation members.
- To examine the interaction between this Bill and the recommendation of the Royal Commission to establish universal terms and conditions for insurance through default superannuation, and the proposed Product Commission inquiry into insurance through default superannuation.

Possible submissions or evidence from:

- Economists
- Superannuation funds
- Trade unions

Committee to which bill is to be referred:

- Economics Legislation

Possible hearing date(s):

- Weeks starting 8 July 2019, and 15 July 2019

Possible reporting date:

- 22 July 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: Treasury Laws Amendment (Putting members' Interests First) Bill 2019.

Reasons for referral/principal issues for consideration:

To inquire into the contents of the Bill & allow stakeholders to inform the Committee of detailed concerns.

Possible submissions or evidence from:

- Unions
- other stakeholders.
- Industry Groups (Financial Services)

Committee to which bill is to be referred:

• Economics, Legislation Committee

Possible hearing date(s):

For Committee to determine.

Possible reporting date:

18 October, 2019.

(signed)

.....A. Urquhart.....

Print name:

Anne Urquhart

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

Name of bill:

- Treasury Laws Amendment (Tax Relief So Working Australians Keep More Of Their Money) Bill 2019

Reasons for referral/principal issues for consideration:

- To understand the impact of the proposed changes to the personal income tax system on the Australian economy, including economic growth, inflation, wages, productivity and aggregate demand.

Possible submissions or evidence from:

- Economists
- Civil society
- Trade unions
- Business groups
- Financial regulators

Committee to which bill is to be referred:

- Economics Legislation

Possible hearing date(s):

- Weeks starting 8 July 2019, and 15 July 2019.

Possible reporting date:

- 22 July 2019

(signed)

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Print name: Senator Rachel Siewert