

# **SELECTION OF BILLS COMMITTEE**

## **REPORT NO. 3 OF 2019**

*25 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. 3 OF 2019

1. The committee met in private session on Wednesday, 24 July 2019 at 7.17 pm.
2. The committee recommends that—
  - a) the Australian Institute of Health and Welfare Amendment (Assisted Reproductive Treatment Statistics) Bill 2019 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 11 November 2019 (see appendix 1 for a statement of reasons for referral);
  - b) the *provisions* of the Treasury Laws Amendment (2019 Tax Integrity and Other Measures No. 1) Bill 2019 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 5 September 2019 (see appendix 2 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
  - Agriculture Legislation Repeal Bill 2019
  - Aged Care Amendment (Movement of Provisionally Allocated Places) Bill 2019
  - Australian Cannabis Agency Bill 2018
  - Australian Veterans' Recognition (Putting Veterans and Their Families First) Bill 2019
  - Broadcasting Services Amendment (Audio Description) Bill 2019
  - Farm Household Support Amendment Bill 2019
  - Health Insurance Amendment (Bonded Medical Programs Reform) Bill 2019
  - National Health Amendment (Pharmaceutical Benefits) Bill 2019
  - Timor Sea Maritime Boundaries Treaty Consequential Amendments Bill 2019
  - Passenger Movement Charge Amendment (Timor Sea Maritime Boundaries Treaty) Bill 2019
  - Treasury Laws Amendment (2018 Measures No. 2) Bill 2019
  - Treasury Laws Amendment (Combating 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 (Timor Sea Maritime Boundaries Treaty) Bill 2019.
4. The committee deferred consideration of the following bills to its next meeting:
  - Air Services Amendment Bill 2018
  - Combatting Child Sexual Exploitation Legislation Amendment Bill 2019
  - Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
  - Constitution Alteration (Water Resources) 2019
  - Discrimination Free Schools Bill 2018
  - Galilee Basin (Coal Prohibition) Bill 2018
  - Great Australian Bight Environment Protection Bill 2019
  - Human Rights (Parliamentary Scrutiny) Amendment (Australian Freedoms) Bill 2019
  - Human Services Amendment (Photographic Identification and Fraud Prevention) Bill 2019

- Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Bill 2019
  - Landholders' Right to Refuse (Gas and Coal) Bill 2015
  - Military Rehabilitation and Compensation Amendment (Single Treatment Pathway) Bill 2019
  - National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019
  - National Integrity Commission Bill 2018 (No. 2)
  - National Sports Tribunal Bill 2019  
National Sports Tribunal (Consequential Amendments and Transitional Provisions) Bill 2019
  - Nuclear Fuel Cycle (Facilitation) Bill 2017
  - Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Amendments) Bill 2019  
Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Bill 2019
  - Plebiscite (Future Migration Level) Bill 2018
  - Regional Forest Agreements Legislation (Repeal) Bill 2017
  - Royal Commissions Amendment (Private Sessions) Bill 2019
  - Social Security (Administration) Amendment (Cashless Welfare) Bill 2019
  - Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
  - Social Services Legislation Amendment (Overseas Welfare Recipients Integrity Program) Bill 2019
  - Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019
  - Tertiary Education Quality and Standards Agency Amendment Bill 2019
  - Treasury Laws Amendment (2018 Superannuation Measures No. 1) Bill 2019
  - Treasury Laws Amendment (Consumer Data Right) Bill 2019.
5. The committee considered the following bills but was unable to reach agreement:
- Australian Security Intelligence Organisation Amendment (Sunsetting of Special Powers Relating to Terrorism Offences) Bill 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
  - Migration Amendment (Streamlining Visa Processing) Bill 2019

(see appendix 3, 4, 5 and 6 for statements of reasons for referrals).

(Dean Smith)

**Chair**

25 July 2019

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

**Name of bill:**

Australian Institute of Health and Welfare Amendment (Assisted Reproductive Treatment Statistics) Bill 2019

**Reasons for referral/principal issues for consideration:**

To assess operation of proposed reforms; to assess other factors that influence success rates such as selection criteria imposed by IVF clinics

**Possible submissions or evidence from:**

AIHW

Fertility Society of Australia

IVF Directors

Individual fertility clinics

Specialists including Dr Rob Norman and Dr Richard Henshaw

Embryo Donation Network

National Perinatal Epidemiology and Statistics Unit and ANZARD team at UNSW

VARTA

Vic Health Complaints Commissioner

ACCC

**Committee to which bill is to be referred:**

Community Affairs

**Possible hearing date(s):**

As determined by committee

**Possible reporting date:**

11 November 2019



Senator Stirling Griff

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

Name of bill:

Treasury Laws Amendment (2019 Tax Integrity and Other Measures No. 1) Bill 2019

Reasons for referral/principal issues for consideration:

To consider the detail and implementation arrangements of the measures.

Possible submissions or evidence from:

Treasury, ATO

Committee to which bill is to be referred:

Senate Economics Legislation Committee

Possible hearing date(s):

**To be determined by the committee**

Possible reporting date:

5 September 2019

  
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Senator Anne Urquhart

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

Name of bill: Australian Security Intelligence Organisation Amendment (Sunsetting of Special Powers Relating to Terrorism Offences) Bill 2019

Reasons for referral/principal issues for consideration: Human rights concerns

Possible submissions or evidence from: Human rights and legal experts and stakeholders

Committee to which bill is to be referred: legal and constitutional affairs

Possible hearing date(s): October 3-4

Possible reporting date: October 17

(signed)



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Print name: \_\_\_\_\_

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

Name of bill: *Counter-Terrorism (Temporary Exclusion Orders) Bill 2019; Counter-Terrorism (Temporary Exclusion Orders) (Consequential Amendments) Bill 2019*

Reasons for referral/principal issues for consideration: to ensure bill adheres to international human rights and security obligations.


Possible submissions or evidence from: United Nations, Human Rights Law Centre

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

Possible hearing date(s): 8-9 August 2019

Possible reporting date: 9 September 2019

(signed)



Print name: Senator Rachel Siewert



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

Name of bill: Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

Reasons for referral/principal issues for consideration: Human rights concerns – could lead to racial profiling and police state enforcement. Despite civilians not being required to carry identification, this bill will empower law enforcement officers to eject from airports, ban from flights, fine, or even imprison civilians – travellers or otherwise – if they are unable to produce identification when demanded. Offices may demand identification from civilians if he/she “suspects ... that the person has committed, is committing, or intends to commit an offence [or] considers on reasonable grounds that it is necessary ... to safeguard aviation security”. This could lead situations like “Operation Fortitude” a multi-agency operation in 2015 that saw the ABF, police, and transport officers using racial profiling to do random spot-checks on visas (despite there being now requirement for visa holders to be carrying those documents on their person)

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): 14-16 August 2019

Possible reporting date: 12 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 (Streamlining Visa Processing) Bill 2019*

Reasons for referral/principal issues for consideration: Human rights concerns, as it will discriminate against particular cohorts of applicants.

Possible submissions or evidence from: legal and human rights experts and advocates such as The Law Council of Australia, and the Human Rights Law Centre.

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

Possible hearing date(s): 5-6 September 2019

Possible reporting date: 14 October 2019

(signed)



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Print name:

Senator Rachel Siewert

**SELECTION OF BILLS COMMITTEE—  
PRESENTATION OF 3RD REPORT OF 2019—  
AMENDMENT AGREED TO BY THE SENATE ON  
THURSDAY, 25 JULY 2019**

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At the end of the motion, add “and:

- (a) in respect of the National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019, contingent upon introduction in the Senate, the bill be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 6 September 2019; and
- (b) the following bills not be referred to committees:
  - Australian Security Intelligence Organisation Amendment (Sunsetting of Special Powers Relating to Terrorism Offences) Bill 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
  - Migration Amendment (Streamlining Visa Processing) Bill 2019”.