

SELECTION OF BILLS COMMITTEE

REPORT NO. 5 OF 2019

12 September 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. 5 OF 2019

1. The committee met in private session on Wednesday, 11 September 2019 at 6.45pm.
2. The committee recommends that—
 - (a) the Constitution Alteration (Water Resources) 2019 be *referred immediately* to the Select Committee on the Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan for inquiry and report by 1 November 2020 (see appendix 1 for a statement of reasons for referral);
 - (b) the *provisions* of the Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 7 November 2019 (see appendix 2 for a statement of reasons for referral);
 - (c) the *provisions* of the New Skilled Regional Visas (Consequential Amendments) Bill 2019 be *referred immediately* to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 11 October 2019 (see appendix 3 for a statement of reasons for referral);
 - (d) the *provisions* of the Emergency Response Fund Bill 2019 and the Emergency Response Fund (Consequential Amendments) Bill 2019 be *referred immediately* to the Finance and Public Administration Legislation Committee for inquiry and report by 10 October 2019 (see appendix 4 for a statement of reasons for referral);
 - (e) contingent upon introduction in the House of Representatives, the *provisions* of the National Housing Finance and Investment Corporation Amendment Bill 2019 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 10 October 2019 (see appendix 5 for a statement of reasons for referral);
 - (f) the Product Stewardship Amendment (Packaging and Plastics) Bill 2019 be *referred immediately* to the Environment and Communications Legislation Committee for inquiry and report by the last sitting day in March 2020 (see appendix 6 for a statement of reasons for referral);
 - (g) the *provisions* of the Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019 be *referred immediately* to the Community Affairs Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 7 for a statement of reasons for referral); and
 - (h) the *provisions* of the Social Services Legislation Amendment (Drug Testing Trial) Bill 2019 be *referred immediately* to the Community Affairs Legislation Committee **but was unable to reach agreement on a reporting date** (see appendix 8 for a statement of reasons for referral).
3. The committee recommends that the following bills *not* be referred to committees:
 - Human Rights (Parliamentary Scrutiny) Amendment (Australian Freedoms) Bill 2019
 - Landholders' Right to Refuse (Gas and Coal) Bill 2015
 - National Health Amendment (Safety Net Thresholds) Bill 2019

- Nuclear Fuel Cycle (Facilitation) Bill 2017.
4. The committee deferred consideration of the following bills to its next meeting:
- Air Services Amendment Bill 2018
 - ANL Legislation Repeal Bill 2019
 - Constitution Alteration (Freedom of Expression and Freedom of the Press) 2019
 - Customs Amendment (Product Specific Rule Modernisation) Bill 2019
 - Customs Amendment (Safer Cladding) Bill 2019
 - Discrimination Free Schools Bill 2018
 - Great Australian Bight Environment Protection Bill 2019
 - Military Rehabilitation and Compensation Amendment (Single Treatment Pathway) Bill 2019
 - Paid Parental Leave Amendment (Work Test) Bill 2019
 - Regional Forest Agreements Legislation (Repeal) Bill 2017
 - Social Services Legislation Amendment (Better Targeting Student Payments) Bill 2019
 - Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018
 - Social Services Legislation Amendment (Payment Integrity) Bill 2019
 - Telecommunications Legislation Amendment (Unsolicited Communications) Bill 2019
 - Veterans' Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019
5. The committee considered the following bills but was unable to reach agreement:
- Australian Passports Amendment (Identity-matching Services) Bill 2019
 - Counter-Terrorism Legislation Amendment (2019 Measures No. 1) Bill 2019
 - Identity-matching Services Bill 2019.
- (see appendices 9, 10 and 11 for a statement of reasons for proposed referral).

(Dean Smith)

Chair

12 September 2019

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: Constitution Alteration (Water Resources) 2019

Reasons for referral/principal issues for consideration:

THE BILL DEALS WITH A HIGHLY COMPLEX NATIONAL ISSUE WHICH REQUIRE PROPER CONSIDERATION INFORMED BY EXPERT GROUPS AND AGENCIES OUTSIDE THE PARLIAMENT

Possible submissions or evidence from:

As determined by the Committee

Committee to which bill is to be referred: Senate Select Committee on the Multi-Jurisdictional Management and Execution of the Murray Darling Basin Plan - Jurisdictional Management and Execution of the Murray Darling Plan.

Possible hearing date(s):

As determined by the Committee

Possible reporting date: 1 November 2020

(signed)


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

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

Name of bill:

Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019

Reasons for referral/principal issues for consideration:

To ensure the bill is fit for purpose, appropriately drafted, does not result in unintended consequences and to allow stakeholders a chance to provide advice on any problems to be fixed or improvements that could be made.

Possible submissions or evidence from:

Law Council, various legal services, survivors of child sexual abuse and other victims groups, and other civil society organisations.

Committee to which bill is to be referred:

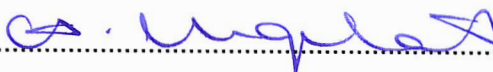
Senate and Constitutional Affairs Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

7 November 2019

.....


Senator Anne Urquhart

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

Name of bill: *Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019*

Reasons for referral/principal issues for consideration: Mandatory sentencing

Possible submissions or evidence from: Legal advocates and experts such as the Law Council of Australia, Australian Lawyers Alliance, Human Rights Law Centre.

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

Possible hearing date(s): 28-29 October 2019

Possible reporting date: 5 December 2019

(signed)



Print name: _____

Rachel Siewert

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

Name of bill: **New Skilled Regional Visas (Consequential Amendments) Bill 2019**

Reasons for referral/principal issues for consideration:

Further investigation and consultation with stakeholders on the impact of the legislation.

Possible submissions or evidence from:

Australia's universities; unions; employer groups; local governments; state/territory governments

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:

~~7 November 2019~~

11 OCTOBER 2019


.....

Senator Anne Urquhart

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

Name of bill:

EMERGENCY RESPONSE FUND BILL 2019

EMERGENCY RESPONSE FUND (CONSEQUENTIAL AMENDMENTS) BILL 2019

Reasons for referral/principal issues for consideration:

These bills make significant changes to existing arrangements, particularly to the Education Investment Fund, which merits proper investigation of the impacts of the changes.

Possible submissions or evidence from:

Department of Finance

Department of Home Affairs

Emergency Management Australia

Department of Education

Universities Australia

Group of Eight

Australian Technology Network

Innovative Research Universities

NUW Alliance

Regional Universities Network

Committee to which bill is to be referred:


Senate Finance and Public Administration Legislation Committee

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

10 October 2019



Senator Anne Urquhart

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

Name of bill:

- **NATIONAL HOUSING FINANCE AND INVESTMENT CORPORATION
AMENDMENT BILL 2019**

Reasons for referral/principal issues for consideration:

- **To understand the effect this bill will have on home ownership, property prices and housing stock.**

Possible submissions or evidence from:

- **Grattan Institute**
- **Major mortgage providers (banks)**
- **Housing Institute Australia**
- **Property Council**
- **Lenders mortgage insurance providers**

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:

10 October 2019



Senator Anne Urquhart

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:

- Product Stewardship Amendment (Packaging and Plastics) Bill 2019

Reasons for referral/principal issues for consideration:

- To evaluate the environmental and economic impacts of the Bill

Possible submissions or evidence from:

- Packaging and retail industry
- Waste and recycling industry
- Environment groups
- Environmental consultants
- Economists

Committee to which bill is to be referred:

- Environment & Communications

Possible hearing date(s):

- November 2019, or February 2020.

Possible reporting date:

- March 2020.

(signed)

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

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

Name of bill: Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019

Reasons for referral/principal issues for consideration: evidence about effectiveness of compulsory income management, impact of compulsory income management on people in NT, extent to which communities have been consulted and involved in decision making,

Possible submissions or evidence from: Aboriginal Peak Organisations Northern Territory, Tanageria council, Arnhem Land Progress Association, Northern Territory Council of Social Service, Jesuits, St Vincent de Paul Society, Human Rights Law Commission, National Aboriginal Community Controlled Health Organisation, Australian Human Rights Commission, Anglicare Australia, Dr Elise Klein, Dr Shelley Bielefeld, Dr Janet Hunt, UnitingCare Australia, Accountable Income Management Network, Royal Australian and New Zealand College of Psychiatrists

Committee to which bill is to be referred: Community Affairs

Possible hearing date(s):

Possible reporting date: *Nov 28th*

(signed)



.....

Print name: _____ Rachel Siewert _____

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

Name of bill:

Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019

Reasons for referral/principal issues for consideration:

- Operational effectiveness of the cashless debit card
- Racial discrimination – application of the policy to the NT
- Auditor General's concerns about the cashless debit card
- Consultation with effected communities

Possible submissions or evidence from:

- NT communities
- Social services organisations
- Medical and allied health services
- Indue
- NT and Qld Government

Committee to which bill is to be referred:

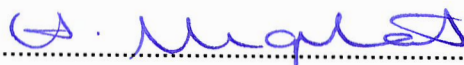
Community Affairs

Possible hearing date(s):

To be determined by the committee

Possible reporting date:

7 November 2019


.....

Senator Anne Urquhart

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

Name of bill: Social Services Legislation Amendment (Drug Testing Trial) Bill 2019

Reasons for referral/principal issues for consideration: Need for proper consultation with the sector and the lack of evidence to support drug testing of income support recipients.

Possible submissions or evidence from: Royal Australian and New Zealand College of Psychiatrists, Public Health Association of Australia, National Drug and Alcohol Research Centre, St Vincent de Paul Society, Mission Australia, Australian Council of Social Service, Catholic Social Services Australia, Salvation Army, UnitingCare Australia, Australian Human Rights Commission, Australian Medical Association, St Vincent's Health Australia, Royal Australasian College of Physicians

Committee to which bill is to be referred: Community Affairs

Possible hearing date(s):

Possible reporting date: *Nov 27th*

(signed)

Rachel Siewert
.....

Print name: Rachel Siewert

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

Name of bill:

Social Services Legislation Amendment (Drug Testing Trial) Bill 2019

Reasons for referral/principal issues for consideration:

- Confirm operational arrangements
- Seek expert advice on effectiveness of proposed policy
- Consult with impacted communities

Possible submissions or evidence from:

- Local communities
- Social services organisations
- Medical and allied health services
- Addiction specialists
- Local and state governments

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:

11 October 2019



Senator Anne Urquhart

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

Name of bill: Australian Passports Amendment (Identity-matching Services) Bill 2019

Reasons for referral/principal issues for consideration: Concerns regarding digital and legal rights, including privacy (and compatibility with *Privacy Act 1988*).


Possible submissions or evidence from: Legal and digital rights experts such as the Law Council of Australia, Australian Lawyers Alliance, Human Rights Law Centre, Digital Rights Watch, and Electronic Frontiers Australia.

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

Possible hearing date(s): 10-11 October 2019

Possible reporting date: 25 November

(signed)

.....


Print name:

Rachel Siewers

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

Name of bill: Counter-Terrorism Legislation Amendment (2019 Measures No.1) Bill 2019

Reasons for referral/principal issues for consideration: All counter-terrorism bills will have an impact on human rights, and thus warrant public and Committee scrutiny.

Possible submissions or evidence from: Legal experts such as the Law Council of Australia, Australian Lawyers Alliance, Human Rights Law Centre, and the International Justice Mission.

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

Possible hearing date(s): 18-19 November 2019

Possible reporting date: 5 December 2019

(signed) 

Print name: Rachel Sweet

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

Name of bill: Identity-matching Services Bill 2019

Reasons for referral/principal issues for consideration: Concerns regarding digital and legal rights, including privacy (and compatibility with *Privacy Act 1988*).

Possible submissions or evidence from: Legal and digital rights experts such as the Law Council of Australia, Australian Lawyers Alliance, Human Rights Law Centre, Digital Rights Watch, and Electronic Frontiers Australia.

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

Possible hearing date(s): 21-22 November 2019

Possible reporting date: third day of February 2020

(signed)

.....

Print name:



**SELECTION OF BILLS COMMITTEE—
PRESENTATION OF 5TH REPORT OF 2019—
AMENDMENT AGREED TO BY THE SENATE ON
12 SEPTEMBER 2019**

At the end of the motion, add, “but:

- (a) in respect of the Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019, the Community Affairs Legislation Committee report by 7 November 2019;
- (b) in respect of the Social Services Legislation Amendment (Drug Testing Trial) Bill 2019, the Community Affairs Legislation Committee report by 10 October 2019; and
- (c) the following bills not be referred to committees:
 - Australian Passports Amendment (Identity-matching Services) Bill 2019
 - Counter-Terrorism Legislation Amendment (2019 Measures No. 1) Bill 2019
 - Identity-matching Services Bill 2019
 - Veterans’ Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019
 - ANL Legislation Repeal Bill 2019”.