



AUSTRALIAN SENATE

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CLERK OF THE SENATE

rm.let.17247

21 May 2010

Hon Judy Spence MP  
Chair  
Committee System Review Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

**RECEIVED**  
21 MAY 2010  
Committee System Review  
Committee

11-1

Sub# 21.

Dear Madam Chair

**REVIEW OF THE COMMITTEE SYSTEM OF THE QUEENSLAND PARLIAMENT  
AUSTRALIAN SENATE SUBMISSION**

Thank you for the opportunity to provide a submission to the committee's inquiry. I attach a submission explaining the structure and operations of the Senate committee system with a particular focus on the scrutiny of bills and estimates of expenditure.

Yours sincerely

(Rosemary Laing)

(Rosemary Laing)

(Rosemary Laing)



# **The Senate committee system—legislative oversight and accountability mechanisms**

## **Introduction**

1.1 Senate committees play a significant role in undertaking the scrutiny of policy, legislation and financial measures. While the Senate established the Regulations and Ordinances Committee in 1932, until 1970 inquiries into both general issues and consideration of bills was undertaken by select committees appointed on an *ad hoc* basis and the Senate itself (in the committee of the whole) considered government expenditure. In 1970, the Senate established the modern committee system with the appointment of seven legislative and general purpose standing committees and five estimates committees. These committees provide a systematic and comprehensive mechanism of legislative oversight and scrutiny of all government activity. Today, select committees are established from time to time to undertake specific inquiries, however, the legislative and general purpose standing committees conduct the majority of Senate committee work.

1.2 The Senate's authority for the operation of committees is found in the Commonwealth Constitution (specifically, under sections 49 and 50) and the Standing Orders and other orders of the Senate.

## **Senate legislative and general purpose standing committees**

1.3 In 1994, the Senate committee structure was reformed. Pairs of legislative and general purpose standing committees were created for each of eight portfolio areas: references committees (with a non-government chair) to conduct general inquiries and legislation committees (with a government chair) to conduct estimates, legislation inquiries and to oversight the performance of departments and agencies. This new structure was seen as being more responsive to the composition of the Senate and providing a more efficient structure.<sup>1</sup>

1.4 In 2004, the references and legislation committees were again amalgamated into one legislative and general purpose standing committee for each portfolio area (with a government chair). In May 2009, the committees reverted to the 1994 structure of pairs of committees.

1.5 Standing order 25<sup>2</sup> provides for the establishment of the eight pairs of legislative and general purpose standing committees. The allocation of the portfolios to the standing committees is by motion in the Senate, moved by a minister at the

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<sup>1</sup> Laing, R (ed), *Annotated Standing Orders of the Australian Senate*, 2009, p. 135.

<sup>2</sup> A copy of Senate Standing Orders and other orders of the Senate (with specific Standing Orders referred to in this submission tagged) is enclosed.

commencement of a Parliament. The allocation may be amended from time to time as portfolios change.

1.6 The current committees and allocation of portfolio areas are as follows:

*Community Affairs– Legislation and References*

- Families, Housing, Community Services and Indigenous Affairs
- Health and Ageing

*Economics– Legislation and References*

- Treasury
- Innovation, Industry, Science and Research
- Resources, Energy and Tourism

*Education, Employment and Workplace Relations– Legislation and References*

- Education, Employment and Workplace Relations

*Environment, Communications and the Arts– Legislation and References*

- Climate Change and Energy Efficiency
- Environment, Water, Heritage and the Arts
- Broadband, Communications and the Digital Economy

*Finance and Public Administration– Legislation and References*

- Finance and Deregulation
- Human Services
- Parliament
- Prime Minister and Cabinet

*Foreign Affairs, Defence and Trade– Legislation and References*

- Foreign Affairs and Trade
- Defence (including Veterans' Affairs)

*Legal and Constitutional Affairs– Legislation and References*

- Attorney-General
- Immigration and Citizenship

*Rural and Regional Affairs and Transport– Legislation and References*

- Infrastructure, Transport, Regional Development and Local Government
- Agriculture, Fisheries and Forestry

### *Scope of inquiries*

1.7 Standing order 25 provides the power for the legislation committees to examine bills or draft bills; estimates of expenditure; annual reports; and the performance of departments and agencies allocated to the relevant committee. References committees inquire into other matters within the relevant committee's subject area which have been referred to by the Senate.

1.8 The legislation committees also have the capacity to initiate inquiries in relation to matters arising from annual reports or the performance of departments or agencies. Senate references committees do not have the power to initiate inquiries independently of the Senate.

### *Membership*

1.9 From the inception of the modern committee system in 1970, the membership of standing committees has accommodated all the groupings in the Senate – government, opposition and minority parties and independents. The original seven committees had government chairs based on the long-standing convention that the government provided chairs of select committees irrespective of the composition of the Senate. It is noted in *Australian Senate Practice (6<sup>th</sup> Edition)* that 'this convention has always worked well, because the role of committees is fact-finding and not decision-making, and minority reports are always permissible'.<sup>3</sup> In addition, the chairs held a deliberative and a casting vote.

1.10 With the appointment of pairs of committees, the membership continues to reflect the composition of the Senate. The membership of the committees is as follows:

- *legislation committees* consist of 6 senators, 3 nominated by the Leader of the Government in the Senate, 2 nominated by the Leader of the Opposition in the Senate and one nominated by minority groups and independent senators; and
- *references committees* consist of 6 senators, 3 nominated by the Leader of the Opposition in the Senate, 2 nominated by the Leader of the Government in the Senate and one nominated by minority groups and independent senators.

1.11 The membership of committees by minority groups and independent senators is determined by agreement between them. If no agreement can be reached, the Senate determines the membership. The allocation of places amongst the minority groups and independent senators is to be as nearly as practicable proportional to the numbers of those minority groups and independent senators in the Senate.

1.12 The chairs are elected by the committees with the legislation committee chairs being a senator nominated by the Leader of the Government in the Senate and the references committee chairs being a senator nominated by the Leader of the

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<sup>3</sup> Odgers, JR, *Australian Senate Practice*, 6<sup>th</sup> Edition, 1991, p. 738.

Opposition or a member of a minority group in the Senate. The chairs hold a deliberative and a casting vote. The election of government senators as chairs of legislation committees reflects one of the central roles of legislation committees to review government legislation. Thus it is important that the Government maintains some control over that legislative review process. Chairs are paid an allowance as determined by the Remuneration Tribunal.

1.13 The deputy chairs of legislation committees are senators nominated by the Leader of the Opposition or a member of a minority group in the Senate. The deputy chairs of references committees are senators nominated by the Leader of the Government in the Senate.

1.14 The election of non-government chairs and deputy chairs is based on agreement between the opposition, minority groups and independent senators. If no agreement is reached, the Senate determines the allocation of the chairs and deputy chairs in this instance.

1.15 Members of a committee may be substituted by other senators from time to time, either for a particular inquiry or for a set period of time. It is usual that substitute members are appointed by motion agreed to by the Senate. An alternative means for substituting a member exists under SO 25(7)(e): if a member is unable to attend a meeting, that member may nominate, in writing to the committee chair, a participating member to act as a substitute member at that meeting. If the member is incapacitated or unavailable, the letter to the chair appointing a participating member as a substitute may be signed on behalf of the member by the leader of the relevant party or group.

1.16 The ability to substitute members provides flexibility, particularly for those members with heavy workloads, and also allows senators who have a particular interest or expertise in a specific matter to take full part in an inquiry as a voting member.

1.17 Senators may also be appointed as participating members of the committee. Participating members may attend all meetings including public hearings where they may ask questions. However, participating members may not vote at deliberative meetings. The development of the participating member mechanism allows for senators interested in inquiries to receive all committee documents and advices and to participate fully in public hearings. It is noted in the *Annotated Standing Orders of the Australian Senate* that:

Originally conceived to facilitate participation in inquiries by independent and minority group senators without access to substitute membership arrangements, it became a practical solution to the increasing pressures on senators to be in many places at once, and along with the practice of substitute membership, provided a welcome degree of flexibility to

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committee operations, particularly for planning interstate and multiple hearings.<sup>4</sup>

### *Subcommittees*

1.18 Committees may appoint subcommittees consisting of 3 or more of its members and refer to the subcommittee any matter which the committee is empowered to consider (SO 25(8)).

### *Quorums*

1.19 Standing order 25 does not include a committee-specific quorum provision. Rather, the committee quorum of a committee or a subcommittee is established under the general committee quorum provisions (SO 29) as follows:

- a majority of the members of the committee or subcommittee; or
- 2 members, where one present was appointed on the nomination of the Leader of the Government in the Senate and one member present was appointed on the nomination of the Leader of the Opposition in the Senate.

1.20 While there is no committee-specific quorum provision for the legislative and general purpose standing committees, there is a specific provision for participating members in relation to quorums. Standing order 25(7)(d) states:

A participating member shall be taken to be a member of a committee for the purpose of a quorum of the committee if a majority of members of the committee is not present.

### **Referral of bills to committees**

1.21 The referral of bills to Senate committees has provided an effective mechanism to allow the detailed scrutiny of legislation before the Senate. Committee inquiries provide an opportunity for the views of interested organisations and individuals to be heard first-hand and for committees to seek expert advice on legislative proposals. In 1989, Senator David Hamer commented on the opportunities provided by committee consideration of legislation:

Committees have many advantages. The first is that they can summon expert witnesses, hear them, discuss with them and argue with them. Any amendments that are going to be proposed can be carefully drafted, discussed with experts and debated by the committee before they are finalised. I think some honourable senators will remember complex issues like copyright and patents Acts which were amended-I think usefully amended-on the run. That sort of amendment would be much better done in a committee and proposed to the Senate as a whole, than done on the run in

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<sup>4</sup> Laing, R, *Annotated Standing Orders of the Australian Senate*, 2009, p. 136.

the Committee of the Whole without immediate access to expert witnesses. Committees have a very valuable role there.<sup>5</sup>

1.22 Until 1989, bills were referred to Senate committees on an *ad hoc* basis. The referral depended upon the majority of the Senate agreeing that the referral was warranted. Many of the bills referred 'involved significant innovations and on which there were diverse opinions'.<sup>6</sup>

1.23 From 1930 to 1969, eight bills were referred to Senate select or joint select committees. Following the establishment of the modern Senate committee system in 1970, the referral of bills to committees remained sporadic: between 1971 and 1979, the legislative and general purpose standing committees reported on 10 bills while one bill was referred to a select committee which did not report<sup>7</sup>; and between 1980 and 1989, the committees reported on 17 bills.

1.24 While less than 30 bills were reported on by Senate committees over the two decades from 1970, that consideration by committees 'almost invariably led to substantial changes to the bills'. The view within the Senate was that the examination of bills by committees contributed to improved legislation.<sup>8</sup>

1.25 In 1988, the Senate established the Select Committee on Legislation Procedures. The committee reported in 1989 and recommended that more bills be referred to committees and that procedures be established for that purpose. As a result of those recommendations, the Senate established, initially under sessional orders and finally under standing order 24A, the Selection of Bills Committee (details of the operation of the Selection of Bills Committee are provided in following paragraphs) with the purpose of streamlining the regular referral of bills to committees for inquiry and report.

1.26 Since 1989, there has been a significant increase in the regular referral of bills and the majority of bills have been referred to committees on the recommendation of the Selection of Bills Committee. Bills are generally referred immediately or, if the bill is not yet introduced in the Senate, the provisions are referred.

1.27 A bill or its provisions may also be referred at any time in its passage through the Senate. A bill may be referred multiple times, for example, after it has been initially referred, considered and reported on, a further issue or complexity may arise in relation to it. As a consequence it may be referred again to consider that complexity or issue. A bill may also be referred to several committees simultaneously, for example, the bill may contain social policy issues so it is referred to the Community

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<sup>5</sup> Senator David Hamer, *Senate Hansard*, 16 August 1989, p. 127.

<sup>6</sup> Evans, H, (ed) *Odgers' Australian Senate Practice*, 12<sup>th</sup> Edition, 2008, p. 244.

<sup>7</sup> The Select Committee on the Corporations and Securities Industry Bill 1975. With the prorogation of Parliament the committee became defunct before reporting.

<sup>8</sup> Evans, H, (ed) *Odgers' Australian Senate Practice*, 12<sup>th</sup> Edition, 2008, p. 244.

Affairs Legislation Committee. However, there may also be an economic or legal aspect and that component of the bill can be referred simultaneously to the Economics Legislation Committee or the Legal and Constitutional Affairs Legislation Committee.

1.28 While the standing orders require bills to be referred to legislation committees, there have been occasions when the Senate has overridden this standing order and referred bills to the non-government controlled references committees. This occurred in 2000 with the referral of the Gene Technology Bill 2000 to the Community Affairs References Committee, and with the GST legislation.

1.29 The following table provides details of bills inquiries undertaken from 2006–07 to 2008–09:

	2006–07	2007–08	2008–09
Number of bills introduced into the Parliament	243	197	235
Number of individual bills referred	107	65	129
Proportion of total individual bills referred (%)	44	33	55
Packages of bills referred	79	50	90
Proportion of total packages of bills referred (%)	33	25	38

*Source:* Department of the Senate, *Annual Report 2008-09*, p. 56.

### ***Reporting on bill inquiries***

1.30 When a bill is referred to a committee, there are several key components of the referral;

- a) The task must be set. This can be a referral of just the bill, or a referral of the bill and its draft regulations, or a referral of the bill and some other terms of reference such as some policy related questions or issues to be reviewed.
- b) The destination of the referral must be set. This can be to one or several committees. For the latter case, direction is usually given as to which committee examines which aspects of the bill.
- c) A deadline for reporting must be set. This is critical as once the bill is referred, it is not available for consideration by the Senate until the reference is discharged and the bill reported back to the Senate.

1.31 Bills inquiries in the Senate are often completed to very short deadlines, sometimes within either a week or a fortnight, to facilitate the bill being available for debate in the Senate. Committees generally call for submissions and hold public hearings on the bill, although the holding of a public hearing is not mandatory.

1.32 Senate committees may only make recommendations to the Senate and through it, the Government. In relation to bills, therefore, the committee has no power to amend a bill. Instead, it may recommend amendments to the Senate which may



then be taken up during the Senate's consideration of the bill in committee of the whole.

1.33 Members of the committee, including participating members, may provide additional comments, or a minority or dissenting report to the committee's report. These are printed in the committee report volume.

### *Outcomes of legislation inquires*

1.34 Committee inquiries have led to many bills being amended or, in some cases, withdrawn or re-drafted.<sup>9</sup>

1.35 The review of legislation also gives senators an opportunity to comment on emerging practices in relation to legislative drafting, such as the use of framework legislation, leaving the detail to be specified in the regulations. For example, the Senate Community Affairs Committee commented on a number of occasions on the undesirability of having to consider legislation without access to the detail of how a scheme would operate (as outlined in subsequent delegated legislation).<sup>10</sup> In this regard, committees will often also examine the draft regulations.

### **Senate methods for referring bills to committees**

1.36 There are three mechanisms which the Senate uses for referring bills to committees;

- the Selection of Bills Committee; or
- by motion or notice; or
- by means of a second reading amendment.

### *Referral via Selection of Bills Committee*

1.37 Standing order 24A sets out the terms of reference of the Selection of Bills Committee, its membership, reporting requirements and matters relating to the referral of bills to committees.

1.38 The membership of the committee consists of the whips of all parties represented in the Senate as well as two senators nominated by the Leader of the Government in the Senate and two senators nominated by the Leader of the Opposition in the Senate. There is no fixed upper limit on the size of the committee. A

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<sup>9</sup> In 2007, following the report of the Senate Finance and Public Administration Committee on the inquiry into the Human Services (Enhanced Service Delivery) Bill 2007 which recommended that the legislation not proceed until promised provisions relating to safeguards for the proposed access card were drafted. The Government did not proceed with the legislation.

<sup>10</sup> Senate Community Affairs Committee, *Report on the Health Insurance Amendment (Medicare Dental Services) Bill 2007*, 2007.

minority group does not require formal recognition of party status, for example recognition in a determination by the Remuneration Tribunal or a minimum number of senators, to be entitled to representation on the Selection of Bills Committee. An announcement to the chamber that a particular senator is the whip of a particular party is sufficient.<sup>11</sup>

1.39 The practice of the committee is to meet once per sitting week (but it may meet more frequently if required) to consider all government bills introduced in either House of the Parliament as well as all private senators' bills since the committee last met. Standing Order 24A does not contain any criteria which the committee is required to consider in making recommendations in relation to bills. Having reviewed each bill, the committee recommends to the Senate whether the bill should be referred to a standing or an existing select committee and, if so, to which committee it should be referred and the date which should be fixed for that committee to report on the bill.

1.40 The standing order also requires the committee to recommend at which stage the bill shall be referred. In recent times, it has been the practice that bills are recommended to be referred immediately (that is before the second reading debate) or, if the bill is still before the House of Representatives, for the provisions of the bill to be so referred. This mechanism facilitates programming in the Senate and expedites the overall time taken for considering a bill.

1.41 As the membership of the committee does not necessarily reflect the composition of the Senate, decisions are usually made on a consensual basis. If a consensus cannot be reached on a particular bill, this is reported to the Senate, and the Senate makes the decision.

1.42 After each meeting a report is presented to the Senate outlining the recommendations of the committee. The report also contains the proposals received for the referral of bills. The proposals usually contain the reasons put forward for the referral and suggested witnesses.

1.43 On presentation of the committee's report, a motion is moved to adopt the committee report, at which stage any senator may move to amend the motion in order to provide that a certain bill be treated in a different manner to that recommended in the report (for example, referral where the report recommends no referral; referral to a different committee; a different reporting date; or to add or subtract a bill from the list of bills being recommended for referral). Any debate on the motion is restricted to 5 minutes per speaker within a total time of half an hour. An unlimited number of bills can be referred in one motion. An example of a Selection of Bills Committee report is at attachment 1.

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<sup>11</sup> Laing, R, (ed), *Annotated Standing Orders of the Australian Senate*, 2009, p. 123.

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### *Referral from the floor of the Senate*

1.44 Any senator may give a notice of motion to refer a bill, or a bill together with some policy or other questions, to a committee. Such a notice of motion is dealt with in the usual way and with the support of a simple majority, the bill is referred. An example of notices referring bills are at attachment 2.

### *Referral by means of a second reading amendment*

1.45 A senator may move a second reading amendment during the second reading stage of a bill's consideration to refer a bill, or a bill together with some policy or other questions, to a committee. If the amendment is supported, the bill stands referred to the committee in accordance with the terms of the amendment. Examples of such amendments referring bills to committees are at attachment 3.

### **The estimates process**

1.46 The Senate has a separate process for referring the annual appropriation bills to committees for inquiry and report. The process is known as the estimates process.

1.47 The legislation committees generally meet three times a year to examine government expenditure:

- for the Budget estimates in May/June following the referral of the particulars of Appropriation Bills Nos 1 and 2 and Appropriation (Parliamentary Departments) Bill No 1;
- for the supplementary hearings on the Budget estimates in October/November; and
- for the additional estimates in February following the referral of the particulars of Appropriation Bills Nos 3 and 4 and Appropriation (Parliamentary Departments) Bill No 2.

1.48 Standing order 26 provides for the conduct of the estimates scrutiny. The examination of ministers and officers must take place in public sessions during the estimates process. The rationale for this is that the estimates process replaces the detailed consideration of the relevant bills in the Senate, which would be in public. Additionally, the examination of the estimates of expenditure is the accounting to the Senate and the public of a government's expenditure and planned expenditure and, as such, the process should be open and transparent.

### *Senators attending*

1.49 Under SO 26(8), any senator may attend a meeting of a committee in relation to estimates, question witnesses and participate in the deliberations of the committee and add a reservation to the estimates report. However, only members and participating members can be counted for a quorum.

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### *Scope of questions*

1.50 The only substantive rule of the Senate relating to the scope of questions is that questions must be relevant to the matters referred to the committees, namely the estimates of expenditure. Any questions going to the operations or financial positions of departments or agencies have been accepted by the Senate to be relevant questions. A senator's right to seek such explanations is supported by resolutions of the Senate which recognise that as the estimates represent departments' and agencies' claims on the Commonwealth for funds, any questions going to the operations or financial positions of the departments and agencies which shape those claims are relevant. Annual reports are statements to Parliament of the manner in which departments use the resources made available to them, and therefore references to annual reports are relevant. Audit reports are also considered and used during a committee's consideration of the estimates.

### *Questions to officers*

1.51 Standing Order 26(5) permits questions being put to Ministers or officers in relation to the estimates.

1.52 In Privileges Resolution 1(16),<sup>12</sup> the Senate provided that an officer of a department of the Commonwealth or a state shall not be asked to give *opinions* on matters of policy. This limitation does not prevent questions which seek explanations or expositions of policy positions or factual questions about when and how policies were adopted.

1.53 Privileges Resolution 1(16) also allows an officer to refer the question to a superior officer or a minister.

### *Public interest immunity claims*

1.54 At times, the executive government has sought to withhold information from committees by claiming public interest immunity. A resolution of the Senate of 13 May 2009 prescribes the process to be followed by public sector witnesses who believe they have grounds for withholding information<sup>13</sup>.

### *Questions*

1.55 Most questions are answered during the course of the hearings but some questions will be taken on notice and answered after the hearing. In addition, senators may place written questions on notice. Placing written questions on notice allows

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<sup>12</sup> The Senate Privileges Resolutions were agreed to on 25 February 1988 and include procedures to be observed by Senate committees for the protection of witnesses.

<sup>13</sup> See enclosed Senate Standing Orders: Procedural Orders and Resolutions of the Senate of continuing effect (8) – Accountability – Public Interest Immunity Claims (p124).

senators to pursue matters not able to be reached during the limited amount of time for senators to ask questions directly of the minister and officers.

1.56 Written questions on notice are dealt with as follows:

- they must be provided to the committee secretary (SO 26(14)); and
- they can be lodged only while the estimates proceedings are in process.

1.57 Answers to questions on notice are to be provided to the committee by the date of receipt agreed to by the committee. As answers are received, they are published. No answers to estimates questions on notice can be provided on a confidential basis.

### *Outcomes of the estimates process*

1.58 The estimates process allows Senators to examine government finances in detail by direct questioning of Senate ministers and public officials. Supported by the Senate's own resolutions on the scope of the examination and the powers of the committees, senators are able to question widely, leaving few areas unopened to probing in the view of the public and media.

1.59 Estimates hearings have come to be recognised as a major parliamentary institution of accountability. A former Manager of Government Business in the Senate and Leader of the (ALP) Opposition in the Senate has commented that estimates hearings are 'the most effective mechanism for parliamentary accountability that we have in our system of government'.<sup>14</sup> Similar sentiments were expressed by a (Liberal) Leader of Government in the Senate, Senator Robert Hill, who stated the estimates hearings are 'in some ways...the most effective level of financial accountability that exists in our system'.<sup>15</sup>

1.60 In addition to opportunities to directly examine government expenditure, the estimates process has had a significant impact on the quality of documentation provided to the Senate. Successive committees reported to the Senate on the problems and deficiencies in budget documentation and encouraged improvements in the quality, nature and transparency of information presented to Parliament. Many recommendations made by committees were taken up by the Government leading to considerable improvement in budget documentation.

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<sup>14</sup> Henderson, I, 'The quiet Executioner [Senator John Faulkner]', *The Australian*, 3 June 2000, p. 30, quoted in Evans, H, 'The Senate, Accountability and Government Control', Paper for Australian Research Council Project: Strengthening Parliamentary Institutions.

<sup>15</sup> *Senate Hansard*, 19 August 2002, p. 3055, quoted in Evans, H, 'The Senate, Accountability and Government Control', Paper for Australian Research Council Project: Strengthening Parliamentary Institutions.

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### *Resourcing Committees*

1.61 Standing order 25(17) provides that Senate committees will have the staff, facilities and resources necessary and the ability to appoint consultants with the approval of the President. Each legislative and general purpose standing committee is provided with a secretariat generally consisting of:

- a secretary: responsible for planning, organising, managing and reporting on inquiries undertaken by the committee, and providing advice to the chair and committee;
- a principal research officer and a senior research officer: responsible for research and report drafting and organising hearings;
- a research officer: responsible for matters related to the estimates process and for reports on annual reports; and
- an administrative assistant: responsible for processing submissions, other administrative tasks, assisting with the organising of hearings, and establishing and maintaining committee records.

1.62 In 2009-10, Senate committees had a full-time equivalent staff of 59. Salary and administration (travel, advertising, venue hire, printing etc.) costs amounted to approximately \$7 million in this financial year.

1.63 The staffing structure currently used in the Department of the Senate and its committees is at attachment 4.

**Enclosed**

1. Standing Orders and other orders of the Senate
2. Example of Senate committee reports on bill inquiries

**Attachments**

1. Example of Selection of Bills report
2. Example of Notice of Motion to refer a bill to committee
3. Example of 2<sup>nd</sup> Reading amendment referring a bill
4. Senate structure and committee office
5. Example of advertising in newspaper

**Tamara Vitale**

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**From:** Bond, Meredith (SEN) [Meredith.Bond@aph.gov.au] on behalf of Clerks Office (SEN) [Clerk.Sen@aph.gov.au]

**Sent:** Friday, 21 May 2010 4:39 PM

**To:** CSRC

**Subject:** Submission to the Review of the Committee System of the Queensland Parliament

I have just sent to you, in a separate email, a submission on behalf of the Clerk of the Senate, Australian Senate, Parliament House Canberra ACT, re the Review of the Committee System of the Queensland Parliament. As the file size was too large to include the following links, I have emailed them separately for your information.

Please see the following website links to the enclosures noted on p.14 of the submission:

Enclosures:

1. Standing Orders and other orders of the Senate

[http://www.aph.gov.au/Senate/pubs/standing\\_orders/index.htm](http://www.aph.gov.au/Senate/pubs/standing_orders/index.htm)

2. Examples of Senate committee reports on bill inquiries

Legal & Constitutional Affairs Legislation Committee – National Radioactive Waste Management Bill 2010 (Provisions)

[http://www.aph.gov.au/Senate/committee/legcon\\_ctte/radioactivewaste/report/index.htm](http://www.aph.gov.au/Senate/committee/legcon_ctte/radioactivewaste/report/index.htm)

Environment, Communications and the Arts Legislation Committee – Building Energy Efficiency Disclosure Bill 2010 (Provisions)

[http://www.aph.gov.au/Senate/committee/eca\\_ctte/building\\_energy\\_efficiency/report/index.htm](http://www.aph.gov.au/Senate/committee/eca_ctte/building_energy_efficiency/report/index.htm)

Foreign Affairs, Defence and Trade Legislation Committee – Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008 [No.2]

[http://www.aph.gov.au/Senate/committee/fadt\\_ctte/dapaosb08/report/index.htm](http://www.aph.gov.au/Senate/committee/fadt_ctte/dapaosb08/report/index.htm)

For your information, please also see the following links to:

- Odgers' Australian Senate Practice – 12<sup>th</sup> Edition

<http://www.aph.gov.au/Senate/pubs/odgers/contents.htm>

- Annotated Standing Orders of the Australian Senate

<http://www.aph.gov.au/Senate/pubs/aso/index.htm>

Hard copies of the submission and all enclosures will follow by mail.



Regards

*Meredith Bond*

Executive Assistant to the Clerk of the Senate  
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## **Attachment 1**

*SELECTION OF BILLS COMMITTEE*

*REPORT NO. 7 of 2010*

*13 May 2010*

## MEMBERS OF THE COMMITTEE

Senator Kerry O'Brien (Government Whip, Chair)

Senator Stephen Parry (Opposition Whip)

Senator John Williams (The Nationals Whip)

Senator Rachel Siewert (The Australian Greens Whip)

Senator Steve Fielding (The Family First Party Whip)

Senator Judith Adams

Senator Mitch Fifield

Senator the Hon. Joe Ludwig

Senator Anne McEwen

Secretary: Maureen Weeks  
☎ 6277 3020

SELECTION OF BILLS COMMITTEE

REPORT NO. 7 OF 2010

1. The committee met in private session on Thursday, 13 May 2010 at 12 noon.
2. The committee resolved to recommend—That—
  - (a) the *provisions* of the Food Standards Australia New Zealand Amendment Bill 2010 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 15 June 2010 (see appendix 1 for a statement of reasons for referral);
  - (b) the Keeping Jobs from Going Offshore (Protection of Personal Information) Bill 2009 be *referred immediately* to the Environment, Communications and the Arts Legislation Committee for inquiry and report by 18 October 2010 (see appendix 2 for a statement of reasons for referral);
  - (c) the *provisions* of the Paid Parental Leave Bill 2010 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 3 June 2010, noting that the committee is currently undertaking an inquiry into the exposure draft legislation (see appendix 3 for a statement of reasons for referral);
  - (d) the *provisions* of the Renewable Energy (Electricity) Amendment Bill 2010, the Renewable Energy (Electricity) (Charge) Amendment Bill 2010 and the Renewable Energy (Electricity) (Small-scale Technology Shortfall Charge) Bill 2010 be *referred immediately* to the Environment, Communications and the Arts Legislation Committee for inquiry and report by 10 June 2010 (see appendix 4 for a statement of reasons for referral);
  - (e) the Responsible Takeaway Alcohol Hours Bill 2010 be *referred immediately* to the Community Affairs Legislation Committee for inquiry and report by 25 October 2010 (see appendix 5 for a statement of reasons for referral);
  - (f) the Tax Laws Amendment (Public Benefit Test) Bill 2010 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 31 August 2010 (see appendix 6 for a statement of reasons for referral);
  - (g) the *provisions* of the Tax Laws Amendment (Research and Development) Bill 2010 and the Income Tax Rates Amendment (Research and Development) Bill 2010 be *referred immediately* to the Economics Legislation Committee for inquiry and report by 15 June 2010 (see appendix 7 for a statement of reasons for referral); and

- (h) the Water (Crisis Powers and Floodwater Diversion) Bill 2010 be *referred immediately* to the Environment, Communications and the Arts Legislation Committee for inquiry and report by 24 August 2010 (see appendix 8 for a statement of reasons for referral).
3. The committee resolved to recommend—That the following bills *not* be referred to committees:
- Airports (On-Airport Activities Administration) Validation Bill 2010
  - Customs Tariff Amendment (Tobacco) Bill 2010
  - Defence Legislation Amendment Bill (No. 1) 2010
  - Excise Tariff Amendment (Tobacco) Bill 2010
  - Health Legislation Amendment (Australian Community Pharmacy Authority and Private Health Insurance) Bill 2010
  - Higher Education Support Amendment (Indexation) Bill 2010
  - Interstate Road Transport Charge Amendment Bill 2010
  - National Health Amendment (Continence Aids Payment Scheme) Bill 2010
  - Tax Laws Amendment (Foreign Source Income Deferral) Bill (No. 1) 2010
  - Tax Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Bill 2010.

*The committee recommends accordingly.*

4. The committee deferred consideration of the Commonwealth Commissioner for Children and Young People Bill 2010 to its next meeting.

(Kerry O'Brien)  
**Chair**  
13 May 2010

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

**Name of bill: Food Standards Australia New Zealand Amendment Bill 2010.**

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

Involves domestically grown produce, residue risk assessment and chemicals/pesticides on crops, public health and safety considerations, and State and Territory relations.

**Possible submissions or evidence from:**

Food Standards Australia  
Pastoralists and Graziers Association Inc  
Department of Agriculture, Fisheries and Forestry  
Australian Farmers Federation


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

Community Affairs Committee

**Possible hearing date(s):**

**Possible reporting date:**

15<sup>th</sup> June 2010.

A handwritten signature in black ink, consisting of a large, rounded loop at the top and several smaller, connected loops below it, resembling a stylized 'S' or 'J'.

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Keeping Jobs from Going Offshore (Protection of Personal Information) Bill 2009

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

**Possible submissions or evidence from:**

Australian Teleservices Association  
Australian Privacy Commissioner  
Finance Sector Union

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

Senate Standing Committee on Environment, Communications and the Arts

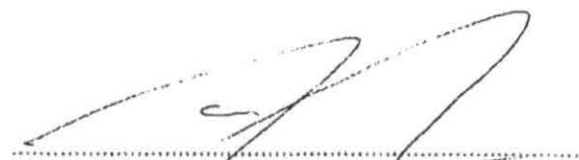
**Possible hearing date(s):**

September 2010

**Possible reporting date:**

18 October 2010

(signed)

  
Whip / Selection of Bills Committee member



SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

**Name of bill:** Paid Parental Leave Bill 2010

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

To be inquired into as part of the the inquiry into the Exposure Draft of that bill.

**Possible submissions or evidence from:**

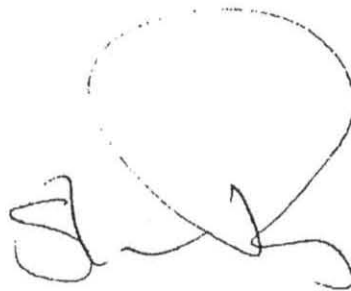
Parties or individuals that have contributed to the inquiry into the Exposure Draft of the bill.

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

Community Affairs Legislation Committee

**Possible hearing date(s):**

**Possible reporting date:** 3<sup>rd</sup> June 2010

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(signed)

Whip / Selection of Bills Committee member

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill(s):**

Renewable Energy (Electricity) Bill 2010

Renewable Energy (Electricity) (Charge) Amendment Bill 2010

Renewable Energy (Electricity) (Small-Scale Technology Shortfall Charge) Bill 2010

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

- To consider any possible consequences of this legislation to the renewable and other energy sectors.

**Possible submissions or evidence from:**

- Renewable Energy Industry Groups

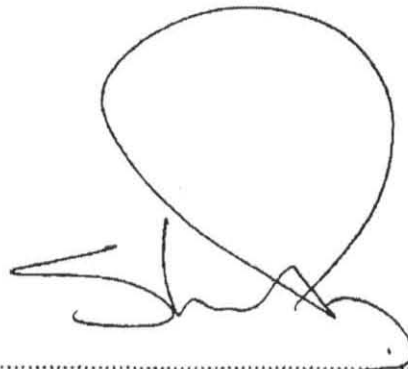
**Committee to which bill is to be referred:**

- Environment, Communications and the Arts

**Possible hearing date(s):**

**Possible reporting date:**

- 10 June 2010

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(signed)

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

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Responsible Takeaway Alcohol Hours Bill 2010

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

**Possible submissions or evidence from:**

Public Health Association of Australia  
National Health and Research Council  
Victorian Alcohol and Drug Association  
Australian Medical Association  
Australian Institute of Health and Welfare

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

Senate Standing Committee on Community Affairs

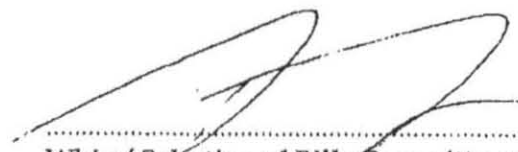
**Possible hearing date(s):**

September 2010

**Possible reporting date:**

25 October 2010

(signed)

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

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

**Name of bill:**

Tax Laws Amendment (Public Benefit Test) Bill 2010

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

**Possible submissions or evidence from:**

Former members of the Church of Scientology  
Charity Commission for England and Wales  
Mr. Paul Harpur, Associate Lecturer, Queensland University of Technology  
Dr. Stephen Mutch, Macquarie University  
The Church of Scientology  
Peak bodies representing Churches, NGOs and Charities

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

Senate Economics Legislation Committee

**Possible hearing date(s):**

July 2010

**Possible reporting date:**

31 August 2010

(signed)

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



## SELECTION OF BILLS COMMITTEE

## Proposal to refer a bill to a committee

**Name of bill:** Tax Laws Amendment (Research and Development) Bill 2010 and Income Tax Rates Amendment (Research and Development) Bill 2010

**Reasons for referral/principal issues for consideration:** These Bills provide for more generous tax benefits that are better targeted towards genuine research and development (R&D) activities. Industry expressed concerns about the tightening of eligibility criteria in the exposure drafts of the legislation, and the effect on R&D expenditure. In particular, industry was concerned about the new definitions of core R&D and supporting R&D. A range of views have been submitted in response to a consultation paper and two exposure drafts of the legislation, and the views taken into account in drafting the versions presented to the Committee.

## Possible submissions or evidence from:

Title	Given Name	Family Name	Organisation	Job Title
Dr	Ken	Henry	Treasury	Secretary
Mr	Mark	Paterson	Department of Innovation, Industry, Science and Research	Secretary
Mr	Michael	D'Ascenzo	Australian Taxation Office	Commissioner
Dr	Gary	Banks	Productivity Commission	Chairman
Dr	Megan	Clark	CSIRO	Chief Executive
Mr	Greg	Evans	Australian Chamber of Commerce and Industry	Acting Chief Executive
Ms	Jaye	Radisich	Council of Small Business Organisations of Australia	Chief Executive Officer
Ms	Heather	Ridout	Australian Industry Group	Chief Executive
Dr	Glenn	Withers	Universities Australia	Chief Executive Officer
	Michael	Gallagher	Group of Eight Universities	Executive Director
Dr	Terry	Cutler	Cutler & Company	Principal

Prof.	Roy	Green	Faculty of Business, University of Technology	Dean
Prof.	Neil	Warren	University of New South Wales	Head of Australian School of Taxation
Mr	Yasser	El-Ansary	Institute of Chartered Accountants in Australia	Tax Counsel
Mr	Richard	Petty	CPA Australia	President
Mr	Kris	Gale	Michael Johnson Associates	Managing Director
	David	Gelb	KPMG	National R&D Partner
Mr	Pat	Donato	BDO	Director
Mr	Serge	Duchini	Deloitte Australia	Research and Development Manager
Mr	Robert	Jeremenko	Taxation Institute of Australia	Chief Executive Officer
Mr	Louis	Phan	National Tax & Accountants Association	Taxation Manager
Mr	Frank	Drenth	Corporate Tax Association	Executive Director
Mr	Dave	Oliver	Australian Manufacturing Workers Union	Secretary
Mr	Duncan	Jones	Science Industry Australia	Executive Director
	Andy	Sierakowski	Knowledge Commercialisation Australasia	President
Mr	Mitch	Hooke	Minerals Council of Australia	Chief Executive
Mr	Ian	Birks	Australian Information Industry Association	Chief Executive Officer
Mr	John	Hilvert	Internet Industry Association	Communications Director
	Tony	Reed	Games Developers' Association of Australia	Chief Executive
Ms	Helen	O'Neill	Council for the Humanities, Arts and Social Sciences	Executive Director
Prof	Robert	Graham	Association of Australian Medical Research Institutes	Chairman
Mr	Peter	Verwer	Property Council of Australia	Chief Executive Officer
Mr	Tony	Battaglione	Winemakers' Federation of Australia	General Manager
Mr	Andrew	McKellar	Federal Chamber of Automotive Industries	Chief Executive
Prof	Ray	Wills	Western Australian Sustainable Energy Assoc	Chief Executive
Prof.	Robin	Batterham	Australian Academy of Technological Sciences and Engineering	President
Mr	Graham	Bradley AM	Business Council of Australia	President
Mr	David	Hughes	Australasian Industry Research Group	President

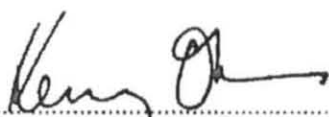
Mr	Robert	Marxen	Boeing Australia Holdings	Senior Manager, International Taxation
Mr	Mark	Bennetts	Australian Coal Research Limited	Executive Director
Mr	Craig	McDonald	UniQuest	Business Manager, Consulting and Research
Mr	John	Best	Thales	Vice President, Research and Technical
Ms	Sandra	Mason	PricewaterhouseCoopers	Partner
Mr	Robin	Parsons	Ernst Young	Partner, Indirect Tax
Mr	David	Miles	Innovation Australia Board	Chair
Mr	Peter	Thomas	Innovation Australia Board	Chair, Tax Concession Committee
Dr	Anna	Lavelle	AusBiotech	Chief Executive Officer
Dr	Brendan	Shaw	Medicines Australia	Chief Executive Officer
Dr	Chris	Roberts	Cochlear	Chief Executive Officer/President
Mr	Kieran T.	Gallahue	ResMed	Chief Executive Officer/President
Dr	Ashley	Bates	GSK	Head of R&D Alliances
Ms	Megan	Motto	Consult Australia	Chief Executive Officer
Dr	Peter	Jonson	CRC Committee	Chair
Mr	Michael	Hartmann	CRC Association	CEO
Dr	Leanna	Read	TGR Biosciences	Managing Director and Chief Executive Officer
Mr	Charles	McElhone	National Farmers' Federation	Manager – Economics and Trade

Committee to which bill is to be referred: Economics - Legislation Committee

Possible hearing date(s): 20 May 2010 (Canberra); 21 May 2010 (Sydney)

Possible reporting date: 15 June 2010

(signed)

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

**SELECTION OF BILLS COMMITTEE**

**Proposal to refer a bill to a committee**

**Name of bill:**

Water (Crisis Powers and Floodwater Diversion) Bill 2010

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

**Possible submissions or evidence from:**

- \* Professor Mike Young - The Environment Institute, University of Adelaide
- \* Murray Darling Basin Authority
- \* Wentworth Group of Concerned Scientists
- \* Australian Conservation Foundation
- \* Professor Di Bell
- \* Mr Pat Byrne - Murray Darling Basin Water Crisis Management Council
- \* Professor John Williams - Adelaide Law School

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

Senate Standing Committee on Environment Communications and the Arts

**Possible hearing date(s):**

June/July 2010

**Possible reporting date:**

24 August 2010

(signed)



Whip / Selection of Bills Committee member



## **Attachment 2**

**BUSINESS OF THE SENATE****Notices of Motion**

*Notice given 11 February 2009*

- \*1 **Chair of the Environment, Communications and the Arts Committee (Senator McEwen):** To move—That the following matter be referred to the Environment, Communications and the Arts Committee for inquiry and report by 14 May 2009:

The reporting of sports news and the emergence of digital media, with particular reference to:

- (a) the balance of commercial and public interests in the reporting and broadcasting of sports news;
- (b) the nature of sports news reporting in the digital age, and the effect of new technologies (including video streaming on the Internet, archived photo galleries and mobile devices) on the nature of sports news reporting;
- (c) whether and why sporting organisations want digital reporting of sports regulated, and what should be protected by such regulation;
- (d) the appropriate balance between sporting and media organisations' respective commercial interests in the issue;
- (e) the appropriate balance between regulation and commercial negotiation in ensuring that competing organisations get fair access to sporting events for reporting purposes;
- (f) the appropriate balance between the public's right to access alternative sources of information using new types of digital media, and the rights of sporting organisations to control or limit access to ensure a fair commercial return or for other reasons;
- (g) should sporting organisations be able to apply frequency limitations to news reports in the digital media;
- (h) the current accreditation processes for journalists and media representatives at sporting events, and the use of accreditation for controlling reporting on events; and
- (i) options other than regulation or commercial negotiation (such as industry guidelines for sports and news agencies in sports reporting, dispute resolution mechanisms and codes of practice) to manage sports news to balance commercial interests and public interests.

- \*2 **Senator Cormann:** To move—That—

- (1) The provisions of the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 be referred to the Community Affairs Committee for inquiry and report by 13 March 2009, together with the following matter:

The impact of the tax on ready-to-drink alcoholic beverages, the so-called 'alcopops' tax, since its introduction on 27 April 2008, with particular reference to:

- (a) the revenues raised under the alcopops tax measure;
- (b) substitution effects flowing from the alcopops tax measure;

- (c) changes in consumption patterns of ready-to-drink alcoholic beverages by sex and age group following the introduction of the alcopops tax;
  - (d) changes in consumption patterns of all alcoholic beverages by sex and age group following the introduction of the alcopops tax;
  - (e) any unintended consequences flowing from the introduction of the alcopops tax, such as the development of so-called 'malternatives' (beer-based ready-to-drink beverages);
  - (f) evidence of the effectiveness of the Government's changes to the alcohol excise regime in reducing the claims of excessive consumption of ready-to-drink alcohol beverages;
  - (g) any evidence of changes to at risk behaviour or health impacts (either positive or negative) as a result of the introduction of the alcopops tax;
  - (h) comparison of the predicted effects of the introduction of the alcopops tax, with the data of actual effects, with a particular focus on evidence (or lack thereof) collected by the relevant department; and
  - (i) the value of evidence-based decision-making in the taxation of alcoholic products.
- (2) In conducting its inquiry, the committee must take evidence from the:
- (a) Alcohol and other Drugs Council of Australia
  - (b) National Drug Research Institute;
  - (c) Winemakers' Federation of Australia;
  - (d) Independent Distillers Australia;
  - (e) Australian Institute of Health and Welfare;
  - (f) Public Health Association of Australia;
  - (g) Australian Hotels Association;
  - (h) Distilled Spirits Industry Council of Australia;
  - (i) Australian Drug Foundation;
  - (j) National Drug and Alcohol Research Centre;
  - (k) Australian Medical Association;
  - (l) Australasian Associated Brewers;
  - (m) Department of Health and Ageing;
  - (n) Preventative Health Taskforce; and
  - (o) Department of the Treasury.

*Notice of motion altered on 11 February 2009 pursuant to standing order 77.*

## **Order of the Day**

### **1 Economics—Standing Committee**

Report to be presented on the provisions of the Tax Agent Services Bill 2008.  
(*Referred pursuant to Selection of Bills Committee report.*)

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8 REGIONAL AND REMOTE INDIGENOUS COMMUNITIES—SELECT COMMITTEE—  
EXTENSIONS OF TIME TO REPORT

Senator O'Brien, at the request of the Chair of the Select Committee on Regional and Remote Indigenous Communities (Senator Scullion) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 359—That the time for the presentation of the 2009 reports of the Select Committee on Regional and Remote Indigenous Communities be extended to 15 June 2009 and 26 November 2009.

Question put and passed.

9 TREATIES—JOINT STANDING COMMITTEE—LEAVE TO MEET DURING SITTING

Senator O'Brien, at the request of the Deputy Chair of the Joint Standing Committee on Treaties (Senator McGauran) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 360—That the Joint Standing Committee on Treaties be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 10 March 2009, from 7 pm.

Question put and passed.

10 RURAL AND REGIONAL AFFAIRS AND TRANSPORT—STANDING COMMITTEE—LEAVE  
TO MEET DURING SITTINGS

Senator O'Brien, at the request of the Chair of the Rural and Regional Affairs and Transport Committee (Senator Sterle) and pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 361—That the Rural and Regional Affairs and Transport Committee be authorised to hold public meetings during the sittings of the Senate, from 3.30 pm to 6.30 pm, as follows:

- (a) on Tuesday, 10 March 2009 to take evidence for the committee's inquiry into the management of the Murray-Darling Basin system;
- (b) on Wednesday, 11 March and Thursday, 12 March 2009 to take evidence for the committee's inquiry into the import risk analysis for the importation of Cavendish bananas from the Philippines;
- (c) on Tuesday, 17 March 2009 to take evidence for the committee's inquiry into meat marketing; and
- (d) on Thursday, 19 March 2009 to take evidence for the committee's inquiry into public passenger transport in Australia.

Question put and passed.

11 COMMUNITY AFFAIRS—STANDING COMMITTEE—REFERENCE

Senator Cormann, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 2—That—

- (1) The provisions of the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 be referred to the Community Affairs Committee for inquiry and report by 13 March 2009, together with the following matter:

The impact of the tax on ready-to-drink alcoholic beverages, the so-called 'alcopops' tax, since its introduction on 27 April 2008, with particular reference to:

- (a) the revenues raised under the alcopops tax measure;
- (b) substitution effects flowing from the alcopops tax measure;

- (c) changes in consumption patterns of ready-to-drink alcoholic beverages by sex and age group following the introduction of the alcopops tax;
  - (d) changes in consumption patterns of all alcoholic beverages by sex and age group following the introduction of the alcopops tax;
  - (e) any unintended consequences flowing from the introduction of the alcopops tax, such as the development of so-called 'malternatives' (beer-based ready-to-drink beverages);
  - (f) evidence of the effectiveness of the Government's changes to the alcohol excise regime in reducing the claims of excessive consumption of ready-to-drink alcohol beverages;
  - (g) any evidence of changes to at risk behaviour or health impacts (either positive or negative) as a result of the introduction of the alcopops tax;
  - (h) comparison of the predicted effects of the introduction of the alcopops tax, with the data of actual effects, with a particular focus on evidence (or lack thereof) collected by the relevant department; and
  - (i) the value of evidence-based decision-making in the taxation of alcoholic products.
- (2) In conducting its inquiry, the committee must take evidence from the:
- (a) Alcohol and other Drugs Council of Australia;
  - (b) National Drug Research Institute;
  - (c) Winemakers' Federation of Australia;
  - (d) Independent Distillers Australia;
  - (e) Australian Institute of Health and Welfare;
  - (f) Public Health Association of Australia;
  - (g) Australian Hotels Association;
  - (h) Distilled Spirits Industry Council of Australia;
  - (i) Australian Drug Foundation;
  - (j) National Drug and Alcohol Research Centre;
  - (k) Australian Medical Association;
  - (l) Australasian Associated Brewers;
  - (m) Department of Health and Ageing;
  - (n) Preventative Health Taskforce; and
  - (o) Department of the Treasury.

Question put.

The Senate divided—

AYES, 32

Senators—

Abetz	Coonan	Humphries	Parry (Teller)
Barnett	Cormann	Joyce	Payne
Birmingham	Eggleston	Kroger	Ryan
Boswell	Ferguson	Macdonald	Scullion
Boyce	Fielding	Mason	Troeth
Brandis	Fierravanti-Wells	McGauran	Trood
Bushby	Fifield	Minchin	Williams
Cash	Fisher	Nash	Xenophon

## NOES, 30

## Senators—

Arbib	Feeney	Ludwig	Pratt
Brown, Bob	Forshaw	Lundy	Sherry
Cameron	Furner	Marshall	Siewert
Carr	Hanson-Young	McEwen	Stephens
Collins	Hogg	Milne	Sterle
Crossin	Hurley	Moore	Wortley
Farrell	Hutchins	O'Brien (Teller)	
Faulkner	Ludlam	Polley	

Question agreed to.

**12 CARBON POLLUTION REDUCTION SCHEME—TREASURY MODELLING—ORDER FOR PRODUCTION OF DOCUMENTS**

The Chair of the Select Committee on Fuel and Energy (Senator Cormann), pursuant to notice of motion not objected to as a formal motion, moved general business notice of motion no. 358—

- (1) That the Senate orders that the following information be produced to the Select Committee on Fuel and Energy by noon on Friday 13 February 2009:
  - (a) the information referred to in paragraph (b) of the Senate's order for documents of 4 February 2009 relating to the Department of the Treasury modelling, *Australia's Low Pollution Future: The economics of climate change mitigation*; and
  - (b) any information and documents generated by the government for the purpose of the composition of that information.
- (2) That the committee may make the information described in paragraph (1) available to the person contracted by the committee and referred to in paragraph (a) of the Senate's order of 4 February 2009, and any person appointed by the leader of a party in the Senate or an independent senator, duly notified to the committee, to examine that information and report to that senator.
- (3) That the committee, any senator and any other person referred to in paragraph (2) treat the information produced in accordance with paragraph (1)(a) of this order as confidential, and not publish the information to any other person except as authorised by this order.
- (4) That the committee may refer to the information produced to it in accordance with this order and any conclusions reached from it in a report to the Senate, but shall not disclose the information in such a report.

Question put and passed (*but see entry no. 14*).

**13 NATION BUILDING AND JOBS PLAN—PERSONAL EXPLANATION**

Senator Humphries, by leave, made a personal explanation relating to an article in the *Canberra Times* of 9 February 2009 concerning the nation building and jobs plan and comments made by Senator Polley on 11 February 2009.

**14 CARBON POLLUTION REDUCTION SCHEME—TREASURY MODELLING—PROPOSED ORDER FOR PRODUCTION OF DOCUMENTS**

Senator Milne asked that the question on general business notice of motion no. 358 be put again (*see entry no. 12*).

Leave was granted for the question to be put again.

## Attachment 3

2008

The Parliament of the  
Commonwealth of Australia

THE SENATE

## **Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008**

*(Second reading amendment to be moved by Senator Scullion on behalf of the Opposition and by the leader of the Family First Party, Senator Fielding)*

At the end of the motion add:

and the bill be referred to the Standing Committee on Environment, Communications and the Arts for inquiry and report by 23 September 2008.



2008

The Parliament of the  
Commonwealth of Australia

THE SENATE

## **Excise Legislation Amendment (Condensate) Bill 2008**

*(Second reading amendment to be moved by Senator Xenophon)*

At the end of the motion, add “and the following matter be referred to the Economics Committee for inquiry and report by 10 November 2008:

The joint marketing arrangements on the North West Shelf project and their impact on competition in the upstream gas market and on prices paid by consumers.”

2008-2009

The Parliament of the  
Commonwealth of Australia

THE SENATE

## **Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and related bills**

*(Second reading amendment to be moved by Senator Siewert, on behalf of the Australian Greens, and Senator Xenophon)*

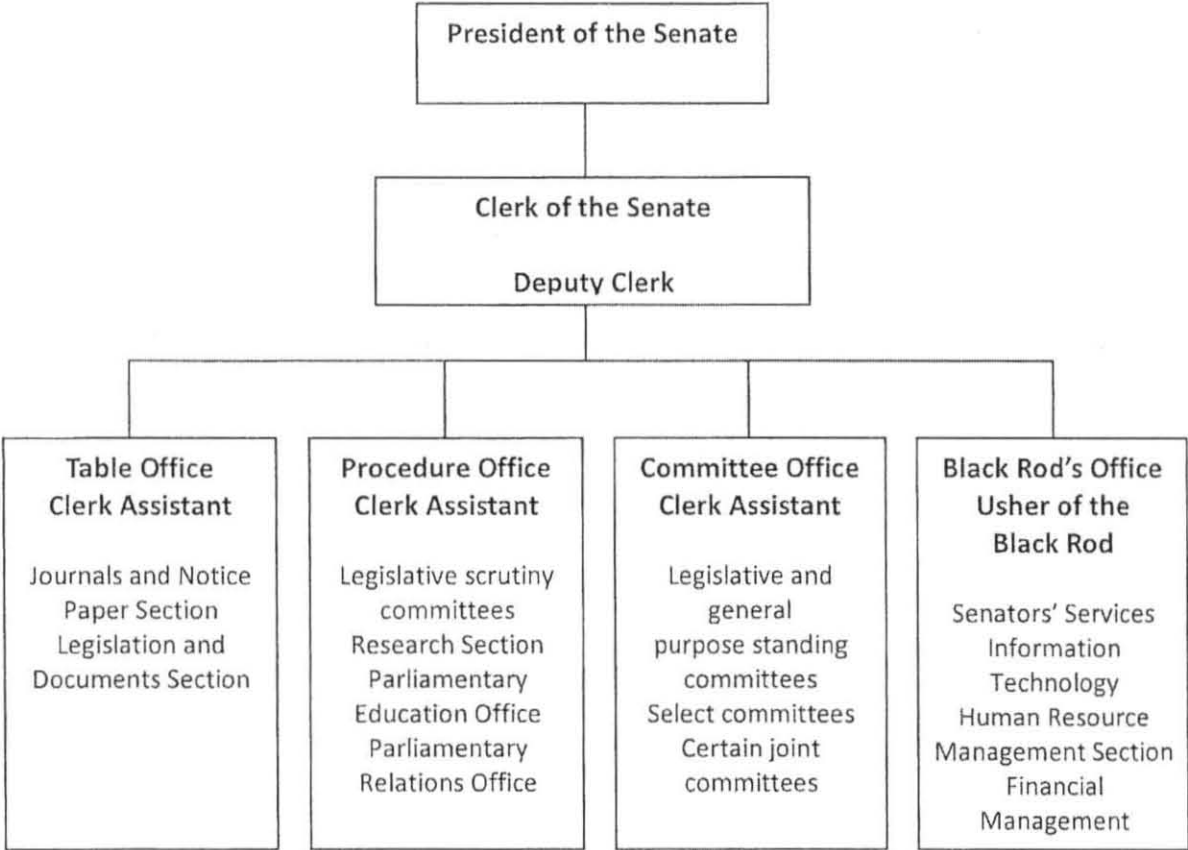
At the end of the motion, add:

and that:

- (a) the bills, the multi-billion dollar adjustment to the bills, as agreed by the Coalition and the Government in November 2009, and the amendments required to implement that agreement, be referred to the Economics Legislation Committee for inquiry and report by 12.30pm on 1 December 2009;
- (b) the Minister representing the Treasurer provide to that committee by 30 November 2009, for consideration as part of that inquiry, any modelling or analysis commissioned by Treasury and/or the Department of Climate Change and all documents prepared by Treasury in relation to the August 2009 Frontier Economics report on the economic impact of the CPRS;
- (c) the Senate meet from 1 December to 3 December 2009 to consider the bills;
- (d) further consideration of the bills be an order of the day for the day the committee presents its report.

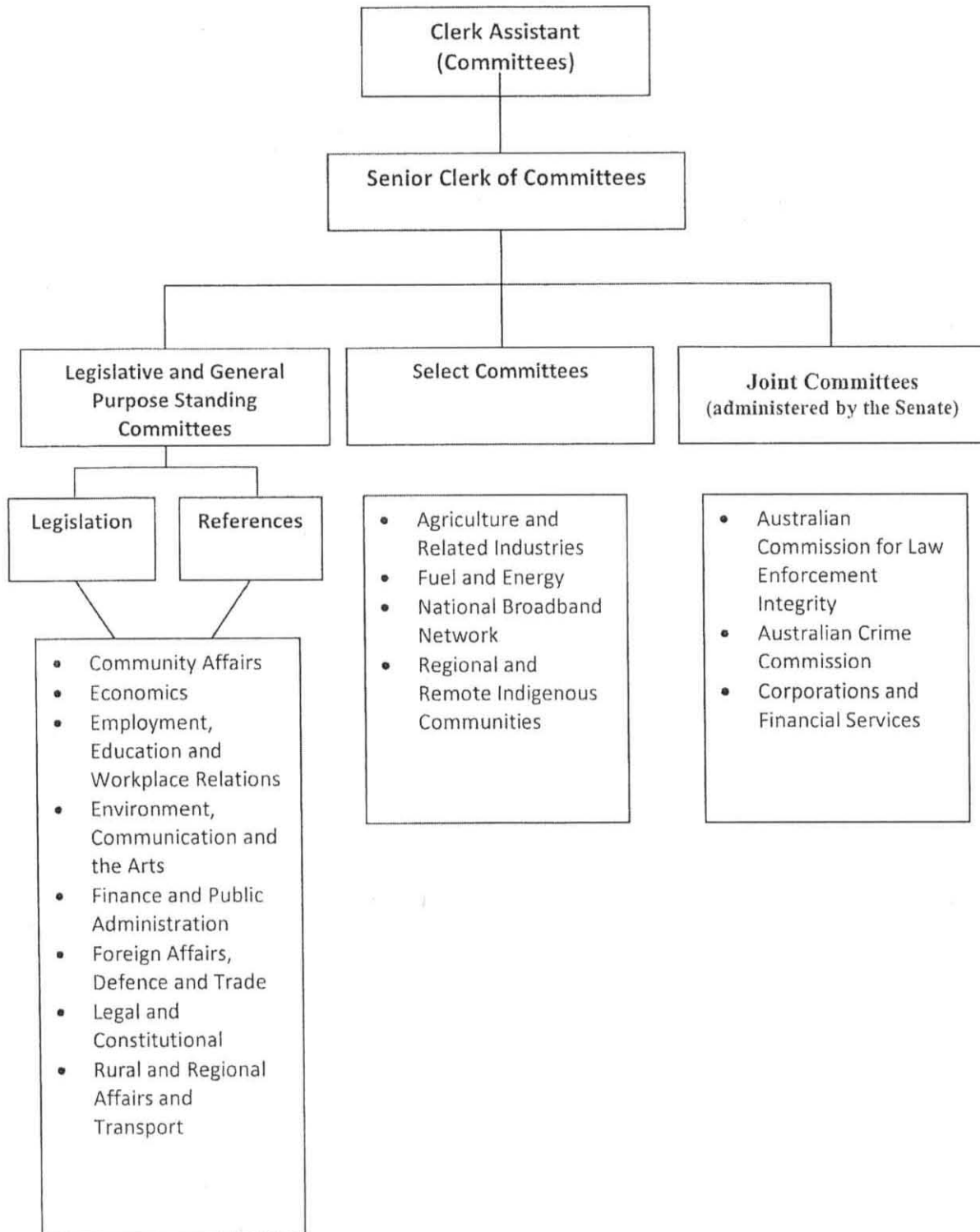
## **Attachment 4**

# Senate Administration

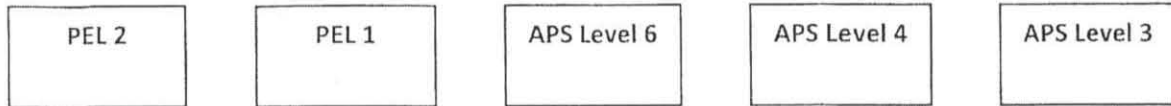


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## Senate Committee Office Administration



## A Typical Senate Committee Secretariat Staff Structure



Committee  
Secretary

Principal  
Research  
Officer

Senior  
Research  
Officer

Estimates/  
Research  
Officer

Executive  
Assistant

Salary Range (as at May 2010)

114,695



122,637

92,201



103,277

76,289



83,686

60,624



65,118

54,055



58,395

## **Attachment 5**





...announced the greatest... lawful non-citizens, such as visa...  
...overstayers and convicted crimi...  
...the government said it spent... trials.

...They clearly need to resolve... the quality of the data that is sent...  
...to the fund, and the ATO needs to

...contributions, payments for a... period because of potential errors...  
...in the payment process.

during periods of extreme crisis, and to exercise broader powers in the management of floodwaters and waters from significant rainfall events. Submissions due: 10 June. Report date: 24 August.

Submissions: online at the website or emailed to [eca.sen@aph.gov.au](mailto:eca.sen@aph.gov.au). Information: [www.aph.gov.au/Senate/committee/eca\\_ctte/inquiries.htm](http://www.aph.gov.au/Senate/committee/eca_ctte/inquiries.htm); tel: (02) 6277 3526.

### Review of government compensation schemes

The Senate Legal and Constitutional Affairs References Committee is inquiring into the administration and effectiveness of current mechanisms used by federal and state and territory governments to provide discretionary payments in special circumstances, or to provide financial relief from amounts owing to governments, namely: state statutory schemes relating to children in care; payments made under 'defective administration' schemes, such as the Commonwealth Scheme for Compensation for Detriment caused by Defective Administration; act of grace and ex gratia payments; and waiver of debt schemes. Report date: 30 September. Submissions: online at the website or emailed to [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au) by 4 June; information: [www.aph.gov.au/Senate/committee/legcon\\_ctte/index.htm](http://www.aph.gov.au/Senate/committee/legcon_ctte/index.htm); tel: (02) 6277 3560.

### Treaty reviews announced

Ten new treaties are being examined by the Joint Standing Committee on Treaties. These treaties include an agreement between Australia and the United States concerning the peaceful uses of nuclear energy, and an agreement between Australia and the United States on the provision of logistic support to each country's armed forces. In addition, a number of air service agreements, tax treaties, and agreements on the protection of classified information will also be considered. Submissions are requested by 11 June 2010. For more information visit [www.aph.gov.au/jsct](http://www.aph.gov.au/jsct), email [jsct@aph.gov.au](mailto:jsct@aph.gov.au) or phone (02) 6277 4002.

### Other current inquiries

Submissions may still be made to the relevant Senate committee in respect of the following inquiries (for more information phone the number shown):

- Food production in Australia, including fertiliser pricing and supply, plant gene patenting and the effects of an emissions trading scheme on agriculture – (02) 6277 3511
- Paid Parental Leave Scheme – (02) 6277 3515
- Liquidators and administrators – (02) 6277 3540
- Primary Schools for the 21st Century program – (02) 6277 3521
- Food standards amendment - truth in labelling-Palm Oil bill – (02) 6277 3515
- Green loans program – (02) 6277 3526
- Wild rivers (environmental management) bill – (02) 6277 3560
- Small business finance – (02) 6277 3540
- Consumer access to pharmaceutical benefits – (02) 6277 3515
- Relaxation of import restrictions on beef – (02) 6277 3511
- Plain tobacco packaging bill – (02) 6277 3515
- An equity and diversity health check in the Navy - HMAS Success – (02) 6277 3535
- Aircraft noise – (02) 6277 3511
- Administration and management of the Torres Strait – (02) 6277 3535
- Suicide in Australia – (02) 6277 3515
- Fuel and Energy – (02) 6277 3635
- Regional and remote Indigenous communities – 1800 728 963

### Submissions

Please note that submissions to inquiries become committee documents and are made public only after a decision of the committee. Committees reserve the right to not receive a submission in whole or in part. Persons making submissions must not release them until they have been published by the committee. The prior publication of a submission will not be protected by parliamentary privilege.

Submissions can be posted to the relevant committee at The Senate, PO Box 6100, Parliament House, Canberra, ACT 2600.

### General information and inquiries

If you have any general questions relating to Senate committees or inquiries please phone (02) 6277 3555, fax (02) 6277 3899, visit [www.aph.gov.au/Senate/committee/index.htm](http://www.aph.gov.au/Senate/committee/index.htm) or email [seniorclerk.committees.sen@aph.gov.au](mailto:seniorclerk.committees.sen@aph.gov.au)

If you want information on:

- how to make a submission;
  - guidance to witnesses appearing before committees; or
  - what parliamentary privilege means,
- visit [www.aph.gov.au/Senate/committee/wit\\_sub](http://www.aph.gov.au/Senate/committee/wit_sub) or contact the general inquiries number.

### Reports

Reports of Senate committees can be found online at [www.aph.gov.au/Senate/committee/index.htm](http://www.aph.gov.au/Senate/committee/index.htm) and follow the prompt to each committee. Copies of reports, submissions and Hansards are available on CD by emailing [SenCteeResOff@aph.gov.au](mailto:SenCteeResOff@aph.gov.au).

## SENATE COMMITTEES & GOVERNMENT ACCOUNTABILITY

40th Anniversary Conference  
29-30 July 2010

Parliament House & Old Parliament House

This free conference, marking the 40th anniversary of the Senate's legislative and general purpose standing committee system, examines the evolution and institutional design of the most important accountability mechanism of the federal parliament.

Speakers will include current and former senators, senior officers from the Senate, academics and lobbyists. For further information regarding the program phone the Director, Senate Research Section on 02 6277 3078. Bookings are essential. Please complete the registration form and email to [research.sen@aph.gov.au](mailto:research.sen@aph.gov.au). For further information visit: [www.aph.gov.au/Senate/conferences/ctte-40th-anniversary/index.htm](http://www.aph.gov.au/Senate/conferences/ctte-40th-anniversary/index.htm)



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