



Procedural Information Bulletin

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For the sitting period 9 to 11 May 2023

Budget sittings

The hours of meeting for the Senate were adjusted to accommodate Budget speeches from the Treasurer and the Leader of the Opposition in the House of Representatives, with crossbench senators making their replies at different times during the week.

Particulars of proposed expenditure were referred to legislation committees, for consideration at estimates hearings in coming weeks. Some documents relating to the final Budget outcome for 2021-22 were also referred. The Senate agreed to the usual motion to refer 'time critical' bills introduced in the House during the estimates period to legislation committees for inquiry by 13 June.

Legislation

No bills passed the Senate during the week.

On 10 May, the government sought – unsuccessfully – to extend the sitting to debate the Housing Australia Future Fund Bill 2023 and related bills while imposing a guillotine the following day. The Opposition, the Australian Greens and some other crossbench senators voted against the motion, and against further procedural devices proposed on 11 May seeking to bring forward a vote. Those same parties successfully moved to prioritise three other government bills ahead of the housing package; something of a pyrrhic victory achieved as the time to debate legislation expired for the week.

The first reading vote on a bill is usually a formality, allowing the bill to be listed for further consideration. However, on 11 May the Senate rejected a bill proposed by Senator Hanson at its first reading; 3 votes in favour and 44 against. This echoes the Senate's rejection of two bills introduced by Senator Anning in 2018 (see [Bulletins 329](#) and [331](#)). The circumstances are somewhat different than those that saw Senator Waters' Ministerial Suitability Commission of Inquiry Bill 2021 negated at the first reading on a series of close votes along party lines: see [Bulletin 356](#), under *The same question rule*. A motion proposing to refer Senator Hanson's bill to a committee was not dealt with. Technically the bill is in the Senate's possession, having been introduced before being defeated, so a motion to send the bill to a committee is in order and can be progressed at the next sitting.

Orders and explanations

On 9 May senators used the procedure in standing order 74(5) to seek and debate explanations for certain questions on notice and estimates questions not being answered within relevant timeframes. On 11 May the Leader of the Government in the Senate was required to attend to explain why numerous estimates questions had not been answered.

The Minister representing the Minister for the National Disability Insurance Scheme (NDIS) was also required to attend the Senate on 11 May to explain 'disrespectful' answers to two questions on notice. Debate on the explanation contended that answers to written questions should not be used as vehicles for political sledging. The Senate later agreed to an order requiring the same minister to produce the NDIS Financial Sustainability Framework. The response indicated that the document could not be produced because, although National Cabinet had agreed to develop a framework, it did not yet exist. The response also argued that it is 'not appropriate' to publish National Cabinet documents as that would 'impact state and federal relations', a blanket claim the Senate has previously rejected.

A motion requiring the Treasury Secretary to provide to the Parliamentary Budget Office (PBO) the methodology and assumptions used to cost certain tax measures was amended to require that the documents instead be provided directly to the Senate. (A similar order in 2021 required expenditure forecasts for Defence capital acquisitions to be provided to the PBO: see [Bulletin 352](#)). The Minister provided a response to the order on 15 May. Responses were also provided to orders concerning the South East Trawl Fishery and the Great Barrier Reef.

The Senate also agreed to orders seeking compliance with previous OPDs concerning the Budget process operational rules (see [Bulletin 368](#)) and the SmartCard scheme ([Bulletin 369](#)). The SmartCard order rejected the minister's claim of commercial sensitivities as a basis for withholding the information.

The cumulative list of orders and responses can be found on the Senate's [business pages](#).

Inquiries

Five bills were referred to committees by way of [report no. 5 of 2023](#) of the Selection of Bills Committee. The Senate also referred the [Crimes and Other Legislation Amendment \(Omnibus\) Bill 2023](#) to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 14 June.

Reports

Several reports were presented out of sitting, including:

- a Community Affairs References Committee [interim report](#) on the extent and nature of poverty in Australia, and an [interim report](#) of the Select Committee on the Cost of Living
- an Environment and Communications References Committee [report](#) on oil and gas exploration and production in the Beetaloo Basin;
- a Foreign Affairs, Defence and Trade References Committee [report](#) on adaptive sport programs for Australian Defence Force veterans, which made 12 recommendations, including improving funding and access for veterans to participate in veterans' sport programs, and increasing engagement with community-based sporting clubs.

RELATED RESOURCES

[Dynamic Red](#) – updated continuously during the sitting day, the Dynamic Red displays the results of proceedings as they happen.

[Senate Daily Summary](#) – a convenient summary of each day's proceedings in the Senate, with links to source documents.

Like this bulletin, these documents can be found on the Senate website: www.aph.gov.au/senate

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