



DEPARTMENT OF THE SENATE

PROCEDURAL INFORMATION BULLETIN

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For the sitting period 7 - 17 September 2015

By the end of the sitting period, a new Prime Minister had been sworn in following a Liberal Party Room ballot, but any changes in ministerial arrangements were yet to be announced. As a consequence of these developments the legislative program was relatively light.

LEGISLATION AMENDED, REJECTED

Schedule 2 of the Veterans' Affairs Legislation Amendment (2015 Budget Measures) Bill 2015 was referred to the Foreign Affairs, Defence and Trade Legislation Committee for a relatively short inquiry by way of a second reading amendment moved by the Minister for Veterans' Affairs. The schedule dealt with the review of military rehabilitation and compensation matters and the Opposition had circulated an amendment to oppose the Schedule. The minister's second reading amendment also provided for further consideration of the bill to await the report from the committee.

The Social Services Legislation Amendment (No. 2) Bill 2015 was passed with Government and Opposition amendments that were subsequently agreed by the House of Representatives, but another Social Services Legislation Amendment Bill, relating to waiting periods for unemployed youth, was negatived at second reading on 9 September. In the same policy field, a private senator's bill preventing social security payments being made directly to consumer lease firms offering consumer goods at heavily inflated prices was passed by the Senate on 10 September. Although government senators supported the policy objectives, it was argued that the bill, as drafted, was unlikely to achieve them. The bill's mover, Senator Cameron, successfully initiated an order for the production of information relating to the Centrepay Policy and Terms which came into effect on 1 July 2015. An interim response, tabled on 14 September, noted the short deadline to comply with the order but included an undertaking to provide the documents by the end of the sitting period. The information was provided on 17 September (with some redaction of personal, commercially confidential and unrelated information).

The Treasury Legislation Amendment (Small Business and Unfair Contract Terms) Bill 2015 was passed on 14 September with amendments moved by the Australian Greens and the Liberal Democrats but, although reported, the message was not further considered by the House of Representatives before the end of the week.

DISALLOWANCE

Notice of a motion to disallow the Customs (Prohibited Imports) Amendment (Firearms and Firearm Magazines) Regulation 2015 was withdrawn on 8 September without the reasons being made clear. The Chair of the Regulations and Ordinances Committee also withdrew three

protective notices on 17 September having made a statement the previous day on the reasons for doing so.

Later the same day, in speaking to the committee's Delegated Legislation Monitor No. 11 of 2015, [Senator Williams](#) drew senators' attention to concerns about a regulation made to address 'disruption' to the financial advice industry, said to have arisen from the Senate's disallowance on 19 November 2014 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014 [see [Bulletin 288](#)]. The committee criticised the making of the regulation for pre-empting consideration of the Corporations Amendment (Streamlining of Future of Financial Advice) Bill 2014, currently before the Senate, and indicated it would lodge a protective disallowance notice so the fate of the bill may be determined before the disallowance period for the regulation expired.

CASUAL VACANCY

The foreshadowed resignation of Senator Wright occurred on 10 September, with the President announcing the vacancy when the Senate met and reporting that he had notified the Governor of South Australia in accordance with section 21 of the Constitution.

ADDRESS TO THE GOVERNOR-GENERAL

The proposed Address to the Governor-General requesting the revocation of the Letters Patent of Royal Commissioner Dyson Heydon was negatived on an equally divided vote on 8 September, opponents of the motion arguing that the matter should be resolved by the courts through an appeal against Commissioner Heydon's decision in relation to apprehended bias.

CONDUCT OF SENATORS IN QUESTION TIME

The President again made a [statement](#) about the conduct of senators in question time, warning that persistent and wilful disregard for the authority of the chair was an offence under the standing orders and could attract the appropriate sanction.

PARLIAMENTARY APPROVAL OF MILITARY DEPLOYMENTS

The "war powers" debate was revived during the period in expectation of an announcement by the Government of further Australian involvement in airstrikes against targets in Syria. The Leader of the Australian Greens, Senator Di Natale, unsuccessfully sought to suspend standing orders on 9 September to allow a debate on parliamentary approval of the involvement of Australian military forces in Syria. General business time on 10 September was devoted to debate of a motion along the same lines, although the matter did not come to a vote. Ministerial statements on operations in the Middle East and on the Syrian humanitarian crisis were tabled on 17 September and briefly debated.

OTHER ORDERS FOR PRODUCTION OF DOCUMENTS

Apart from the information sought on Centrepay policies (see above), other orders for production of documents were made as follows:

- briefing materials and correspondence between the Department of Infrastructure and Regional Development and the Deputy Prime Minister's office in relation to claims made to a recent Senate committee inquiry concerning North Star Cruises – agreed 15 September, documents provided 17 September;
- specified documents in relation to NBN Co Limited – agreed 17 September, due 12 October;
- a copy of the recent Coalition agreement and related correspondence outlining the relationship between the Liberal and National parties in government – agreed 17 September, refused on the basis that it was an agreement between leaders of political parties in that capacity and not a government document (but noting existing provision for scrutiny of administrative actions resulting from the agreement);
- information from a Department of Veterans' Affairs Client Services Survey – agreed 17 September, due 12 October.

AN UNUSUAL MPI

Independent Senator Lambie successfully proposed a matter of public importance under standing order 75 on 16 September, on the Government's inaction in facilitating debate in the House of Representatives on her bill, passed by the Senate, to link ADF pay rises to the greater of CPI increases or increases in salaries of members of Parliament.

COMMITTEE REPORTS AND INQUIRIES

The report of the Select Committee relating to Conditions and Circumstances at the Regional Processing Centre in Nauru, presented out of sitting, was the subject of debate on several occasions during the period with divided views presented by different participants in the inquiry. The subject was also raised during questions without notice and debate of answers. Notice of motion for a further committee inquiry into regional processing centres has been postponed till the next period of sittings.

The report of the Environment and Communications References Committee on the regulation of the fin-fish aquaculture industry in Tasmania was also the subject of debate and the committee received a new reference on the social, economic and environmental impacts of "supertrawlers" operating in Australia's maritime jurisdiction.

Several major inquiries were granted extensions of varying length in a sign that committees were claiming reasonable timeframes to complete the many inquiries that are currently referred to them.

Others came to a conclusion, with the presentation of reports on a plebiscite or referendum on changing the marriage law, recent community services tendering processes, the handling of the letter sent by Man Haron Monis, the Department of Parliamentary Services, the availability of specialist and innovative cancer drugs, and a private senator's bill (International Aid (Promoting Gender Equality) Bill 2015), all of which were debated on presentation. The Select Committee on Health also presented its third interim report, on the proposed privatisation of hearing services.

RELATED RESOURCES

The [Dynamic Red](#) records proceedings in the Senate as they happen each day.

The [Senate Daily Summary](#) provides more detailed information on Senate proceedings, including progress of legislation, committee reports and other documents tabled and major actions by the Senate.

Like this bulletin, these documents can be found on the [Senate website](#).

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