

Procedural Information Bulletin No. 17

For the sitting 16 to 25 September 1986

NEW SENATOR

Senator Janet Powell, having been appointed by the Deputy Governor in Council of Victoria to take the place vacated by Senator Chipp, was sworn in and took her seat on 16 September.

ESTIMATES COMMITTEES

Much of the sitting time of the two weeks was occupied by the Estimates Committees, which put in long hours on their consideration of the annual estimates, culminating in two sittings extending into the small hours of 26 September.

PARLIAMENTARY PRIVILEGE

Mr President gave notice, on 15 September, of his intention to seek leave to introduce a Bill relating to parliamentary privilege. This is the Bill the draft of which he tabled in June, and it is designed to overcome the unacceptable interpretation of the privilege of freedom of speech by the New South Wales Supreme Court and to carry out the principal recommendations of the Joint Select Committee on Parliamentary Privilege. This will be the first occasion on which a Presiding Officer has introduced a Bill.

PARLIAMENTARY COMMISSION OF INQUIRY (REPEAL) BILL

The House of Representatives returned this Bill on 16 September, disagreeing to one of the amendments made by the Senate and suggesting another amendment in its place. The matter in dispute was the clause creating an offence in relation to unauthorised disclosure of matters placed before the Commission. On the following day the Senate disagreed to the further amendment made by the House and proposed another amendment. The latter amendment was the same in substance as the Senate's original amendment, but changes were required because the original amendment referred to material in another proposed amendment which was not

agreed to by the Senate. The new amendment was put forward by Senator Durack moving an amendment to the motion moved by the Government that the Senate not insist on its original amendment and agree to the amendment made by the House of Representatives. The new amendment was agreed to by the House on 22 September, allowing the Bill to pass into law.

LOANS BILL

As in 1985, the Government presented this Bill in such a form that it would authorise borrowing of money by the Government not only for the current financial year but for all future financial years. As in 1985, the Senate amended the Bill to confine the authority to borrow to the current financial year, thereby preserving the right of the Houses to decide whether borrowing will take place each year.

CUT-OFF DATE FOR BILLS

Senator Macklin, on 17 September, gave notice of a motion similar to that passed in the last period of sittings, to set a cut-off date for the introduction of Government Bills into the Senate, so that Bills introduced after that date would be automatically adjourned until the first sitting in 1987. The date proposed for this period of sittings is 14 November. The motion has not yet been dealt with.

MOTION FOR AN ORDER FOR A BILL

In 1985 Senator Siddons attempted to present by leave a plan for a Bill and to move a motion that a Bill be brought in in accordance with the plan. This was a device to initiate legislation without actually having a Bill drafted. The proposed procedure was referred to the Standing Orders Committee, which recommended in a report in November 1985 that it not be allowed, on the grounds that it would involve a further inroad on the regular conduct of business and that there are other procedures to achieve the desired aim. One of the procedures suggested was for a notice of motion for an order to bring in a Bill, a procedure which is provided for in the Standing Orders but which has not been used in recent times.

Senator Vigor, on 17 September, gave notice of a motion for an order that the Minister for Finance bring in a Bill to ensure that proper consideration is given to Australian tenderers in the award of Commonwealth contracts. As suggested by the Standing Orders Committee, the notice of motion includes an outline of the proposed Bill.

STANDING APPROPRIATIONS ABOLITION BILL

In recent years it has become a matter of some concern that the greater part of Commonwealth expenditure is authorised by special appropriations, which are of unspecified amounts and which do not come up for annual scrutiny and renewal by the Houses. In the debate on the Loans Bill in 1985, the Minister for Finance stated that 70 percent of all Commonwealth expenditure was authorised by these special appropriations.

Senator Vigor on 24 September introduced a Bill which would abolish all special appropriations and require that the money for Acts now containing special appropriations be appropriated annually.

OPPOSITION SPEAKERS

The Leader of the Opposition on 18 September had a motion passed authorising Opposition Senators when speaking on behalf of the Opposition to speak from the place of the Deputy Leader of the Opposition. The authorisation of the Senate for such a procedure is necessary because the Standing Orders provide that Senators must speak from their places. This provision has always been regarded as important in preserving the debating style of the chamber, which is quite different from that of chambers where the speakers speak from a lectern or podium. Under the resolution the Senators concerned will still be speaking from the benches and not from any elevated or special position, so it is not regarded as breaching the established manner of debate.

COMMITTEES

The Foreign Affairs and Defence Committee on 17 September received a new reference relating to leakage of radiation from nuclear-powered or nuclear-armed ships.

A motion to refer the matter of food irradiation to the Science Technology and Environment Committee was adjourned on 24 September. By being adjourned the motion loses its precedence as business of the Senate.

The Scrutiny of Bills Committee on 17 September presented its annual report, reviewing its work over the past year and assessing its effect on legislation.

The Industry and Trade Committee presented its report on manufacturing industry on 23 September, and the report was debated the following day, with a contribution by the responsible Minister, Senator Button.

The Education and Arts presented a report on annual reports on 17 September, and on the following day a report on an Opposition amendment which was moved to the copyright legislation, and which was referred to the Committee following consideration of that legislation.