

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 10 – 18 June 2020 (no. 30)

The House sat from 10 to 18 June in what was the first sitting fortnight since the beginning of March. In the first week, the House sat on Wednesday, Thursday and Friday (the first sitting Friday since 2008). While the House met with a reduced number of Members present to allow for social distancing, over the course of the fortnight, a large number of Members attended. The sittings featured: passage of 20 bills; a substantial volume of message traffic between the House and Senate, including on amendments to House bills insisted on by the Senate; and several motions for suspension of standing orders to call on a notice to disallow a regulation.

Arrangements for the operation of the Chamber

Special seating arrangements again enabled distancing between Members, and the Whips continued to organise a large number of pairs so that numbers present in the Chamber for divisions were reduced. In the first sitting week there were seats available in the Chamber for 71 Members, including the Speaker, and there were 40 pairs for divisions. In the second week, the seating plan allowed for up to 111 Members, and there were 20 pairs for divisions. Again, there was no access to the viewing galleries, or to Parliament House, for the general public.

A total of 142 Members attended across the sitting fortnight, compared to 129 for the sittings on 12 to 14 May, 59 for the sitting on 8 April, and 90 for the sitting held on 23 March.

Statement by the Speaker—issue of writ for a by-election

Proceedings commenced on 10 June with the Speaker informing the House that on 28 May he had issued a writ for the election of a Member to serve for the electoral division of Eden-Monaro, to fill the vacancy created by the resignation of the Hon Dr Mike Kelly AM. The writ provides that the date of polling will be 4 July and for the writ to be returned on or before 5 September.

Suspension of standing orders to provide an order of business

On 10 June, the Leader of the House moved, without notice, a motion to suspend standing orders to provide an order of business for sittings in the first week. Essentially, the motion provided for a period of private Members' business that day in the House and Federation Chamber; usually, private Members' business is conducted on Mondays. For Thursday, 11 June, the standing orders would apply to the necessary extent as if it were a Wednesday, and on Friday, 12 June, the standing orders would apply to the necessary extent as if it were a Thursday. The Leader of the House advised that he and the Manager of Opposition Business had agreed an absolute majority would not be required to pass the motion. The Manager of Opposition Business indicated the Opposition's support and the motion was agreed to.

Sittings in the second week followed the normal order of business.

Legislation

In the first week seven bills were presented (including private Members' bills, government bills, and bills from the Senate) and in the second week six bills were presented.

Introductions

During the fortnight, eight government bills were presented. Subjects included regional commercial radio, the National Disability Insurance Scheme, and the Office of the National Rural Health Commissioner.

In time allocated for private Members' business in the House on 10 and 15 June, five bills were introduced. The bills, chosen by the Selection Committee, related to the family law system, renewable energy and coal mining, interactive gambling, fair work, and sustainable procurement principles. As usual, debate was adjourned and resumption of the debate made an order of the day for the next sitting.

Passing the House

Twenty bills were passed by the House during the fortnight.

On 16 June a message from the Senate was reported returning the Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019 with three amendments. The bill would amend the *Crimes Act 1914* to include mandatory minimum penalties and a presumption against bail for certain offenders. The Leader of the House moved that the amendments be considered immediately. Once this was agreed, he moved successfully that the first and third amendments be agreed to. He then moved that the second amendment be disagreed to. Following debate, the question was put and a division was called for. As there were fewer than five Members voting no, the Speaker declared the question carried, with the names of the two Members in the minority to be recorded in the Votes and Proceedings, in accordance with the standing orders. As required when the House disagrees with amendments made by the Senate, the Minister presented written reasons of the House for disagreeing to the Senate's amendments and moved successfully that these be adopted. Later on 16 June, a message was reported informing the House that the Senate did not insist on its amendment.

Motions to suspend standing orders and notice of motion to disallow a regulation

In addition to the procedural motion relating to the order of business for the first sitting week, 10 motions to suspend standing orders were moved by opposition and non-aligned Members after leave had been denied to move a substantive motion. The topics included the National Integrity Commission Bill 2018 (No. 2) (received from the Senate), the Fair Work Amendment (One in, All in) Bill 2020, live sheep exports, car manufacturing, and regulations made under the *Australian Postal Corporation Act 1989*. On all occasions closure motions were moved on the mover and seconder, and the question on the original motion to suspend standing orders was lost.

On 11 June, the Leader of the Opposition gave notice of a motion to disallow the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020, made under the *Australian Postal Corporation Act 1989* on 14 May. On 12 June he moved to suspend standing orders so that the notice for the disallowance could be called on immediately and given priority over other business for final determination of the House. Closure motions were successfully moved on him and the seconder, and then closure of question was moved and carried. The question on the original motion was lost on division 33:31. Motions to suspend standing orders to call on the disallowance notice were moved unsuccessfully by the opposition on 15, 16, 17 and 18 June, with the terms of the motions varying slightly. In Question Time on 18 June an opposition Member put a question to the Leader of the Opposition concerning the substance of the disallowance. Questions may be asked of a backbench Member about a bill, motion or business of a committee for which that Member is responsible but they are relatively rare.

Committee and delegation reports, and private Members' business

Twelve committee reports were presented.

On 15 June, chairs and deputy chairs of three committees made statements updating the House on the activities of their committees and the status of inquiries, with some Members noting the impact of COVID-19.

During the fortnight, committee chairs were granted leave to make statements on reports they presented. Topics included export and investment opportunities, public works, allergies and anaphylaxis, and migration in regional Australia. In some cases, take note motions were moved and the reports referred to the Federation Chamber for debate. A delegation report was also presented.

On 12 June, a message from the Senate was reported informing the House that the Senate had agreed to refer 'the destruction of 46,000 year old caves at the Juukan George in the Pilbara region of Western Australia' to the Joint Standing Committee on Northern Australia for inquiry and report. The Committee's resolution of appointment provides that it may inquire into matters relating to the development of Northern Australia referred to it by either House of the Parliament or a Minister.

On 18 June, the Speaker presented a schedule of the status of government responses to committee reports. A resolution of the House adopted in 2010 provides that within six months of the presentation to the House by a committee, the Government will present its response to the report's recommendations. Every six months the Speaker presents a list of reports with recommendations requiring a government response; responses received during the previous period are included.

In time allotted for private Members' business, in addition to the introduction of bills noted above, Members moved motions on topics that included General Motors, Ordinary Seaman Edward (Teddy) Sheehan, and the 80th anniversary of diplomatic relations between Australia and the United States of America.

Federation Chamber

The Federation Chamber met each day the House sat. Members made constituency statements and debate continued on motions to take note of committee reports relating to Australia's export and investment opportunities, conduct of the 2019 federal election, lowering the donation disclosure threshold, deployment of 5G, and allergies and anaphylaxis. Debate took place on 13 private Members' motions, on topics that included university jobs, the Country Women's Association, Chinese Australians, diabetes, veteran suicides, and Australia and the Pacific.

On 10 and 11 June debate resumed on a motion to take note of the Minister for Health's statement, made on 13 May, on the government response to the challenges posed by COVID-19. A comprehensive debate ensued with 21 Members making contributions.

Quorum calls

Attention was drawn by a Member 'to the state of the House' (the term used to identify the want of a quorum) on several occasions. If a Member is speaking at the time a quorum is called, they are interrupted. The bells are rung for four minutes or until a quorum (31 Members) is formed, at which point proceedings are resumed. The Member speaking loses the time taken for a quorum to form from the allocated speech time.

Matter of Public Importance discussions

Topics for the one-hour discussions after Question Time comprised: challenges facing Australia; 'robodebt'; the housing construction industry; a plan for economic recovery; mismanagement of the COVID-19 recovery and the disproportional impact on women; and Australians being locked out of TAFE and university. All topics chosen by the Speaker during the fortnight were proposed by an opposition Member, as is usually the case.

Statements by the Speaker

On 18 June, the Speaker responded to a question from a Member who had asked whether the Speaker would accept a submission from a community group and a company seeking an opportunity to reply to criticisms made by a Minister in debate. The Speaker made a statement outlining the citizen's right of reply procedure, enabled by a resolution of the House, allowing persons to apply to have a response, published in Hansard, to comments made about them by a Member in the House. He clarified the role of the [House Standing Committee of Privileges and Members' Interests](#) in this regard.

Also on 18 June, the Speaker made a statement concerning the Electronic Access Control System (EACS) at Parliament House.

Interaction with the Senate

Message traffic was notable for a number of messages related to amendments to House bills insisted on by the Senate. Other messages concerned: the return of House bills without amendments or requests; resolutions of the Senate requesting the House's concurrence; committee membership changes; and referral of a matter to a joint committee for inquiry and report.

Two Treasury Laws Amendment Bills were the subject of a number of messages. On 15 June, a message from the Senate returned the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019 with amendments. A Minister moved that the message be considered immediately. Once this was agreed, the Minister moved that the Senate's amendments be disagreed to and this was carried on division 55:53. The Minister then presented reasons of the House for disagreeing and moved successfully that they be adopted. On 16 June a message was reported returning the bill and informing the House that the Senate insisted upon its amendments disagreed to by the House and requesting reconsideration. Once the House had agreed to consider the message immediately, the Minister moved that the House insist on disagreeing to the amendments insisted on by the Senate. Following debate, the motion was carried on division 56:53. On 17 June, a message was reported that the Senate did not again insist on its amendments to which the House disagreed.

In a similar process, on 17 June a message from the Senate returned the Treasury Laws Amendment (2020 Measures No. 2) Bill 2020 with amendments. The House having agreed that the message be considered immediately, the Minister moved that the Senate's amendments be disagreed to. Following debate, the motion was carried on division. As required, the Minister presented written reasons for the House disagreeing to the Senate's amendments and moved that these be adopted. The reasons were the same as those presented for the previous Treasury Laws Amendment Bill. On this occasion, the House divided and the motion was carried 55:52. On 18 June, a message was reported returning the bill and informing the House that the Senate insisted upon its amendments disagreed to by the House. Once the House agreed that the message be considered immediately, the Minister moved successfully that the House insist on disagreeing.

On 16 June, a message was received informing the House of a Senate resolution and seeking the concurrence of the House. The message related to the National Integrity Commission Bill 2018 (No. 2), a private Senator's bill which had passed the Senate on 9 September 2019. (The bill was first introduced to the House on 10 September 2019 and made an order of the day for the next sitting, as part of government business.) The resolution, similar to one received by the House on 11 February, again called on the Government to bring on the bill for a vote in the House during the June sittings. The Leader of the House moved that consideration of the message be made an order of the day for the next sitting. After debate and a closure of question, the motion was carried on division.

The House and Senate will meet next on 4 August 2020.

Further information on the work of the House

[Bills and legislation](#), bills, explanatory memoranda, amendments, speeches, and a tracking option

[Live Minutes](#), a real time summary of House decisions and proceedings. When used in conjunction with the [Daily Program](#), the Live Minutes are a simple way to track the House's work each day

[Votes and Proceedings](#), the official record of the proceedings of the House of Representatives

[House of Representatives Practice](#) 7th ed., 2018, the most authoritative guide to House procedure

[House of Representatives Standing Orders](#), as at 19 September 2019, the rules of procedure for the House of Representatives