

# HOUSE REVIEW



## Selected features of House of Representatives business

Sittings held on 12 – 14 May 2020 (no. 29)

On 29 April the Speaker notified Members, under Standing Order 30, that the House would sit on 12 May, with the House subsequently resolving to meet on 13 and 14 May as well. While the House met with a reduced number of Members to allow for social distancing, the normal routine of business was largely followed. The sittings featured several Ministerial statements and the introduction of a substantial number of bills, and the House agreed to a revised sitting schedule for the remainder of 2020.

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### Special arrangements for the operation of the Chamber

Special seating arrangements were again put in place to enable social distancing between Members for the sittings. A total of 130 Members attended across the sitting days, compared to 59 for the sitting held on 8 April and 90 for the sitting on 23 March.

While more Members attended and participated in debate than on the previous two sittings, to minimise the number of Members present in the chamber at one time the Whips continued to organise a large number of pairs, and only a limited number of Members attended question time. Again, there was no access to the galleries, or to Parliament House, for the general public.

### Resignation of a Member

Proceedings commenced on 12 May with the Speaker informing the House that he had received a letter from the Hon Dr Mike Kelly AM resigning his seat as the Member for Eden-Monaro. The Speaker stated that he was considering possible by-election dates and that he would consult with party leaders in the usual way. When a vacancy occurs, the Speaker issues the writ for the election of a new Member and determines the date for the by-election. On 14 May the Speaker presented a document containing Dr Kelly's valedictory remarks and indicated these would be incorporated in Hansard. On indulgence, the Member for Wright and the Leader of the Opposition made statements in tribute to Dr Kelly.

### Suspension of standing orders to facilitate the week's sittings

The Leader of the House advised that he and the Manager of Opposition business had agreed an absolute majority would not be required for the motion he proposed to move without notice to suspend standing orders. (On 23 March, standing orders were amended to allow for suspension motions moved without notice to be carried by a simple majority of Members voting, if agreed by the Leader of the House and the Manager of Opposition Business, rather than requiring an absolute majority of 76 Members.) The suspension motion sought to facilitate further sittings of the House on 13 and 14 May, and to vary the routine of business so that the Federation Chamber would not meet on 12 May.

The Manager of Opposition Business indicated the Opposition's support but moved an amendment to require the Government to present a revised program of sittings for 2020 as the first item of business the following day. The Speaker informed the House that questions on amendments would again be put in the negative form, 'that the amendment be disagreed to', so that Members might not

need to move across the Chamber to vote in divisions. A division on the amendment was called for but, because it was before 2 pm on a Tuesday, the division was deferred until after the discussion on the Matter of Public Importance. The amendment was then negated on division and the original motion was carried on the voices.

### **Statement by the Speaker—Pairing arrangements**

Also on 12 May, the Speaker made a statement on the recording of pairs during the current sittings. While pairing arrangements are unofficial and a Speaker would not normally comment on these matters, he noted that pairing had enabled the House to debate important legislation which would otherwise have been impossible given the limit on numbers able to be present in the Chamber. He also noted that pairing allows the voting intentions of absent Members to be recorded. The Speaker said that pairs would be recorded in the Live Minutes, the Votes and Proceedings and the Hansard, with the party Whips to provide that information.

### **Ministerial statements**

During the week, three Ministerial statements were made by leave and, as usual, were responded to by the Opposition.

On 12 May the Treasurer made a statement concerning the impact of the COVID-19 pandemic on the Australian economy and set out the reasons for an increase in Government borrowings. The Shadow Treasurer responded.

On 13 May the Minister for Health made a statement outlining the actions the Government had taken in responding to the health challenges posed by COVID-19 and the steps still to be taken to protect public health. He commented that ultimately ‘our strongest protection is our own personal responsibility. Each of us can help save a life or inadvertently risk a life through our own actions.’ The Shadow Minister responded that, looking beyond the pandemic, ‘let this crisis be a call to strengthen and renew the bonds of our health system and our society more broadly.’ The matter was referred to the Federation Chamber where debate on a motion to take note of the Minister’s statement commenced the following day.

On 14 May the Minister for Agriculture, Drought and Emergency Management made a statement updating the House on bushfire recovery and drought response, with the Leader of the Opposition speaking in reply.

### **Legislation**

#### *Introductions*

Twenty-seven Government bills were presented. While the first of these—the Privacy Amendment (Public Health Contact Information) Bill 2020—related to the pandemic, others focused on a diverse range of subjects. They included establishment of a National Skills Commissioner, the wellbeing of veterans and their families, levies imposed by the Australian Prudential Regulation Authority, and transfer of ownership of the Jabiru Township land in the Northern Territory to the traditional owners.

#### *Passing the House*

Five bills were passed by the House.

Some bills, particularly those related to the Government’s response to the COVID-19 pandemic, were passed quickly by both Houses. On 12 May the Attorney-General presented the Privacy Amendment (Public Health Contact Information) Bill 2020, by leave. The bill was intended to provide stronger privacy protections for users of the Government’s COVIDSafe app and data collected through the app. Following the Attorney-General’s second reading speech, leave was granted for debate to continue immediately and the Opposition moved an amendment. Eighteen Members contributed to

the debate. The amendment was lost on the voices and the question on the second reading was then passed with one Member dissenting. By leave, the third reading was moved immediately and agreed to. A message from the Senate, returning the bill without amendment, was reported to the House on 14 May.

Similarly, on 13 May, a Minister presented the Aged Care Legislation Amendment (Emergency Leave) Bill 2020, the purpose of which was to introduce a new type of leave which can be utilised by permanent residents of aged-care homes in particular emergency situations, such as the COVID-19 pandemic, and ensure that aged-care providers are not financially disadvantaged. Following the Minister's second reading speech, leave was granted for debate to resume at a later hour that day. After debate was resumed, the questions on the second and third reading were put and carried on the voices. A message from the Governor-General recommending an appropriation in relation to the bill was reported. A message from the Senate, returning the bill without amendment, was also reported to the House on 14 May.

Following the presentation of the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020 on 13 May the Minister moved, by leave, that resumption of debate be made an order of the day for a later hour that day. At the conclusion of a Minister's second reading speech, debate is normally adjourned to a future day, allowing the Opposition and other Members an opportunity to consider the bill. The Opposition opposed the motion and debate ensued. The question was then put and carried on division. When the second reading debate resumed, the Shadow Minister moved an amendment and, with the Adjournment debate about to commence, sought leave to continue his remarks.

### **Committees—reports and referral of inquiries**

Ten committee reports were presented.

Committee chairs and deputy chairs were given leave to make statements on reports presented. Topics included the adoption and deployment of 5G technology in Australia, and the national redress scheme related to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. In some cases, take note motions were moved successfully and the reports referred to the Federation Chamber for debate.

On 13 May the Leader of the House moved that terms of reference for an inquiry into the 'class action industry' be referred to the Parliamentary Joint Committee on Corporations and Financial Services for inquiry and report. The Opposition moved an amendment effectively replacing the proposed terms of reference altogether. The amendment was defeated on division, with the question again put in the form 'that the amendment be disagreed to', avoiding a cross-over division. The question on the motion was carried on division. It is relatively unusual for the House to refer an inquiry to a committee. In this instance, the *Australian Securities and Investments Commission Act 2001*, which sets out the Committee's duties, provides for it to inquire into a question that is referred to it by a House.

### **Federation Chamber**

The Federation Chamber met on 13 and 14 May. Members made constituency statements and debate continued on motions to take note of committee reports relating to age verification for online activities, and vegetation and land management policy relating to bushfires.

On 14 May debate resumed on a motion to take note of the Minister for Health's statement on the actions the Government had taken in responding to the health challenges posed by COVID-19 and the steps still to be taken to protect public health. A comprehensive debate ensued with ten Members making contributions before the debate was adjourned.

### **Motions to suspend standing orders—excessive length**

As well as the procedural motion to facilitate the week’s sittings, one other suspension motion was moved, by the Member for Kennedy on 14 May, seeking increased Government support for dairy farmers. Following the motion’s defeat on division, the Speaker referred to the length of the motion and advised that if a similarly lengthy suspension motion were presented in the future he would withdraw the call and require the Member to present the motion in more concise terms.

### **Revised program of sittings**

The Leader of the House presented, by leave, a revised program of sittings for 2020 and moved that it be agreed to. The revised program schedules the next sitting day for Wednesday, 10 June 2020, and has the first scheduled Friday sitting, on 12 June, since 2008. The question was put and carried.

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### ***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