

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 15 – 25 February 2021 (no. 37)

The first full sitting fortnight for the year featured the passage of 12 bills and the presentation of nine committee reports. The sittings also featured: contributions by video link in the Chamber and Federation Chamber; the first speech made by a new Member; a Member announcing his move to the crossbench; a motion to approve regulations; and consideration of several Senate resolutions.

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### Changes to the Speaker's Panel

Just before Question Time on 15 February, the Speaker presented a warrant removing [Mr R. J. Wilson](#) from the Speaker's panel and adding [Mr Irons](#) to the panel. Members of the Speaker's panel take the Chair (as Deputy Speaker) of the Chamber or Federation Chamber when asked to do so. In practice, rosters are maintained for occupants of the Chair. Although the Speaker has a casting vote under [section 40 of the Constitution](#), this provision doesn't extend to members of the Speaker's panel in the Chair, unless specifically appointed Acting Speaker by resolution of the House.

### Agreement for Members to contribute remotely

Following Victorian border restrictions that came into effect over the preceding weekend, on 15 February the [Leader of the House](#) presented an [Agreement for Members to contribute remotely to parliamentary proceedings](#), which set up opportunities for Members unable to be physically present because of COVID-19 travel restrictions during the current sitting fortnight, to participate in certain proceedings in the Chamber and Federation Chamber through an official parliamentary video facility. The provisions in this most recent Agreement are consistent with those set out in previous agreements presented on 24 August and 6 October 2020, and in the statement made by the Deputy Speaker in the Federation Chamber on 9 November 2020.

Later that day, the Member for Calwell, [Ms Vamvakinou](#), made the first remote contribution to the Federation Chamber, speaking during the period for constituency statements. In total over the fortnight, the video facility was used six times, across the Chamber and Federation Chamber, for various items of business, such as three-minute constituency statements and 90 second statements, debate on private Members' business, second reading debate on a Government bill, and the adjournment debate.

### Anniversary of the National Apology to the Stolen Generations

Since the National Apology to the Stolen Generations made by Prime Minister Rudd on 13 February 2008, the Prime Minister has made a ministerial statement and presented the Closing the Gap report to Parliament each year in February. This year, on 15 February the [Prime Minister](#) made a ministerial statement in which he affirmed the significance of the anniversary but also advised the House that following an agreement last year between Australian governments and Indigenous peak organisations, reporting on national progress in closing the gap will now occur mid-year. The [Leader of the Opposition](#) spoke in reply to the Prime Minister's statement. [Mr Wyatt](#) and [Ms Burney](#)—the minister and shadow minister for Indigenous Australians, respectively—then spoke in response to a motion moved by the Leader of the House to take note of the Prime Minister's statement. Debate was then adjourned, and further debate on the motion was made an order of the day for a future sitting.

### **First Speech by the Member for Groom**

At 5.30 pm on 15 February, on motion by a Minister, by leave, standing orders were suspended to enable the new Member for Groom to make a statement immediately and without a time limit. [Mr Hamilton](#) then made his first speech to the House. Mr Hamilton had been sworn in as a Member on 3 December 2020, following the by-election held on 28 November.

### **Deputy Clerk of the House**

After Question Time on 15 February, the Speaker made a statement about the retirement of Ms Catherine Cornish as Deputy Clerk of the House. The Speaker also informed the House that Mr Peter Banson had been selected to succeed Ms Cornish as Deputy Clerk.

### **Statement by the Member for Hughes**

After Question Time on 23 February, the Member for Hughes, [Mr Kelly](#), made a statement by indulgence and announced that he had resigned from the Liberal Party that day and would be sitting as an Independent member of the House. Mr Kelly stated that he would ‘support the government on matters of supply, confidence and procedure’. The crossbench now consists of seven Members, the government has 76 Members and the Opposition has 68.

### **Legislation**

Over the course of the fortnight, the consideration of legislation was a significant focus for the House. 21 [bills were presented](#) and 12 bills were passed by the House.

#### *Introductions*

During the fortnight, 13 Government bills were introduced into the House. Subjects included: superannuation; family assistance and income support; private health insurance; financial sector reforms; biosecurity; online safety; and infrastructure investment in Northern Australia.

Six private Members’ bills were introduced. These related to: proposals to [change arrangements for visas](#) due to air travel and border disruptions caused by COVID-19; requiring parliamentary approval of [defence force deployments](#) overseas; the [reporting of carbon emissions](#); establishing a statutory authority to promote [community energy](#) projects; and [ending mandatory immigration detention](#).

During the fortnight, two private Senators’ bills, which originated in and had passed the Senate, were introduced into the House.

#### *Passing the House*

Sixty Members spoke during the second reading debate on the [Fair Work Amendment \(Supporting Australia’s Jobs and Economic Recovery\) Bill 2020](#), which ran for over 14 hours. During detailed consideration of the bill, the Member for Melbourne and Leader of the Greens, [Mr Bandt](#), moved three amendments, which were defeated on the voices. Five Government amendments were agreed to on the voices. The bill, as amended, was passed by the House on 23 February.

Following the introduction of bills on the morning of 24 February, a Minister moved, on notice, a motion to approve the [Australian Charities and Not-for-profits Commission Amendment \(2021 Measures No. 1\) Regulations 2021](#). This legislative instrument introduces a new governance standard requiring relevant registered charities to join the National Redress Scheme for Institutional Child Sexual Abuse. Unlike most legislative instruments, which come into force unless disallowed by either House of the Parliament, in this case the regulations need express approval of both Houses before they can take effect. The Minister’s motion to approve the regulations was agreed to on the voices. The Senate [agreed to an equivalent motion](#) on the same day.

## Question Time

On 18 February, in response to a point of order being raised about the Prime Minister referring a question to another Minister, the Speaker explained that the Prime Minister is entitled to refer a question to a relevant Minister, including but not necessarily after the Prime Minister has answered part of the question himself. The Speaker noted that the Prime Minister's entitlement to refer questions to other Ministers is 'unqualified', and that 'the Prime Minister can choose to refer any question to any relevant minister'.

## Private Members' business

Over the fortnight 30 items of private Members' business were considered in the Chamber and Federation Chamber. Some of these related to the introduction of bills, which are described under 'Legislation'. Others related to motions moved by private Members on a wide range of issues, including: social media platforms; child exploitation; impacts of COVID-19 on women; the Jobkeeper program and income management for Youth Allowance; gambling; the tourism and horticulture industries; foreign owned data storage; Order of Australia honours; international arrival caps; Closing the Gap; Australian made products; defence and veteran suicide prevention; local issues, such as infrastructure in Perth; and matters of international significance, such as polio eradication, and the political situation in Myanmar.

Some private Members' motions were debated on more than one occasion, such as the [Member for Adelaide](#)'s motion on the tourism industry and the Leader of the Opposition's motion on Closing the Gap, each moved in the first week of the fortnight and further debated in the second.

During private Members' business time, debate also resumed on the second reading of the [Member for Moreton](#)'s bill, the [Family Law Amendment \(A Step Towards a Safer Family Law System\) Bill 2020](#).

The Selection Committee selects items and determines the time allocated to each item of private Members' business, and these timings are preserved when the Federation Chamber suspends for a division in the House. However, when there are extended suspensions due to divisions, as occurred on 15 February, time for the final items of business can be truncated. On this occasion, at 1.26 pm the [Member for Fisher](#) moved a motion on gambling, which had been [allocated](#) 'remaining private Members' business time prior to 1.30 pm'. As there was no time for the motion to be seconded or for any debate to take place before the Federation Chamber was required to suspend at 1.30 pm, the motion was placed on the [Notice Paper](#) as an order of the day for a future sitting.

## Communication with the Senate

On 15 February, a message was reported from the Senate, transmitting for the House's concurrence a private Senator's bill, the [Royal Commissions Amendment \(Confidentiality Protections\) Bill 2020](#). After the bill had been read a first time, a Minister moved that the second reading be made an order of the day for the next sitting. The Member for Melbourne, [Mr Bandt](#), sought to amend the Minister's motion to enable the bill to be considered immediately. The amendment was defeated on division (63:59), after debate. The Minister's original motion was then carried on the voices. The consequence of this motion having been moved by a Minister is that the bill is now listed on the Notice Paper as an item of government business—rather than private Members' business—making the timing of further consideration of the bill a matter for the government.

On 17 February, a message from the Senate was reported transmitting for concurrence a [resolution on International Pregnancy and Infant Loss Remembrance Day](#), passed by the Senate the previous day. The House agreed that the message be considered immediately and a Minister moved that the Senate resolution be agreed to. After debate, in which all three Members who spoke supported the motion, the question was carried on the voices.

The next day, a message from the Senate was reported transmitting for concurrence a [resolution on domestic and family violence](#). The House agreed that the message be considered immediately and the Minister for Regional Health, Regional Communications and Local Government moved that the

Senate resolution be agreed to. After debate, in which all three Members who spoke supported the motion, the question was carried on the voices. Later, the Member for Monash, [Mr Broadbent](#), made a statement by indulgence, commending the contribution made by the Member for Cowan, [Dr Aly](#), in the earlier debate.

On 18 February messages were reported returning the [Federal Circuit and Family Court of Australia Bill 2019](#) and the [Federal Circuit and Family Court of Australia \(Consequential Amendments and Transitional Provisions\) Bill 2019](#), each with amendments. Following an hour of debate the amendments to the first bill were agreed to on division (63:60) and the amendments to the second bill were agreed to on the voices.

On 25 February, a message from the Senate was reported returning the [Treasury Laws Amendment \(News Media and Digital Platforms Mandatory Bargaining Code\) Bill 2021](#) with amendments. The amendments were considered immediately and agreed to on the voices.

Communication with the Senate also addressed matters relating to parliamentary committees. On 23 February, a message was reported from the Senate, transmitting for the House's concurrence a resolution to extend the reporting date for the [Joint Select Committee on Australia's Family Law System](#). As a joint committee established by a resolution of appointment of both the House and the Senate, any changes to the resolution—including reporting dates—also needs to be agreed by both houses. The Senate's message was considered immediately and, on motion by a Minister, concurred with.

On 25 February, the House resolved to establish a Joint Select Committee on Road Safety, and to seek the Senate's concurrence in the matter.

The House is scheduled to meet next on 15 March.

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