

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 19-29 October 2020 (no. 33)

The sitting fortnight featured the continuation of debate on the Budget bills for 2020-2021, with many Members making second reading speeches in the Federation Chamber. Consideration of some bills was protracted and involved debate on individual detail amendments. The sittings also featured a motion commemorating the anniversary of the national apology to the survivors and victims of institutional child sexual abuse, and three ministerial statements.

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### Statements by the Speaker

Proceedings commenced on 19 October with the Speaker presenting the [2020 Presiding Officers' statement regarding the condition of Parliament House](#).

On 22 October the Speaker responded to a question from the Member for Gellibrand concerning the ability of Victorian Members to attend the sittings commencing on 9 November and quarantining arrangements. The Speaker thanked the Member for raising the matter and made a brief statement.

On 26 October the Speaker informed the House that he had issued a writ for the election of a Member to serve for the electoral division of Groom. The dates fixed for the election were those [announced by the Speaker](#) on 8 October.

### Budget debate

On 20 October, debate resumed on the question for the second reading of Appropriation Bill (No. 1) 2020-2021. The House agreed to allow a cognate (combined) debate with Appropriation Bill (No. 2) 2020-2021 and Appropriation (Parliamentary Departments) Bill (No. 1) 2020-2021. The opposition moved an amendment. A Minister moved, by leave, to suspend standing orders to vary the Federation Chamber's routine of business for that day and its meeting time on 21 October to facilitate consideration of the bills. Later on 20 October, after several Members had made second reading speeches, the Chief Government Whip declared the bills referred to the Federation Chamber for further consideration. Debate on the bills continued there until 28 October (*see below*).

At the beginning of the second sitting week, on 26 October, a Minister moved, by leave, a further suspension motion to facilitate consideration of the bills in the Federation Chamber on 27 October and for the sitting week beginning on 9 November.

### Federation Chamber

The Federation Chamber met each day of the sitting fortnight.

#### *Consideration of the Budget bills*

From 20 October meetings of the Federation Chamber were dominated by second reading speeches on the appropriation bills and on the opposition amendment to Appropriation Bill (No. 1). A total of 73 Members contributed to the debate in the Federation Chamber over the fortnight. Debate on the second reading of appropriation bills is not subject to the usual rule of relevancy and Members spoke on various aspects of public affairs.

The second reading debate concluded on 28 October and the opposition amendment was defeated on the voices. The question on the second reading of Appropriation Bill (No. 1) was carried and the bill read

a second time. A government Member, by leave, moved that consideration in detail of the bill be made an order of the day for the next sitting. When this commences, most likely in the next sitting week, backbench Members will be able to question and debate the detail of portfolio expenditure with responsible Ministers.

#### *Private Members' business*

On 26 October debate resumed on the second reading of the Family Law Amendment (A Step Towards a Safer Family Law System) Bill 2020. Debate also took place on motions relating to World Mental Health Day, the aviation industry, diabetes, and the death of Don Burrows AO MBE.

Four private Members' bills were introduced during the fortnight. These included the Australian Federal Integrity Commission Bill 2020, which proposes to establish an Integrity Commission to investigate allegations of corruption at the federal level. In each case, following the second reading speech and a contribution from the Member seconding the motion, debate was adjourned in accordance with Selection Committee recommendations.

### **Legislation**

#### *Introductions*

Six bills were presented in the first week, and nine in the second week. These included two Senate bills.

Eleven government bills were presented during the fortnight. Subjects included: support payments in the lead up to Christmas; anti-doping obligations to ensure the integrity of sport; safety risk screening and triage processes in the family law system; and protections for academic freedom in universities.

#### *Passing the House*

During the fortnight 12 bills were passed by the House.

On 22 October debate resumed on the question for the second reading of the Recycling and Waste Reduction Bill 2020. The bill aims to establish a framework to regulate the export of waste material, manage the impacts of the disposal of products, and to provide for stewardship schemes. The House agreed to a cognate debate with four related bills. When debate on this stage was completed on 26 October, an opposition amendment to the second reading was defeated and the question on the second reading was carried on the voices.

During consideration in detail, an opposition amendment was defeated on division. When a Minister sought leave to move 16 amendments together (the usual practice with multiple amendments), leave was denied and the Minister then moved each amendment in turn. Following debate, the question on each amendment was carried on the voices. When leave was not granted for the third reading to be moved immediately, a Minister, relying on a contingent notice, moved to suspend standing orders to allow the motion for the third reading to be moved without delay. After the question was closed, the suspension motion was carried on division. The question on the third reading was put and passed, and the bill read a third time, without the formal motion for the third reading.

A similar sequence of events occurred at the third reading stage for each of the four cognate bills during a protracted process to finalise the bills. For two of the bills, the opposition moved unsuccessfully that debate on the third reading be adjourned and the question was closed.

On 28 October, a Minister, pursuant to notice, successfully moved to rescind the resolutions of 26 October agreeing to the third readings and for the third reading of each bill to be moved and the question put without debate. Each bill in turn was called on, a Minister moved the motion for the third reading, the question was put and carried, and the bill read a third time.

On 29 October when a Senate bill, the Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020 was called on, a Minister presented a revised explanatory memorandum for the bill and moved the second reading. The bill proposes to amend the *Commonwealth Electoral Act 1918* to clarify the interaction between federal, state and territory electoral funding and disclosure regimes following a

High Court decision. Leave was granted for the debate to continue immediately and the opposition moved an amendment to the question on the second reading, not opposing the bill but raising possible improvements. Quorum calls were made on several occasions, interrupting debate. The amendment was defeated on the voices. When the question on the second reading was put, and a division was called for, four Members voted for the noes and the Chair declared the question carried without a count. During consideration in detail, when an independent Member was denied leave to move five amendments together, each amendment was then moved in turn. A division was called for in each case but as only four Members supported each amendment, the Chair declared each question carried. The question that the bill be agreed to was also declared carried in the same way. The question on the third reading was carried on the voices.

### **Motions and statements on indulgence by the Prime Minister and Leader of the Opposition**

Proceedings commenced on 22 October with the Prime Minister, pursuant to notice, moving that the House commemorate the anniversary of the national apology to the survivors and victims of institutional child sexual abuse. The Leader of the Opposition supported the motion, which was referred to the Federation Chamber where debate resumed on 29 October.

As Question Time began on 27 October, the Leader of the Opposition was given leave to move a motion commending the people of Victoria on the sacrifices they have made in the face of the COVID-19 pandemic. The motion was seconded by the Deputy Leader of the Opposition and debate followed with the Prime Minister and Treasurer speaking in support of the motion. The question was agreed to.

Following Question Time on 28 October, the Prime Minister, by indulgence, made a statement in relation to a memorial for emergency service personnel who lost their lives during the Australian bushfires and the Leader of the Opposition also made a statement. As a mark of respect, the Speaker invited Members to rise in their places. All Members and others then stood, in silence.

### **Motions to suspend standing orders without notice**

During the fortnight several motions to suspend standing orders were moved without notice. Other than procedural motions, such as those to facilitate consideration of the Budget bills, four were of a tactical nature. Topics included the findings of an Audit Office inquiry, and integrity issues.

The usual pattern is for closure motions to be moved on the mover and seconder, and then for the closure of question to be moved. The question on the original suspension motion is then usually defeated. This pattern wasn't followed after Question Time on 19 October when the Manager of Opposition Business moved to suspend standing orders to enable resumption of debate on the Economic Recovery Package (JobMaker Hiring Credit) Amendment Bill 2020 and for the bill to be given priority for passage through all stages that day. Following debate, the question was carried on the voices. Debate then resumed on the second reading stage. Shortly after 7 pm questions necessary to finalise the passage of the bill were carried on the voices.

### **Motion to disallow a regulation**

On 27 October a Minister, on notice, moved to suspend standing orders to permit a private Member's notice relating to the disallowance of the Industry Research and Development (Bankable Feasibility Study on High-Efficiency Low-Emissions Coal Plant in Collinsville Program) Instrument 2020 to be called on immediately. The question was carried and an opposition Member moved that the Instrument be disallowed. When the motion was seconded, the Minister immediately moved the question be put. A division was called but, as no question had been stated by the Chair, the motion was not in order and the division did not proceed. After the question was proposed by the Chair, the Minister moved the closure again and this was carried on division. The original motion, to disallow the instrument, was defeated on subsequent division.

Legislative instruments are made under the authority of Acts which have delegated limited law-making powers to the Executive government. These instruments must be tabled within six days of being

registered. Within 15 sitting days of the instrument being tabled, any Member may give notice of a motion to disallow it. If the motion has not been withdrawn or otherwise dealt with at the end of this period, the instrument is deemed to have been disallowed.

### **Ministerial statements and replies**

Three ministerial statements were made, by leave, during the fortnight. These related to Australian industry and manufacturing, developing Northern Australia, and Australia's energy future. In each case the Minister's statement was responded to by a Shadow Minister.

### **Committee and delegation reports**

During the fortnight, 10 committee and delegation reports were presented and leave was granted for statements to be made by committee chairs and deputy chairs.

An advisory report of the Joint Standing Committee on Electoral Matters on the Commonwealth Electoral Amendment (Ensuring Fair Representation of the Northern Territory) Bill 2020 was presented. The Committee recommended that the bill (still before the Senate) not be proceeded with and that the government introduce a bill to provide for a consistent floor of two seats for each of the Northern Territory and the Australian Capital Territory.

### **Matters of public importance discussions**

Topics for the one-hour discussions after Question Time on Tuesday, Wednesday and Thursday included the barriers to women working full time and starting small businesses, protection of the environment (proposed by an independent Member), and the Royal Commission into Aged Care Quality and Safety.

### **Presentation of documents—annual reports**

As required by the *Public Governance, Performance and Accountability Act 2013*, annual reports of government departments are presented to the Parliament. Following Question Time on 19 October, a Minister presented 120 [annual reports](#) of departments and other Commonwealth entities, and a further 47 were presented over the fortnight. Also on 19 October, and pursuant to the *Parliamentary Service Act 1999*, the Speaker presented the annual report of the [Department of the House of Representatives](#) for 2019-20. A Minister usually presents important government documents during the period set aside in the routine of business following Question Time. The documents are presented according to a list circulated earlier in the day and details are recorded in the Votes and Proceedings.

### **Interaction with the Senate**

The Senate did not meet during the fortnight and its legislation committees conducted hearings on the estimates of government expenditure. Messages from the Senate relating to matters it considered on 8 and 9 October were reported.

On 19 October a message from the Senate was reported returning the Higher Education Support Amendment (Job-Ready Graduates and Supporting Regional and Remote Students) Bill 2020 with amendments. A Minister moved that the amendments be considered immediately and the motion was carried on division. The Minister then moved that the amendments be agreed to. After the question was successfully closed, the amendments were agreed to on division.

The House and Senate will meet next on 9 November 2020.

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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