

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 24 August – 3 September 2020 (no. 31)

For the first time, Members who were unable to be physically present were able to contribute to House proceedings by video. The sittings also featured: debate on a bill to extend the operation of the government's economic response to the coronavirus pandemic; a first speech by a new Member; and substantial use of suspension motions, quorum calls and closure motions.

On 21 July, in accordance with standing orders, the Speaker notified Members that the House would next meet on 24 August, rather than on 4 August as previously scheduled.

Agreement for Members to contribute remotely to parliamentary proceedings

The sitting fortnight commenced on 24 August with the Leader of the House presenting a document, an [Agreement for Members to contribute remotely to parliamentary proceedings](#), signed by himself and the Manager of Opposition Business.

The Leader of the House made a statement, by indulgence, noting that the Agreement was made pursuant to the resolution adopted on 23 March that enabled the House to 'meet in a manner and form not otherwise provided in the standing orders' with the agreement of the Leader of the House and the Manager of Opposition Business. The Agreement related to the current sittings and the Leader of the House noted that it enabled Members unable to be physically present because of COVID-19 to participate in certain proceedings in the House via an official parliamentary video facility. The Manager of Opposition Business also spoke on indulgence, noting that the Agreement did not establish a virtual parliament. The official facility enabled Members to make contributions remotely, but not to vote.

Statement by the Speaker—arrangements for the sitting fortnight

The Speaker made a [statement](#) outlining arrangements for the sitting fortnight. Referring to the resolution of 23 March, which provided that the manner in which Members may be 'present' would be determined by him, the Speaker stated that the normal requirements of House standing orders and practice for quorums and divisions would remain in place. He confirmed that the standing orders would apply to Members participating remotely, to the extent possible, except as affected by his determination and the Agreement. Members participating remotely would be considered to be participating in 'proceedings in parliament' and therefore protected by parliamentary privilege in the same way as Members participating in person.

Official video facility for Members—resolution of the House on 24 August

Following the Speaker's statement, the Leader of the House moved, by leave, that the House authorise use of the official video facility. The resulting resolution provided that Members who participated through the facility would be identified in the attendance record and their contributions recorded, published and broadcast as if they had made the contribution in the Chamber. ([Votes and Proceedings](#) recorded the names of Members who participated through videoconference each day.)

During the fortnight a total of 23 Members made contributions remotely. They used the facility to ask questions during Question Time, give second reading speeches, make Members' 90-second

statements, speak on the presentation of committee reports, contribute to discussions of matters of public importance, and participate in adjournment debates.

Arrangements for the operation of the Chamber

As with previous sittings, special seating arrangements enabled distancing between Members, and the Whips organised large numbers of pairs so that the total number of Members present for divisions was reduced. There were seats available in the Chamber for 81 Members, and there were up to 36 pairs for divisions. A total of 109 Members attended, in person, across the sitting fortnight. Again, the viewing galleries, and Parliament House, were closed to the general public.

Throughout the fortnight questions were put by the Chair in such a form that Members might not need to move across the Chamber to vote. For example, for second reading amendments to bills, the question was put in the form that ‘the words proposed to be omitted stand part of the question’.

Appointment of Members to the Speaker’s panel—24 August

The Speaker presented a warrant appointing three Members to the Speaker’s panel. Panel members preside in the House and Federation Chamber when asked by the Speaker and Deputy Speaker.

Committee and delegation business and private Members’ business for 24 August

Next, the Speaker presented a report of the Selection Committee relating to committee and delegation business and private Members’ business for that day. The Leader of the House then moved to suspend standing orders to permit consideration of this business on 24 August in accordance with the Committee’s determinations. He stated that he and the Manager of Opposition Business had agreed an absolute majority would not be required to pass the motion without notice. The motion was carried on the voices.

New Member for Eden-Monaro

That same day, immediately before Question Time, the Speaker announced a return to the writ he had issued on 28 May for the election of a Member for Eden–Monaro. The new Member, Ms Kristy McBain, then entered the Chamber escorted by the Serjeant-at-Arms and made and subscribed an affirmation of allegiance. Following Question Time on 31 August, the Leader of the House moved, by leave, to suspend standing orders to permit Ms McBain to speak immediately and without time limits. When the motion was agreed to, the Speaker asked Members to extend Ms McBain the usual courtesies for a Member’s first speech. Following the speech, the Leader of the Opposition, on indulgence, made a statement congratulating Ms McBain on her election.

Ministerial statements on 24 August—COVID-19

The Prime Minister made a statement, on indulgence, referring in particular to deaths in aged-care. He offered his apologies to the residents and families of those affected and outlined some government response measures. In reply, the Leader of the Opposition expressed his condolences to the families and friends of those who had lost loved ones.

Legislation

In the first week 20 bills were presented (including private Members’ bills, government bills, and bills from the Senate) and seven bills were passed. In the second week, nine bills were presented and six were passed.

Introductions

During the fortnight, 28 government bills were presented, including two from the Senate. Subjects included: the establishment of a National Commissioner for Defence and Veteran Suicide Prevention; measures to manage the environmental, health and safety impacts of products and waste material; improvements to unpaid parental leave entitlements for new parent employees who experience

traumatic events; and Commonwealth engagement with arrangements between State or Territory governments and foreign governments.

Passing the House

On 26 August the Treasurer presented the Coronavirus Economic Response Package (JobKeeper Payments) Amendment Bill 2020, pursuant to notice. The bill extends the operation of the JobKeeper scheme to 28 March 2021. Following the Treasurer's second reading speech, leave was granted for debate to be resumed later that day. When debate resumed, the opposition moved an amendment. When debate on the second reading concluded after Question Time that day, the question on the amendment was put and lost on division. The question on the second reading was carried on the voices. Following the report of the Governor-General's message recommending an appropriation for the purposes of the bill, the House considered the bill in detail, with the opposition moving 12 amendments, by leave, in two groups. The question on each group of amendments was lost on division and the question on the third reading carried on the voices.

In the second week, two bills passed the House after consideration was truncated. On 1 September, when debate was resumed on the second reading of the Higher Education Support Amendment (Job-Ready Graduates and Supporting Regional and Remote Students) Bill 2020, the opposition's amendment opposed the second reading. Shortly before 7.30 pm (when the question on the adjournment of the House is usually proposed), a Minister moved successfully 'that the question be put' and the amendment was then defeated. The question on the second reading was carried on division. Following the second reading and announcement of the Governor-General's message, the Speaker proposed the usual question 'that the House do now adjourn'. The Leader of the House required the question to be put and the adjournment was negatived. Debate resumed on the bill and an opposition Member sought to move a suspension of standing orders which the Speaker ruled was not in order. 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 a motion to close the question was successful, the suspension motion was carried on division. When the Minister moved the third reading, the Manager of Opposition Business moved unsuccessfully 'that debate be adjourned'. The question on the third reading was carried on division after a further motion to close the question was successful. Following the third reading, the Leader of the House moved the adjournment, which was carried on division, and the House adjourned at 8.13 pm.

A similar sequence of events occurred on 3 September when debate resumed on the second reading of the Environment Protection and Biodiversity Conservation Amendment (Streamlining Environmental Approvals) Bill 2020. The opposition's amendment opposed the second reading. When the Speaker proposed the question on the adjournment shortly after 4.30 pm, the Leader of the House required the question to be put and the adjournment was negatived. Debate resumed on the bill and, following the defeat of an opposition suspension motion, the Leader of the House successfully moved closure of the question and the opposition amendment was then defeated. The question on the second reading was carried on division. Following the second reading the Manager of Opposition Business moved a further suspension of standing orders; the Speaker ruled the motion out of order. Relying on a contingent notice, the Leader of the House then moved to suspend standing orders to allow the motion for the third reading to be moved without delay. The question was closed and the suspension motion then carried on division. The question on the third reading was carried on division after a further motion to close the question was successful. Following the third reading the Leader of the House moved the adjournment, which was carried on division after the question was closed. The House adjourned at 5.47 pm.

Motions to suspend standing orders and motion to disallow a regulation

Over the fortnight, fourteen 'tactical' motions to suspend standing orders were moved without notice by opposition Members, in most cases after leave had been denied to move a substantive

motion. Topics included a COVID-19 vaccine supply agreement, a COVID-19 plan for aged care, Western Australia's border closures, and the recession. On each occasion closure motions were moved successfully on the mover and seconder, and in relation to the overall debate. In each case the original motion to suspend standing orders was lost on division.

On 2 September a suspension of standing orders was moved for procedural purposes. A Minister moved, pursuant to notice, to suspend standing orders to permit the Leader of the Opposition's private Members' business notice relating to the disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 to be called on immediately. Following debate, the question was carried on division. When the notice was called on, the Leader of the Opposition then moved that the regulations be disallowed and spoke to the motion. The Minister successfully moved closure on the Leader of the Opposition. The motion then lapsed for want of a seconder.

Committee and delegation reports, and private Members' business

During the fortnight, 22 committee reports were presented on topics that included the impact of the exercise of law enforcement and intelligence powers on the freedom of the press, petitions, road safety, and annual reports of government agencies.

Several advisory reports on bills were presented. On 1 September a member of the Parliamentary Joint Committee on Intelligence and Security presented the Committee's advisory report on the Australian Citizenship Amendment (Citizenship Cessation) Bill 2019, incorporating additional comments by opposition members. Statements were made, by leave, in connection with the report. On 2 September, debate resumed on the bill with the Committee's recommendations accepted by the government and reflected in an addendum to the bill's explanatory memorandum. A supplementary explanatory memorandum was presented and a government amendment moved and agreed to during the consideration in detail stage.

In time for private Members' business on 24 and 31 August, topics of motions included social housing, tourism and the arts, and Ordinary Seaman Edward (Teddy) Sheean.

Federation Chamber

The Federation Chamber met each day that the House sat. Members made constituency statements and debate continued on motions to take note of committee reports relating to topics that included migration in regional Australia, and proposed amendments to electoral legislation.

Debate took place on 17 private Members' motions, on topics that included the 2021 Census, the Pacific Maritime Security Program, National Police Remembrance Day, small business and the defence industry, Headspace, and women's economic security. In each case debate was adjourned.

Quorum calls and a count out

Attention was drawn by a Member to 'the state of the House' (signalling the want of a quorum) on several occasions, causing the bells to be rung for four minutes as Members came to the Chamber to form the quorum of 31. On 31 August, after the bells had been rung, a quorum was not obtained and the Deputy Speaker stated the Chair would be resumed in five minutes. Later, the bells were rung and the Chair was resumed with a quorum present.

The Federation Chamber also lost quorum several times and the meeting was suspended briefly as Members left following quorum calls in the House.

Interaction with the Senate

Message traffic with the Senate concerned the return of bills with and without amendments, the transmission of bills for the concurrence of the House, changes to committee memberships, and changes to the time for presentation of certain committee reports.

On 25 August a message was reported that the Senate did not again insist on its amendments to the Treasury Laws Amendment (2020 Measures No. 2) Bill 2020, to which the House insisted on disagreeing on 18 June. The Coronavirus Economic Response Package (JobKeeper Payments) Amendment Bill 2020 and two other bills were returned with amendments. In each case the House agreed to consider the amendments immediately and, following debate, they were agreed to. Two bills were conveyed for the House's concurrence and, in each case, the bill was read a first time and the second reading made an order of the day for the next sitting.

On 3 September the Leader of the House moved that leave of absence be given to every Member from the end of the sitting to the date of the House's next meeting. Following a short debate, the question was put and passed.

The House and Senate will meet next on 6 October 2020, when the Budget will be presented.

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