

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 2 – 4 February 2021 (no. 36)

The first week of the Autumn sittings, and first sitting week for 2021, contained three sitting days and featured the passage of six bills and the presentation of five committee reports. The sittings also featured: the presentation of revised ministry and shadow ministry lists; messages notifying assent to a bumper crop of bills; appointment of Members to committees; and the House marking the deaths of former Members and a former Governor-General.

Revised ministry and shadow ministry lists

At the start of question time on 2 February the [Prime Minister](#) presented a revised ministry and, the [Leader of the Opposition](#) presented a revised shadow ministry list. As is standard practice, each list was incorporated in the [Hansard](#) for that day. Each shadow minister covers the responsibilities of one or possibly more ministers or areas of Government administration and is the Opposition spokesperson on matters relevant to those portfolio. In the House, there are currently 32 members of the ministry (including assistant ministers) and 32 members of the shadow ministry.

Messages from the Governor-General notifying assent to bills

At the commencement of the sitting on 2 February, the Speaker reported several messages from the Governor-General notifying assent to a total of 40 bills. The significant volume of bills being assented to reflects the particularly busy legislative program of the House late in 2020.

Deferred division on a motion for the suspension of standing orders

Shortly after commencement on 2 February, the [Member for Hindmarsh](#) moved a motion to suspend standing orders without notice. Closure motions were moved by a minister on the mover and seconder of the suspension motion, and a closure motion was also moved in relation to the suspension motion itself. The House divided immediately on each closure of member motion in turn, resolving each question in the affirmative. The question on the suspension motion was then put and, it being the period of deferred divisions between noon and 2 pm on Tuesdays, the division called for did not proceed and was deferred until after the conclusion of the matter of public importance that day. The first three questions were able to be resolved by divisions immediately because the requirement, under [standing order](#) 133, to defer divisions in this time does not apply to motions moved by a minister during the period.

Use of props

On 2 February, during 90 second statements, the [Member for Gellibrand](#) held up an illustration of a device he was referring to in his statement. The Deputy Speaker then asked the member to put the item away. The practice of the House has been that members with the call have been permitted to display a range of items to illustrate a speech but not to do so as a means of provoking disorder. The [Procedure Committee](#) has distinguished between legitimate visual aids and ‘stunts’ but has stated that ‘what might be considered perfectly legitimate in one context could be inflammatory in another’. The over-use of props has been discouraged.

Marking the deaths of former Members and a former Governor-General

The deaths of several former Members and a former Governor-General were marked by the House during the week. On 2 February the Speaker referred to the death of [Mr Jonathan Harold \(Jon\) Sullivan](#), the Member for Longman from 2007 to 2010. On the same day, the Prime Minister moved a motion of condolence on the death of Major General the Honourable Philip Michael Jeffery AC AO (Mil) CVO MC (Retd), former Governor-General of the Commonwealth of Australia. The Prime Minister described Major General Jeffery as a ‘truly remarkable Australian’ whose guide for life consisted of three words: ‘service over self’. The Leader of the Opposition seconded the motion, debate was adjourned, and the motion was referred to the Federation Chamber for further debate. There were further contributions from Members in the Federation Chamber on 3 February, and the motion was reported to the House later that day and finally resolved.

On 3 February the Prime Minister moved a motion of condolence on the death of the [Right Hon John Douglas \(Doug\) Anthony AC CH](#), a former Minister and Member for Richmond from 1957 to 1984. Of Australia’s longest-serving Deputy Prime Minister, the Prime Minister observed: ‘In his time, Doug Anthony was one of the most familiar and reassuring faces in Australian life’. The Leader of the Opposition seconded the motion and the Deputy Prime Minister spoke in support of the motion. During these contributions, Doug Anthony’s son, the [Hon Larry Anthony](#), a former Minister and the Member for Richmond from 1996 to 2004, was present in the gallery. Debate on the condolence motion was adjourned and referred to the Federation Chamber for further debate. There were further contributions from Members in the Federation Chamber the next day.

Divisions

On 4 February a division was called on the [Member for Greenway’s](#) second reading amendment to the [Telecommunications Amendment \(Infrastructure in New Developments\) Bill 2020](#). As a result of a technical error the message displayed in the Federation Chamber was that the bells were ringing for a quorum. While the Federation Chamber must suspend to enable Members to attend a division in the House, it does not ordinarily suspend in the event of attention being drawn to a lack of a quorum in the House. After the doors in the Chamber had been locked the Speaker advised the House of the error and by agreement the doors were opened and the bells rung for a further four minutes.

Legislation

Over the course of the week, four [bills were presented](#) and six bills were passed by the House.

Introductions

During the week, Government bills were presented with subjects including education and research, medicinal cannabis, and the administration of educational assistance schemes.

On 3 February the [Assistant Minister for Customs, Community Safety and Multicultural Affairs](#) moved [Customs Tariff Proposal \(No. 1\) 2021](#). The proposal continues the concessional tariff treatment, which has been in effect since 1 February 2020, for essential medical and hygiene goods used in Australia’s response to the COVID-19 pandemic. Customs and excise tariff proposals are not generally debated, and collection of duties is commenced on the authority of the unresolved motion. However, the duties proposed must ultimately be levied by legislation. A customs (or excise) tariff amendment bill is introduced from time to time to consolidate outstanding proposals and to incorporate them into the relevant Act. Such bills are retrospective in action to the dates on which each proposal commenced.

Passing the House

One of the bills passed by the House this week was the [National Redress Scheme for Institutional Child Sexual Abuse Amendment \(Technical Amendments\) Bill 2020](#). During detailed consideration of the bill, the [Member for Barton](#) proposed 10 amendments. The procedures allow for amendments to be moved one by one; however, Members may seek leave of the House to move more than one amendment at a time. Usually, all proposed amendments are moved together, by leave. On this

occasion, the Member for Barton moved her amendments through seven motions, some of which required leave to be sought so that multiple amendments could be proposed together. The House divided on each motion, and all amendments were defeated. The House concluded consideration of the bill in its original form, and the bill was passed by the House and transmitted to the Senate for concurrence.

Question Time

On 2 February the Member for Hindmarsh and the [Member for Isaacs](#) asked the Prime Minister questions regarding remarks made by the [Member for Hughes](#). The questions were ruled out of order. Standing order 98 states that ministers can only be questioned about matters for which they are responsible or officially connected, and questions must concern public affairs, administration, or proceedings pending in the House. Standing order 100 also requires that questions must not reflect on or be critical of the character of a Member. [House of Representatives Practice](#) also notes that Speakers have ruled out of order questions that relate to statements made by other Members.

Parliamentary committees

On 2 February the House appointed Members to the Select Committee on Mental Health and Suicide. The Speaker had received the written nomination of Members to be appointed to the committee on 16 December. Under standing order 229, if the Speaker receives a nomination of Members for appointment to a committee when the House is not sitting and is not expected to sit for at least two weeks, the membership takes effect from the time the Speaker receives the nomination. This allows nominated Members to participate in committee activities during the period the House is not sitting. However, the House must resolve the membership of the committee when it next sits, and on 2 February the House passed a motion, moved by the Deputy Leader of the House, confirming the appointment of three members to the committee.

On 3 February the House appointed the Member for Curtin to the Parliamentary Joint Committee on Intelligence and Security. Unlike most committees, whose members are nominated by the relevant whips, the [Intelligence Services Act 2001](#) requires nomination to the PJCS to be made by the Prime Minister following consultation with the leaders of all non-government parties in the House, with the appointment then to be made by a resolution of the House.

Federation Chamber—constituency statements

Standing order 193 requires that each meeting of the Federation Chamber commence with 30 minutes of Members' constituency statements. The period of statements may run for 30 minutes, irrespective of suspensions for divisions in the House. The period of statements may be extended, by consensus, as occurred on 4 February when 60 minutes of Members' constituency statements took place. The opportunity to make statements about their constituencies is highly valued by Members, and on this occasion statements covered a range of topics, including: income support payments; the live event industry; bushfire recovery projects; Australia Day Award recipients; and tributes to members of the community.

On 4 February, the [Attorney-General](#) spoke during Members' constituency statements in the Federation Chamber and referred to the bushfire emergency in his electorate of Pearce, Western Australia. During the period of Members' constituency statements in the Federation Chamber, any Member may make a contribution, and this includes ministers and assistant ministers. However, the periods for Members' 90 second statements in the Chamber at 1.30 pm each sitting day and in the Federation Chamber at 4 pm on Mondays, are reserved for private Members.

Interaction with the Senate

During the last sitting day of 2020, the Senate continued to sit beyond the time the House rose. Consequently there were a number of Senate messages to be reported to the House as the first items of business on 2 February. One message returned the Social Services and Other Legislation Amendment (Extension of Coronavirus Support) Bill 2020 and informed the House that the Senate

did not insist on its amendment, which had been disagreed to by the House. Six other messages from the Senate were reported, returning bills without amendment or requests.

Many of the other messages from the Senate throughout the week informed the House of the appointment of Senators to joint committees or related to bills being returned without amendment. On 3 February one bill (the [National Consumer Credit Protection Amendment \(Mandatory Credit Reporting and Other Measures\) Bill 2019](#)) was returned with amendments, which the House considered immediately and agreed to.

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