

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 2-4 July 2019 (no. 20)

This first issue for the 46th Parliament focuses on the opening of Parliament on 2 July, the House's recognition of the recent death of former Prime Minister Hawke, the introduction and passage of the Treasury Laws Amendment (Tax Relief So Working Australians Keep More Of Their Money) Bill 2019, and new Members' first speeches.

Opening of Parliament

The Constitution, standing orders and tradition define a day of formality and symbolism on the first meeting of Parliament after an election.

On 2 July, the opening began outside the Chamber. Members assembled in the Great Hall for a Welcome to Country ceremony conducted by local Ngunnawal people followed by a traditional smoking ceremony on the forecourt of Parliament House attended by the Presiding Officers, prospective Members and Senators and members of the public. At 10.25 am the bells rang to summon Members to the Chamber at 10.30 am, the time appointed by the Governor-General to call Parliament together after the election. The Clerk read the Governor-General's proclamation to Members. Members then walked to the Senate Chamber to hear the Chief Justice, the Hon. Susan Kiefel AC, as the Governor-General's Deputy, formally declare the 46th Parliament open.

Oaths and affirmations—151 Members

Members returned to the House and the Clerk tabled the returns to writs showing the Member who had been elected for each of the 151 divisions. When the Justice, the Hon. Stephen Gageler AC, arrived and took the Chair, the Clerk read his authorisation to administer the oath or affirmation. All Members (except for two who were not then present) then came to the Table in groups to swear an oath or make an affirmation and to sign the appropriate form.

Election of the Speaker

The Clerk, briefly acting as Chair, invited nominations for the office of Speaker. The Member for Robertson proposed the Member for Casey, the Hon Tony Smith, as Speaker. The motion was seconded by the Member for Calwell, and Mr Smith accepted the nomination. When the Clerk called for any further nominations there was no further proposal and Mr Smith was declared elected as Speaker. Mr Smith thanked the House and took the Chair.

The Mace, which up to this point lay under the Table to show that the House was not properly constituted, was laid upon the Table.

The Prime Minister informed the House that the Governor-General would receive the Speaker in the Members' Hall following the resumption of the sitting at 2.40 pm. The sitting was suspended at 11.49 am.

Presentation to the Governor-General, General the Hon. David Hurley AC DSC (Retd)

At 2.40 pm, Members again assembled in the Chamber before accompanying the Speaker to Members' Hall to be presented to the Governor-General, the Hon. David Hurley AC DSC (Retd), who had been sworn in by Chief Justice Kiefel in the Senate Chamber the day before. On return to the House the Speaker reported formally on the presentation.

To the Senate again—the Governor-General’s Opening Speech

At 3.04 pm the Usher of the Black Rod announced to the House that the Governor-General required the attendance of Members in the Senate Chamber. Members went in procession to the Senate where the Governor-General made the traditional form of ‘opening speech’, formally declaring the causes of the calling together of Parliament and forecasting the government’s proposed legislation. A copy of the speech was presented to the President and Speaker.

Back to the House—some formal business and appointment of the Address in Reply committee

On return to the House, the Prime Minister and Leader of the Opposition then announced the Ministry and Shadow Ministry and the House was informed of the leadership and whips of the respective parties. In keeping with the custom of the House asserting control over its own business, some formal business was undertaken when the Prime Minister presented the Agricultural Legislation Repeal Bill 2019 and the first reading was made. The Speaker formally reported the Governor-General’s speech to the House and a committee was appointed to prepare an Address in Reply, a simple resolution that expressed loyalty to the Queen and thanked the Governor-General for the opening speech. At 3.58 pm the sitting was suspended until 5 pm.

Election of Deputy Speaker and Second Deputy Speaker

Shortly after the resumption of the sitting, the Speaker invited nominations for the office of Deputy Speaker. Two Members were nominated—Mr Kevin Hogan and Mr Rob Mitchell—each of whom accepted their nomination. The House proceeded to ballot; and Mr Hogan having received 78 votes and Mr Mitchell having received 69 votes, Mr Hogan was declared elected as Deputy Speaker and Mr Mitchell was declared elected as Second Deputy Speaker. The Speaker congratulated Mr Hogan and Mr Mitchell.

Appointments to Speaker’s Panel

Standing order 17 provides for the Speaker to nominate, at the beginning of every Parliament, a panel of at least four members who may be called on to take the Chair of the House or the Federation Chamber. The Speaker nominated the honourable members for Adelaide, Bonner, Calwell, Canning, Cunningham, Groom, Lyne, Menzies, Moore, Newcastle, North Sydney and Robertson to be members of the Speaker’s panel to assist the chair when requested to do so by the Speaker or Deputy Speaker.

Legislation

Introductions

Twenty-six bills were presented during the week. Two were presented on the first day of sitting—the formal bill mentioned previously and the Treasury Laws Amendment (Tax Relief So Working Australians Keep More Of Their Money) Bill 2019—and 24 were presented on Thursday.

Treasury Laws Amendment (Tax Relief So Working Australians Keep More Of Their Money) Bill 2019

On the opening day of parliament, the House agreed to suspend the standing orders to enable the Government’s tax relief bill to be introduced and for debate to continue beyond the Minister’s second reading speech (at which point debate ordinarily must be adjourned to a future day). The suspension motion also set time limits for each subsequent stage of debate.

Following defeat of a second reading amendment moved by the opposition and, earlier, an amendment moved by the Member for Melbourne to the proposed opposition amendment, the bill passed the second reading stage and proceeded to consideration in detail. Three sets of opposition amendments were negatived during the detail stage following divisions. The House also divided on the question for the third reading, but with only two crossbench Members voting “No”, the Speaker declared the question carried without a count taking place and the bill was read a third time. After the third reading, the Leader of the House moved the adjournment of the House and the question was carried on the voices, with the House adjourning at 9.02 pm.

Address in Reply to the Governor-General’s speech: first speeches

On Thursday, the Member for Herbert (Mr Phillip Thompson) presented the proposed terms of the Address in Reply prepared by the committee appointed on Tuesday, moved that the Address be agreed to, and made his first speech. The Member for Bass (Mrs Bridget Archer) seconded the motion and made her first speech, prior to the debate being adjourned.

The motion ‘That the Address be agreed to’ is the beginning of a debate that is the traditional means for new Members to make their first speeches. The debate is not subject to the usual requirement for relevance to the question before the House and the speaking time limit of 20 minutes is longer than for most speeches. Over the course of the debate, which may run over many sitting weeks, returning Members will also take the opportunity to speak.

Condolence motion: former Prime Minister, the Hon. Robert James Lee Hawke AO

On the opening day of the new parliament the Speaker informed the House of the death, on 16 May 2019, of the Honourable Robert James Lee (Bob) Hawke, AO. As a mark of respect, all Members present stood, in silence. The following day, the Prime Minister moved a condolence motion immediately after Prayers and, by agreement, debate on the condolence motion was the only business before the House for that day. Debate on the motion concluded on Thursday and the question was put and carried just prior to question time, with all Members present again rising in silence.

Standing Orders—amendments

On Thursday, the Leader of the House, pursuant to notice, moved a number of amendments to standing orders which were agreed to on the voices. Both the Leader of the House and Management of Opposition Business acknowledged the consultation that had occurred in respect of the proposed amendments, which were largely procedural in nature. Many of the amendments had been recommended by the House Procedure Committee in the 45th Parliament.

Question Time / Matter of Public Importance

Due to the ceremonial aspects of opening day and the condolence motion for Mr Hawke on Wednesday, question time only took place once this week, on Thursday. Similarly, there was only one discussion on a matter of public importance, after Thursday’s question time. The matter discussed related to services for Aboriginal and Torres Strait Islander Australians.

Committees

On Thursday, the Leader of the House moved a number of motions relating to proposals for parliamentary joint committees. Under standing order 224, the Senate must agree proposals for joint committees to appoint a joint committee in the same terms. Once this has occurred, the House appoints the Members to serve on the committee.

The House was also informed that the Chief Government Whip had nominated Members to be members of certain committees of the House, and a motion that these Members be appointed, moved the Leader of the House, was agreed to.

Appointment of Clerk of the House

Prior to question time on Thursday, the Speaker informed the House that Mr David Elder would retire as Clerk of the House of Representatives on 9 August 2019, and Ms Claressa Surtees had been appointed Clerk of the House effective from 12 August 2019.

Interaction with the Senate

Because of the opening day customs, there was an unusual aspect to interaction with the Senate. The tradition that neither the Sovereign nor her representative enters the ‘people’s House’ during

proceedings was evident when Members crowded into the Senate Chamber for the Governor-General's address.

Program of sittings agreed to

On 2 July the Leader of the House presented a revised sitting calendar for the remainder of 2019 and, by leave, moved that the program of sittings be agreed to. The question was agreed to on the voices.

The House is scheduled to meet next on 22 July.

Further information on the work of the House

[Infosheet 9](#), a concise guide to a new Parliament

[Guide to Procedures](#), 6 ed., 2017, a concise and current guide to the operations of the House

[Bills and legislation](#), bills, explanatory memoranda, amendments, speeches, and a tracking option

[Last week in the House](#) lists events, including legislation considered and reports presented

[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