

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 30 November – 10 December 2020 (no. 35)

The last sitting fortnight of the year featured the passage of 32 bills and presentation of 28 committee reports. The sittings also featured: the announcement of the election of a new Member for Groom; the Member for Lingiari informing the House of his intention to retire at the next election; and a condolence motion on the death of a former Senator and Minister, the Hon Dame Margaret Guilfoyle AC DBE.

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### Agreement for Members to contribute remotely to parliamentary proceedings

The sitting fortnight commenced on 30 November with the Leader of the House presenting a revised [Agreement for Members to contribute remotely to parliamentary proceedings](#). The revised agreement now includes a provision to enable the Prime Minister to participate remotely from The Lodge. For the first three days of the sittings, the Prime Minister participated in Question Time by video link from The Lodge as he was in quarantine following overseas travel.

### Statement by the Speaker—COVID-19 arrangements

On 30 November the Speaker made a statement relating to procedures in the House over 2020 and for the sitting fortnight. He noted that seating arrangements would allow the largest number of Members (125) to be present in the Chamber since the February sittings.

### Death of the Hon Dame Margaret Guilfoyle AC DBE

Prior to Question Time on 30 November the Treasurer moved a motion of condolence on the death of the Hon Dame Margaret Guilfoyle AC DBE, a Senator for Victoria from 1971 to 1987 and the first woman in cabinet with a ministerial portfolio. The Leader of the Opposition seconded the motion, and those present stood in silence. The motion was referred to the Federation Chamber for further debate and on 2 December it was returned to the House and agreed to.

### Program of sittings for 2021

Following Question Time on 1 December the Leader of the House presented a [program of sittings for 2021](#) and moved, by leave, that the program be agreed to. The question was put and passed.

### New Member for Groom

At the commencement of the sitting on 3 December the Speaker announced a return to the writ he had issued on 26 October for the election of a Member for Groom. The new Member, Mr Garth Hamilton, then entered the Chamber escorted by the Serjeant-at-Arms and made and subscribed the oath of allegiance.

### Legislation

#### *Introductions*

Over the fortnight, 32 [bills were presented](#), including private Members' bills, government bills, and government bills from the Senate.

Twenty-eight government bills were presented, with subjects that included: a framework to unify Commonwealth powers for responding to national emergencies; oversight arrangements for

intelligence agencies; and a mandatory code of conduct to support the Australian news media sector by addressing bargaining power imbalances between digital platforms and Australian news businesses.

Four private Members' bills were introduced. These related to consumer credit protection, partner visas, paid domestic and family violence leave, and the prohibition of live animal exports.

#### *Passing the House*

During the fortnight 32 bills were passed by the House, with 29 of these passed during the second week. Debate on most was relatively brief, and second reading amendments moved by the opposition to several bills were defeated, mostly on the voices.

Other bills had a more involved passage through the House and three bills were referred to the Federation Chamber. These referrals enabled efficient processes without limiting speaking opportunities for Members.

On 2 December debate resumed again on the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020. The second reading debate concluded on 7 December after attracting a high number of speakers. An opposition amendment to the second reading was defeated on division, and the second reading was agreed to on the voices. The bill was considered in detail but without amendments being moved, a relatively unusual event. The question on the third reading was carried on division 62:61. On 10 December a message from the Senate was reported returning the bill with amendments. The House considered the amendments immediately and agreed to the Senate's amendments after a short debate.

On 9 December the Minister for Industrial Relations introduced the Fair Work (Registered Organisations) Amendment (Withdrawal from Amalgamations) Bill 2020. The bill proposes to enable parts of registered organisations that have amalgamated with other organisations to apply to the Fair Work Commission to hold a ballot of members on whether to withdraw from the amalgamated organisation. Following his speech, the Minister sought leave for the debate to continue. When leave was denied (by one Member) the Minister relied on a contingent notice to suspend standing orders to enable the debate to continue immediately. Because of the notice, only a simple majority was required and after a division was called for, only four Members voted 'no' and the Chair declared the question carried without a count. Debate resumed and a Member moved an amendment to defer further consideration until the first sitting of 2021. This was defeated on division. When a division was called for on the second reading, it was declared carried when only two Members voted for the 'noes'. The Minister, again relying on a contingent notice, moved to suspend standing orders to allow the motion for the third reading to be moved without delay. This question and the question on the third reading were carried on the voices, and the bill was read a third time.

#### *Consideration in the Federation Chamber*

Following Question Time on 9 December, the Speaker informed the House that the Deputy Speaker had fixed 4.30 pm that day for the next meeting of the Federation Chamber, which had adjourned earlier in the afternoon.

Later in the day, the Chief Government Whip declared the Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 2) Bill 2020 referred to the Federation Chamber. Following this, a Senate bill, the Wine Australia Amendment (Label Directory) Bill 2020, was called on and after the Minister's second reading speech and the Shadow Minister's speech, debate was adjourned and the Chief Government Whip declared the bill referred to the Federation Chamber.

When debate on the Aged Care Legislation Amendment Bill was completed in the Federation Chamber later that day, a second reading amendment was defeated and the question on the second reading was passed. Messages from the Governor-General recommending appropriations for the bill and for (detailed) amendments were reported. In consideration in detail, a Minister presented a supplementary explanatory memorandum and moved six government detailed amendments, by leave, together. The Federation Chamber agreed that the bill be reported to the House with amendments. At

the conclusion of debate on the Wine Australia Amendment Bill which followed, an opposition amendment was defeated and questions on the second reading and report to the House were passed.

Shortly before 7.30 pm on 9 December, the House agreed to suspend standing orders providing for the automatic adjournment (at 7.30 pm that day) and the limit on new business after the normal time of adjournment. The Deputy Speaker then reported the Federation Chamber's consideration of the Aged Care Legislation Amendment Bill. A Minister moved immediately, by leave, that the bill be read a third time and the question was carried. Shortly after 8.00 pm, the Wine Australia Amendment Bill was reported and agreed to in the same way.

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

During the fortnight several motions to suspend standing orders were moved without notice. Six were moved by a non-government Member and were tactical in nature. Topics included the robodebt scheme, industrial relations, and the Climate Ambition Summit. For five of these, closure motions were moved on the mover and seconder, and then the question was closed. The question on the original suspension motion was defeated.

On 30 November the Member for Clark moved to suspend standing orders to enable him to move a motion relating to the Australian Defence Force's Afghanistan Inquiry Report. The Attorney-General and Shadow Minister for Defence both spoke to the motion. Following debate, the question was defeated on division 43:5.

### **Parliamentary committees—high numbers of reports**

Twenty-eight committee reports were presented during the fortnight and leave was granted for statements to be made by committee chairs and deputy chairs. Topics included: the destruction of 46,000 year old caves at the Juukan Gorge in Western Australia; the implications of the COVID-19 pandemic for Australia's foreign affairs, defence and trade; and the procedures put in place by the House in response to COVID-19. 'Take note' motions to enable further debate were moved in connection with 16 reports. These were referred to the Federation Chamber for debate.

On 3 December the Chair of the Parliamentary Joint Committee on Intelligence and Security (PJCS) presented an advisory report on the Australian Security Intelligence Organisation Amendment Bill 2020. The bill implements recommendations of a PJCS report presented in 2018 and amends ASIO's compulsory questioning and surveillance device powers. In its advisory report, the committee recommended that the bill be passed subject to certain amendments being made. When debate resumed on the second reading of the bill on 10 December, the opposition moved an amendment which was defeated. When the question on the second reading was put, and a division was called for, four Members voted 'no' and the Chair declared the question carried. During consideration in detail, the opposition moved 30 amendments together, by leave, which were defeated on division 61:59. The Minister presented an addendum to the explanatory memorandum to the bill and 14 government amendments, by leave, were made together. With only three Members voting 'no', the question that the bill, as amended, be agreed to was declared carried. The Minister moved, by leave, that the bill be read a third time and the question was carried.

The House resolved in 2010 that the government should respond to recommendations in House and joint committee reports within six months of the presentation of those reports to the House. On 10 December the Speaker presented a [schedule of the status of government responses to committee reports](#). This schedule, presented every six months, lists committee reports that require a government response and notes the dates of responses.

Also on 10 December, a Minister moved, by leave, that a (House) [Select Committee on Mental Health and Suicide Prevention](#) be established. After debate, the question was passed.

## **Ministerial statement and reply**

On 10 December, the Minister for Agriculture, Drought and Emergency Management made a statement, by leave, on the Natural Disaster Risk Reduction Framework and the Shadow Minister responded.

## **Distinguished visitors**

The sitting fortnight saw the Speaker once more announcing the presence of distinguished visitors in the galleries during Question Time: members of the Australian Defence Force participating in the ADF Parliamentary Program, on 30 November, and former Treasurer and Ambassador to the United States, the Hon Joe Hockey, on 1 December.

## **Statement by indulgence—anticipating retirement**

Following Question Time on 10 December the Member for Lingiari, who was first elected in 1987 and had made his first speech in the chamber of the provisional Parliament House, informed the House, by indulgence, of his decision not to contest the next election. The Leader of the Opposition, the Prime Minister and the Deputy Prime Minister made statements, by indulgence, in turn. The Speaker also made remarks.

## **Interaction with the Senate**

During the fortnight there was the usual message traffic between the Houses.

On 1 December messages from the Senate were reported returning the three Budget bills without amendments or requests.

On 3 December a message from the Senate was reported returning Australia's Foreign Relations (State and Territory Arrangements) Bill 2020 with an amendment. The House agreed to consider the message immediately and a Minister moved successfully that the Senate's amendment be agreed to. Later that day, a message from the Senate was reported returning an associated bill, the Australia's Foreign Relations (State and Territory Arrangements) (Consequential Amendments) Bill 2020, with an amendment. A Minister moved that the amendment be disagreed to. When this was carried on division, the Minister presented reasons for the House disagreeing and moved successfully they be adopted. On 8 December, a message was reported returning the bill and informing the House that the Senate did not insist on its amendment.

Following Question Time on the last sitting day, 10 December, the Leader of the House moved that leave of absence be granted for every Member until the House's next sitting. The Prime Minister, by indulgence, made valedictory remarks. Shortly after 4.00 pm, the Leader of the House moved, by leave, that the standing orders providing for the automatic adjournment (at 4.30 pm that day) and the limit on new business, be suspended. The House continued with valedictory remarks by the Leader of the Opposition, discussion on the matter of public importance, Senate messages, and presentation of committee reports, followed by the adjournment debate. The question on the adjournment was put at 6.10 pm and negatived. The Speaker then suspended the sitting until 'the ringing of the bells' (allowing flexibility while the House awaited a message from the Senate).

When proceedings resumed at 7.23 pm a message from the Senate was reported returning the Social Services and Other Legislation Amendment (Extension of Coronavirus Support) Bill 2020 with an amendment. The House agreed that the message be considered immediately and the Leader of the House moved successfully that the Senate's amendment be disagreed to. The Leader of the House presented reasons for the House disagreeing to the Senate's amendment, which were adopted. He then moved that the House adjourn, which was carried on the voices, and the House rose at 7.26 pm.

The House and Senate are scheduled to meet next on 2 February 2021.

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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