

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 9-19 September 2019 (no. 22)

This sitting fortnight featured a condolence motion on the death of former Deputy Prime Minister the Hon. Tim Fischer AC, and acknowledgment of the deaths of two former long-standing Members. The last of the first speeches by the ‘class of 2019’—new Members in the 46th Parliament—was made. After a long consideration in detail in the Federation Chamber, the budget bills passed the House.

Marking the death of three former Members

On 9 September the Prime Minister moved a motion of condolence on the death of the Honourable Timothy Fischer AC (Member for Farrer from 1984-2001 and former Deputy Prime Minister), describing Mr Fischer as an ‘Australian original’. The motion was seconded by the Leader of the Opposition who recalled Mr Fischer’s love for his country and family. After the Deputy Prime Minister, Deputy Leader of the Opposition, and the current Member for Farrer had spoken, debate was adjourned and will be resumed in the Federation Chamber. Also on 9 September, the Speaker informed the House of the death of Ms Elaine Elizabeth Darling, the Member for the Queensland seat of Lilley from 1980-1993.

On 10 September the Prime Minister moved a motion recording the House’s regret at the death of Dr the Honourable Alexander James (Jim) Forbes CMG MC. The Leader of the Opposition seconded the motion. Dr Forbes was the Member for the South Australian seat of Barker from 1956 to 1975. Further debate on the motion will take place in the Federation Chamber.

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

Debate on the Address in Reply is one of the few debates in which the requirement for relevance to the question does not apply and it is often used by new Members to make their first speech. Ms Coker, the Member for Corangamite made her first speech on 10 September during the debate. This was the last of the first speeches and, when it concluded, the Leader of the House moved to enable further debate on the proposed Address to take place in the Federation Chamber. On 16 September the Senate concluded its own Address in Reply to the Governor-General’s speech on the opening of Parliament. The Senate agreed to a motion on 18 September that the President would present its Address to the Governor-General on 19 September and that the Senate would adjourn at 4.30pm that day to allow Senators to accompany the President to Government House.

Legislation

Introductions

Fourteen bills were presented in the first week, and nineteen in the second week. These included an Australian Bill of Rights Bill 2019 (a private Member’s bill), the Emergency Response Fund Bill 2019, the Treasury Laws Amendment (Prohibiting Energy Market Misconduct) Bill 2019 and the Australian Citizenship Amendment (Citizenship Cessation) Bill 2019.

Appropriation bills

The government’s principal budget bills were introduced on 25 July: Appropriation Bill (No. 1) 2019-2020; Appropriation Bill (No. 2) 2019-2020 and the Appropriation (Parliamentary Departments) Bill

(No. 1) 2019-2020. Debate on the motion for the second reading of Appropriation Bill (No. 1) resumed on 30 July with the Shadow Treasurer in reply. The three bills were referred to the Federation Chamber and second reading debate continued there until 11 September when the question was put on the second reading of Appropriation Bill (No. 1), carried, and the second reading made.

Consideration in detail of schedule 1 to the bill, 'Services for which money is appropriated, a summary list of portfolios and expenditure' began later on the 11th. Once an order for consideration of the portfolios was proposed and agreed by the Federation Chamber, consideration of individual portfolios began, typically with the responsible Minister and Shadow Minister playing major roles in debate on the detail. As debate on each portfolio concluded, the question on the relevant proposed expenditure was put and carried.

On 19 September, expenditure on the final portfolio was agreed to and the Federation Chamber agreed to the question that the bill be reported to the House without amendment. The other Budget bills—Appropriation Bill (No. 2) 2019-2020 and Appropriation (Parliamentary Departments) Bill (No. 1) 2019-2020—were called on in turn, the question on the second reading put and passed, and the question that the bill be reported to the House without amendment was agreed to in each case. Later that day, in the House, the Deputy Speaker reported that Appropriation Bill (No. 1) had been fully considered by the Federation Chamber and agreed to. A Minister moved immediately (by leave) that the bill be read a third time and the question was carried. The same process was applied to the other two bills and later that day the three bills were introduced in the Senate.

Passing the House

Twenty-one bills passed the House in the first week, including the Crimes Legislation Amendment (Police Powers at Airports) Bill 2019, the Aged Care Amendment (Movement of Provisionally Allocated Places) Bill 2019, Higher Education Support (Charges) Bill 2019 and Migration Amendment (Streamlining Visa Processing) Bill 2019. In the second sitting week, twelve bills passed the House. Many of these had an Opposition amendment to the second reading proposed; these were defeated on the voices or on division. On 16 September, after a number of speakers on the Treasury Laws Amendment (Putting Members' Interests First) Bill 2019, the question on the second reading was carried on the voices. Opposition detail amendments were then moved in two groups and each group was defeated on division (64:76 and 64:77). Final questions on the bill were carried on the voices.

Debate on the second reading of the Migration Amendment (Strengthening the Character Test) Bill 2019 concluded just before the adjournment debate was due to begin on 18 September. An Opposition amendment to the question on the second reading was defeated on division, and a division on the second reading began just before the time for the question on the adjournment to be proposed. The division was completed (74:63) and the adjournment debate then began a few minutes late. The following day, when the bill was called on again, the second reading was made, and the third reading moved immediately, by leave, and carried on the voices.

Parliamentary committees

On 9 September the Chair of the Committee of Privileges and Members' Interests presented the Register of Members' Interests for the 46th Parliament, with Statements of Registrable Interests in four volumes. Two new joint select committees were formed during the fortnight: the Joint Select Committee on Implementation of the National Redress Scheme and the Joint Select Committee on Australia's Family Law System. The section below on interaction with the Senate describes the way the House responded to Senate messages on these committee resolutions.

Motions to suspend standing orders

During the fortnight several motions to suspend standing orders were moved without notice (and so required the support of an absolute majority—76—to succeed). These included a motion by the Leader of the Opposition on 10 September relating to an investigation by the Department of

Environment and Energy. This motion was defeated 68:75. On 12 September the Shadow Attorney-General moved to suspend standing orders to call on the Member for Chisholm to make a statement to the House about media reports relating to her. The motion was defeated 68:72. On 16 September the Shadow Attorney-General moved to suspend standing orders in relation to the Member for Chisholm. The motion was seconded and the question put, with a division concluding shortly after 1.30pm, when debate is usually interrupted for Members' statements before Question Time. The motion was defeated 69:72. In Question Time on 16 September, the Leader of the Opposition moved a suspension motion criticising the Prime Minister in relation to the Minister for Energy and Emissions Reduction and the Member for Chisholm. The motion was defeated 62:73. On 18 September the Member for Kennedy moved, by leave, to suspend standing orders to call on the government to take certain action relating to the Great Barrier Reef. Because leave of the House was given, even though the motion was moved without notice, the normal restrictive time limits for a debate and individual speeches did not apply. When a seconder was called for, no Member indicated support, and so the motion lapsed. Because leave had been granted, if it had been seconded, and eventually put to a vote, a simple majority would have allowed the motion to succeed.

Amendments to standing orders and a resolution of the House

On 19 September, the Leader of the House moved (having given notice) to amend standing orders and to amend a resolution of the House. Both motions were carried on the voices. The amendments to standing orders make minor changes to domestic committee arrangements. The amendments to the resolution on Registration of Members' Interests add the word 'partner' to references to 'spouse' in the resolution, and make publication of the Register wholly online.

Matter of Public Importance discussions

On Tuesdays, Wednesdays and Thursdays, a discussion is held on a matter of 'definite public importance'. The topic is selected by the Speaker and is usually nominated by an Opposition Member. If at least eight Members signify their support when the Speaker reports the proposed topic to the House after Question Time, a discussion takes place for up to an hour. Topics this fortnight comprised: the economy, climate change (nominated by a cross-bench Member), online compliance intervention, representative government, education, and regional Australia.

Speaker's Panel

The Speaker is assisted as Chair of proceedings by the (elected) Deputy Speaker and Second Deputy Speaker. Under the standing orders, the Speaker may also nominate other Members to a panel of Members who may be rostered to take the Chair in the House or Federation Chamber. A number of Members were appointed on the first day of the 46th Parliament and on 9 September the Speaker presented a warrant nominating two more: the Members for Fisher and O'Connor. The panel now comprises thirteen members, from the Government and Opposition.

Interaction with the Senate

The usual message traffic between the Houses continued during the fortnight, with many messages transmitting bills for concurrence, and information about committee membership. Some Senate messages were anticipated more keenly than others. On 10 September a message was reported, transmitting the National Integrity Commission Bill 2018 (No.2) (a private Senator's bill) for the concurrence of the House. After the Clerk made the first reading the Leader of the House moved that the second reading be made an order of the day for the next sitting. The Member for Melbourne moved an amendment proposing the motion for the second reading be proceeded with immediately. Before the amendment could be seconded, and the amended question stated, the Leader of the House moved closure of question. When the closure was carried on division (74:70), the question on the original motion (for the second reading to be made an order of the day for the next sitting) was put, and carried on division (74:70).

Also on 10 September, a message was reported, transmitting a resolution by the Senate relating to the establishment of a Joint Select Committee on Implementation of the National Redress Scheme (related to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse) and requesting the concurrence of the House. Once the House agreed to consider the message immediately, a Minister moved that the resolution be agreed to—with amendments relating to membership. After debate the question was carried on the voices. The Senate agreed to the House’s amendments the following day when the message from the House was reported there.

Also on 10 September a message was reported returning the Royal Commissions Amendment (Private Sessions) Bill 2019 with amendments made by the Senate. Once the House agreed to consider the amendments immediately, a Minister moved they be agreed to, at the same time thanking all parties for cooperation. The Shadow Attorney-General supported the amendments, also thanking other parties and advocates. The motion was carried on the voices.

Half an hour before the House rises each day, current business is interrupted automatically, and the Speaker proposes the question ‘that the House do now adjourn’. This is debated until the House rises half an hour later. On 12 September, shortly before the adjournment debate was due to begin at 4.30pm, a Senate message was reported, returning the Criminal Code Amendment (Agricultural Protection) Bill 2019 with Senate amendments. The House agreed to consider the Senate’s amendments immediately, and a Minister then moved that they be agreed to. After a short debate during which the Member for Melbourne opposed the amendments, the Minister moved closure of question (‘that the question be put’) at 4.25pm and this was carried on division 68:60. Standing orders allow for a division to be completed after the time for the adjournment debate to begin, and for any consequent division to be conducted. When the division on the closure was completed at 4.36pm it was past the time for the automatic interruption of business. Nevertheless the question on the original question—that the amendments be agreed to—was put. When there was a call for a division, it was in order to conduct it because it was consequential in nature. Once the bells had rung, only two Members were on the side for the ‘noes’, so a formal count was not taken, and the question was declared carried. The adjournment debate began at 4.38pm and finished at the usual time for a Thursday: 5.00pm.

On the morning of 19 September a message from the Senate was reported transmitting a resolution proposing the establishment of a Joint Select Committee on Australia’s Family Law System and seeking the concurrence of the House. The House agreed to consider the message immediately and the Leader of the House then moved that the House agree to the resolution. The motion was carried 73:63 on division. Later on the 19th a message was reported returning the Treasury Laws Amendment (Putting Members’ Interests First) Bill 2019 with amendments made by the Senate. When the House agreed to consider them immediately, a Minister moved the amendments be agreed to. Opposition amendments to the Senate’s amendments were proposed and defeated on division (60:74). The Senate amendments were then agreed to on the voices.

The House and Senate are scheduled to meet next on 14 October.

Further information on the work 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. It also provides links to records of the events

[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

[Guide to Procedures](#) 6 ed., 2017, a concise and practical guide to the way the House works

[House of Representatives Practice](#) 7 ed., 2018, the most authoritative guide to House procedure