

Procedural Digest

No. 8

46th Parliament

23 March 2020

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Selected entries contain links to video footage via *Parlview*. Please note that the first time you click a [Watch] link, you may need to refresh the page (ctrl+F5) for the correct starting point.

Bills

8.01 Introduction and passage of coronavirus economic response package

Following a suspension of standing orders to rearrange the order of business (see entry 8.03), the Treasurer presented the following bills together:

- Coronavirus Economic Response Package Omnibus Bill 2020;
- Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Bill 2020;
- Australian Business Growth Fund (Coronavirus Economic Response Package) Bill 2020;
- Assistance for Severely Affected Regions (Special Appropriation) (Coronavirus Economic Response Package) Bill 2020;
- Structured Finance Support (Coronavirus Economic Response Package) Bill 2020;
- Appropriation (Coronavirus Economic Response Package) Bill (No. 1) 2019-2020;
- Appropriation (Coronavirus Economic Response Package) Bill (No. 2) 2019-2020; and
- Boosting Cash Flow for Employers (Coronavirus Economic Response Package) Bill 2020.

In accordance with Standing Order 180(b), messages from His Excellency the Governor-General were announced, recommending appropriation for the purposes of the three appropriation bills in the package:

- Assistance for Severely Affected Regions (Special Appropriation) (Coronavirus Economic Response Package) Bill 2020;
- Appropriation (Coronavirus Economic Response Package) Bill (No. 1) 2019- 2020; and
- Appropriation (Coronavirus Economic Response Package) Bill (No. 2) 2019- 2020.

Following the first reading of all bills together, the Treasurer moved that the bills be read a second time. During debate on the second reading, the Member for Rankin (Dr Chalmers) moved an amendment, calling on the Government to revise its implementation date on payment packages. The motion was seconded by the Member for McMahon (Mr Bowen).

During debate on this amendment, the Manager of Opposition Business moved an amendment to add additional sections to the Member for Rankin's amendment. The Manager of Opposition Business's amendment called on the Government to legislate a mechanism that provides sufficient incentive for employers to keep employees in work. The Member for Gorton (Mr O'Connor) seconded the Manager of Opposition Business's amendment to the Member for Rankin's amendment.

Following the debate on the Manager of Opposition Business's amendment, the Member for Whitlam (Mr Jones) moved an amendment adding to the Manager of Opposition Business's amendment. The Member for Whitlam's amendment addressed concerns of drawing down on superannuation during a low market, as well as ensuring access to funding for financial counselling. The amendment was seconded by the Member for Solomon (Mr Gosling) and debate was adjourned at 2 pm to allow for question time.

Following resumption of debate, all three proposed amendments were disagreed to on division. The questions on the amendments were put in a form such that members did not have to move across the chamber to vote (see entry **8.13**).

In accordance with the terms of the suspension of standing orders (see entry **8.03**), during consideration in detail, Government amendments were taken to have been moved together, and these were agreed to on the voices. Opposition amendments were also taken to have been moved together, and these were disagreed to on division.

Following consideration in detail, in accordance with Standing Order 180(c), messages from His Excellency the Governor-General were announced, recommending appropriation for the purposes of the remaining five bills in the package:

- Coronavirus Economic Response Package Omnibus Bill 2020;
- Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Bill 2020;
- Australian Business Growth Fund (Coronavirus Economic Response Package) Bill 2020;
- Structured Finance Support (Coronavirus Economic Response Package) Bill 2020; and
- Boosting Cash Flow for Employers (Coronavirus Economic Response Package) Bill 2020.

Following the messages from the Governor-General, all bills were read a third time.

At a later hour of the day, a message was received from the Senate reporting the return of the Coronavirus Economic Response Package Omnibus Bill 2020 with an amendment. The amendment was considered immediately and agreed to on the voices.

*Under **standing order 180**, all proposals for the appropriation of revenue or moneys require a message to the House from the Governor-General recommending the purpose of the appropriation in accordance with section 56 of the Constitution. For an appropriation or supply bill, the message must be announced before the bill is introduced, while for other bills appropriating revenue or moneys, a Minister may introduce the bill and it may be proceeded with before the message is announced.*

Hansard: 23 March 2020, 2777-820; 2841-92; 2899-2900
Votes and Proceedings: 2020/826-831; 834

SOs 141, 142, 145, 147, 148, 150, 155, 158, 180

8.02 Consideration of supply bills

In accordance with Standing Order 180(b), prior to the introduction of three supply bills, messages from His Excellency the Governor-General were announced, recommending appropriation for the purposes of the bills.

Following the Governor-General's messages, in accordance with the terms of the suspension of standing orders (see entry **8.03**), the Assistant Treasurer presented the following bills together:

- Supply Bill (No. 1) 2020-2021;
- Supply Bill (No. 2) 2020-2021; and
- Supply (Parliamentary Departments) Bill (No. 1) 2020-2021.

The Assistant Treasurer presented an explanatory memorandum for each bill, moved the second reading and made a second reading speech. Following debate, the question on the second reading was put and carried on the voices. In accordance with the suspension of standing orders agreed to earlier, the third reading was moved immediately and the question was put and carried on the voices.

*Hansard: 23 March 2020, 2869-92
Votes and Proceedings: 2020/832*

SOs 141, 142, 155, 180

Business

8.03 Suspension of standing orders – consideration of bills

The Leader of the House moved that standing orders be suspended to rearrange the order of business. This suspension of standing orders included, but was not limited to:

- allowing the Prime Minister to make a ministerial statement, with the Leader of the Opposition to respond;
- the business for the sitting to be restricted to bills relating to the Coronavirus Economic Response Package, supply bills, Question Time, and any other business agreed between a Minister and the Manager of Opposition Business;
- the presentation and consideration of bills together; and
- in the consideration in detail stage, allowing for debate of no longer than 60 minutes, with all government and opposition amendments circulated to be treated as if they were moved together.

The motion also provided that the Federation Chamber would not meet that day and that Standing Order 133 (deferred divisions on Mondays and Tuesdays) would not apply. The question was carried on the voices.

*Hansard: 23 March 2020, 2770-1
Votes and Proceedings: 2020/826*

SO 47

8.04 Ministerial Statement regarding COVID-19

Following the suspension of standing orders, the Prime Minister made a ministerial statement relating to the health and financial impact of the global health pandemic. The Prime Minister thanked the nation's premiers and chief ministers for coming together to form Australia's first national cabinet, and thanked the Leader for the Opposition for his cooperation during this period. The Prime Minister concluded with measures the Government has announced to support the economic impacts of this global health pandemic.

In response, the Leader of the Opposition spoke to the uncertainty the COVID-19 pandemic has produced. The Leader of the Opposition added that Labor would be supportive of health measures and economic stimulus legislation. The Leader of the Opposition concluded with remarks of concern regarding health and economic measures to be put in place but reassured the House that the meeting would be constructive.

Hansard: 23 March 2020, 2772-7
Votes and Proceedings: 2020/826

SO 63A

8.05 Statement on Indulgence – Coronavirus

Following question time, the Leader of the Opposition made a statement, on indulgence, regarding the positive conduct and behaviour of all members in the House during the sitting. He acknowledged the non-partisan approach taken to represent the national interest and thanked all party and parliamentary staff for their work during this period.

Hansard: 23 March 2020, 2840-1

8.06 Resolution of the House – Meetings of the House – Special provisions for human biosecurity emergency period

Following agreement to a revised program of sittings for 2020 (see entry 8.07), the Leader of the House moved a motion allowing 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, and with the manner in which Members may be present (including for the purposes of achieving a quorum) to be determined by the Speaker.

The Leader of the House also moved that any consequent changes to the rules and orders necessary to enable such a meeting to commence may be determined by agreement of the Leader of the House and the Manager of Opposition Business.

Debate ensued and the motion was agreed to on the voices.

Hansard: 23 March 2020, 2900-2
Votes and Proceedings: 2020/834

Documents

8.07 Revised 2020 program of sittings agreed to

The Leader of the House presented the revised program of sittings for 2020 and moved that the program be agreed to. The motion was debated and agreed to on division.

Hansard: 23 March 2020, 2893-8
Votes and Proceedings: 2020/833

SOs 29, 199

Members

8.08 Leave of absence to all Members

The Leader of the House moved that leave of absence be given to every Member of the House from the determination of this sitting of the House to the date of its next sitting. The question was carried on the voices.

*Hansard: 23 March 2020, 2892-3
Votes and Proceedings: 2020/833*

SO 26

Questions

8.09 All questions on Coronavirus

During question time, 23 questions were asked in total. All related to the Coronavirus.

[\[Watch\]](#)

*Hansard: 23 March 2020, 2820-40
Votes and Proceedings: 2020/829*

SO 97, 98, 100, 104

8.10 Prime Minister adds to answer

During question time, the Leader of the Opposition asked the Prime Minister about payment supports during the COVID-19 health pandemic. In the Prime Minister's response, he advised the House that an additional 3,000 government services staff would be employed to ensure the Government can meet the timing requirements. Following the Prime Minister's response, on indulgence, the Prime Minister advised the House that it would be 5,000 additional staff employed in government services and related areas.

*Hansard: 23 March 2020, 2833
Votes and Proceedings: 2020/828*

Speaker

8.11 Statement by Speaker – Parliamentary arrangements

As the first item of business, the Speaker made a statement regarding the parliamentary arrangements for the sitting beginning and ending on 23 March. The Speaker drew the House's attention to the special arrangements for the operation of the Chamber.

Seating arrangements had been adjusted to ensure sufficient space was provided between Members due to COVID-19 social distancing requirements. The Government and the Opposition had agreed pairing arrangements between them so that only 90 Members were present during the sitting (see item **8.14**).

The Speaker also advised that ministers and shadow ministers seated on the front bench could speak from the despatch box. Other ministers and shadow ministers seated in the rows behind the front bench were asked to speak from their temporary allocated seats.

To limit the total number of people in the chamber at any one time, reduced services were provided by attendants, with attendants only taking documents from Members of the front bench, in order to minimise close contact and the handling of papers, while there were also changes to arrangements for the galleries and advisers boxes. [\[Watch\]](#)

Hansard: 23 March 2020, 2769

8.12 Message from Her Majesty the Queen regarding Commonwealth Day

As is customary, Her Majesty the Queen, as head of the Commonwealth and patron of the Commonwealth Parliamentary Association, issued a message for Commonwealth Day 2020 and the Speaker presented the message to the House. The Speaker also tabled his statement regarding the recent celebration of Commonwealth Day, on 9 March 2020.

*Hansard: 23 March 2020; 2020
Votes and Proceedings: 2020/828*

SO 199

8.13 Questions to the Speaker – Procedures for divisions

The Manager of Opposition Business acknowledged that a number of divisions regarding amendments (see entry **8.01**) were to be called shortly, and noted that normal procedure required Members to cross the floor. Noting the potential of this to affect appropriate distancing measures, the Manager of Opposition Business asked the Speaker if the form in which the questions were put could be changed to allow the Government and Opposition to stay on the side they were sitting on.

In response, the Speaker advised the House that questions would be put in such a way that Members did not need to move from one side of the Chamber to the other.

Normally the Speaker would say that the question before the House is that the amendment moved by the Member 'be agreed to'. However, on this occasion, with the consent of the House, for the amendments to the second reading amendment, the Speaker put the question in the form that the amendment moved by the Member 'be disagreed to', so government Members, voting aye, would stay to the right of the Chair and opposition Members, voting no, would stay to the left. The question on the original amendment moved was then put in the form that 'the words proposed to be omitted stand part of the question'. This formulation (which had previously been used by the House) meant that Members voted aye if they disagreed with the second reading amendment. As government Members opposed the amendment, this avoided the need for Members to swap sides when dividing on the question.

Hansard: 23 March 2020, 2859-60

SO 103

8.14 Questions to the Speaker – Parliamentary arrangements

On 23 March, the Manager of Opposition Business noted that a large number of Members who were paired had raised that they wanted their names recorded in *Hansard* as pairs, as an indication that they wanted to be here. The Manager of Opposition Business asked the Speaker whether, on indulgence, the Government whip and the Opposition whip could read the names of the pairs into *Hansard*. The Speaker granted indulgence and both the Chief

Government Whip and the Chief Opposition Whip read out the names of Members who provided pairs to accommodate the social distancing arrangements.

Hansard: 23 March 2020, 2898-9

SO 103

Standing orders

8.15 Amendment to the standing orders

Prior to adjournment, the Leader of the House moved that Standing Order 47(c)(ii) be amended to include that a suspension motion moved without notice could also be carried by a majority of Members present if agreed by the Leader of the House and the Manager of Opposition Business. The Leader of the House explained that the amendment was proposed in case a meeting of the House were called but an absolute majority was not able to be present. The motion was carried on the voices.

Standing Order 47(c)(ii) states that a suspension motion moved without notice can only be carried by an absolute majority of Members. A majority is one more than half the votes of the total number of Members of the House, whether they are present or not. Currently an absolute majority is 76.

*Hansard: 23 March 2020, 2902-3
Votes and Proceedings: 2020/835*

SO 47