

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 26 February–1 March 2018 (no. 9)

This ninth issue, the second for 2018, considers the continuing impact of s.44(i) of the Constitution, Ministerial arrangements following the election of the new leader of The Nationals, progress on some significant bills, and the proposed establishment of a new Joint Select Committee, among other matters.

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### Matters related to section 44(i) of the Constitution

After Question Time on 26 February 2018 the Speaker presented a letter from the Chief Executive and Principal Registrar of the High Court, with a copy of orders by the High Court of Australia sitting as the Court of Disputed Returns. The orders related to Mr David Feeney and concluded questions that had been referred by the House to the Court on 7 December 2017. Amongst other things the Court ordered that 'By reason of s. 44(i) of the Constitution, the place of the Member for Batman, Mr David Feeney MP, is vacant.' (On 5 February the Speaker informed the House that he had received a letter from Mr Feeney resigning his seat and on 7 February the Speaker informed the House he had issued a writ for the election of a Member for Batman, with the polling date of 17 March 2018.)

### Ministerial arrangements—Deputy Prime Minister

Before Question Time on 26 February the Prime Minister thanked the Member for New England for his service as Deputy Prime Minister and announced that the Member for Riverina, Mr McCormack, had been elected by The Nationals as leader and had been sworn in as Deputy Prime Minister and Minister for Infrastructure and Transport. Mr McCormack also retained his existing Ministerial responsibilities. The Prime Minister presented a revised Ministry list. The Deputy Prime Minister made a statement by indulgence about his new role and also thanked the Member for New England.

### Question Time

On 26 February when the Prime Minister was asked a question on Ministerial standards he presented a copy of the Ministerial standards revised by him and reissued on 15 February. Questions during the week also sought information on the economy, taxation, infrastructure, consumer protection, broadband access, and national security. Often during Question Time the Speaker acknowledges distinguished visitors who are present and on 1 March the Speaker acknowledged the presence of the former Prime Minister of New Zealand, Sir John Key.

### Private Members' business—participation by a Minister

On the morning of 26 February three private Members' bills were presented and the second reading moved—in accordance with determinations made by the Selection Committee. Also during this period, after the Member for Hindmarsh had moved a motion relating to Home Care Packages and older Australians, the Minister for Aged Care participated in the debate that followed. Whilst Ministers cannot sponsor private Members' bills or motions, from time to time a Minister

participates in debate when bills and motions sponsored by backbench Members are considered by the House.

## **Legislation**

### *Introductions*

During the week six bills were introduced in the House. Three of these related to Marine Safety.

### *Passing the House*

Twenty-one bills passed the House, including the additional estimates appropriation bills: Appropriation Bill (No. 3) 2017-2018 and Appropriation Bill (No. 4) 201-2018. There was a cognate debate for the second reading stage of the bills and more than fifty Members contributed. The Treasury Laws Amendment (National Housing and Homelessness Agreement) Bill 2017 passed the House after government and Opposition detail amendments were agreed to.

### *Consideration of bills in the Federation Chamber*

During the week several bills were debated in the Federation Chamber and, following that Chamber's consideration, the bills were returned to the House where the Federation Chamber's progress was reported and the final questions on the bills were decided.

## **Committees**

One of the parliamentary committee reports presented during the week was on notifications of alterations of Members' interests (from 21 June 2017 to 27 February 2018)—presented by the Chair of the Standing Committee of Privileges and Members' Interests on 1 March.

Three reports by the Parliamentary Joint Committee on Intelligence and Security were presented during the week—on the Home Affairs and Integrity Agencies Legislation Amendment Bill 2017 and on a number of provisions of the Criminal Code.

On 26 February during Question Time an Opposition Member asked the Chair of a House committee about activities relating to the committee. Parts of the question were ruled out of order by the Speaker and the committee Chair answered the remaining part. On the following day the Chair made a statement by indulgence to clarify his answer the previous day.

On 1 March the House agreed to establish a Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples. The resolution provides that a message be sent to the Senate informing it of the resolution and inviting it to concur.

## **Matter of public importance discussions**

On Tuesday, Wednesday, and Thursday afternoon, the discussion topics were renewable energy and climate change policy; big business; and the Galilee Basin Coalfields. On Thursday two topics were proposed and the Speaker chose the Galilee Basin Coalfields as the topic he considered most urgent and important—pursuant to standing orders.

## **Adjournment debate—Members as local representatives**

Every sitting day, half an hour before the House is scheduled to adjourn, the Speaker proposes the question: 'That the House do now adjourn'. In the adjournment debate that follows, Members are exempt from one of the standing orders invoked most frequently—the requirement for debate to be relevant to the question before the House. The Speaker gives the call to backbench Members, Government and non-Government, in turn, to speak on a topic they each choose, for five minutes. In the Federation Chamber the last half hour of Thursday meetings is allocated to an adjournment debate.

In the last week, topics in the House and Federation Chamber have ranged from the 76<sup>th</sup> anniversary of the bombing of Darwin; to welfare reform; to elections and by-elections. Most sitting days begin with government business and to a degree are dominated by it. But, at the end of the sitting day, the House is likely to see Members speak as local representatives. Their speeches often indicate party loyalties but they also offer individual perspectives on electorate and other issues.

### **Interaction with the Senate**

The Senate did not meet during the week. Instead, eight of its legislation committees held a round of hearings to consider [Additional Estimates for 2017-18](#). As a result, there were no formal messages reported to the House from the Senate but, as often happens during Estimates, issues arising during Estimates hearings were referred to in the House during debates and particularly during Question Time. The Senate will meet from 19 to 22 March.

The next issue of House Review will be published after the House next sits: 26 to 28 March.

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### ***Further information on the work of the House***

- [Guide to Procedures](#), 6 ed., 2017, a concise and current guide to the operations of the House
  - [Bills and legislation](#) for bills, explanatory memoranda, amendments, speeches, and tracking facility
  - [Last week in the House](#), a collection of items (with hyperlinks) considered by the House during the week
  - [Citizenship Register](#) for Members' statements on citizenship
  - [Live Minutes](#) for 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
  - [Votes and Proceedings](#) for all the decisions of the House, available the next business day
  - [House of Representatives Practice](#) 6 ed, 2012, for the most authoritative guide to House procedure
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