

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 25 – 27 October 2022 (no. 51)

The presentation of the Budget was a key feature of this sitting period.

Budget night

On Tuesday evening the Treasurer presented Appropriation Bill (No. 1) 2022-2023—often referred to as the main appropriation bill—and, after the first reading by the Clerk, moved that the bill be read a second time and made the Budget speech. The House had earlier agreed to suspend standing orders relating to the automatic adjournment of the House and limits on business after the normal time of adjournment to allow this to occur. The Assistant Treasurer then presented Appropriation Bill (No. 2) and Appropriation (Parliamentary Departments) Bill (No. 1).

Before each of these bills was presented, the Speaker announced a message from the Governor-General recommending appropriation for the purposes of the bill. These announcements, made in accordance with standing order 180, fulfilled the constitutional requirement that no proposed law for the appropriation of revenue or moneys shall be passed unless the purpose of the appropriation has been recommended by message of the Governor-General in the same session.

In recent years the Budget has usually been presented in May, to allow the appropriation bills to be considered and passed in time for the beginning of the new financial year on 1 July. This year 2022-23 appropriation bills were presented in March but were not passed before the dissolution of the 46th Parliament and therefore lapsed. However, three supply bills passed by the House in March provided for appropriations to facilitate the continuation of normal government and parliamentary activity for the first five months of 2022-23—that is, until the end of November 2022.

On Tuesday evening, following presentation of the three appropriation bills, the Assistant Treasurer presented Supply Bills (No. 3) and (No. 4) 2022-2023 and Supply (Parliamentary Departments) Bill (No. 2) 2022-2023 to provide appropriations for the continuation of normal government and parliamentary activity for the remainder of the financial year. In presenting the bills, the Assistant Treasurer noted that they did not contain funding for new budget measures.

When debate, by leave, was resumed on Supply Bill (No. 3), a non-government Member moved a second reading amendment. The amendment was defeated and the three supply bills passed the House that evening. They then passed the Senate the following day.

On Thursday evening, the Leader of the Opposition spoke in reply on resumption of debate on the second reading of Appropriation Bill (No. 1). Under the standing orders, there is no time limit for the speeches by the Treasurer and the Leader of the Opposition on the main appropriation bill. All other Members will have 15 minutes each when debate is resumed.

Anniversary of the national apology to the survivors and victims of institutional child sexual abuse

On Thursday, the House agreed to suspend standing orders to allow the Prime Minister to move a motion regarding the anniversary of the October 2018 national apology to the survivors and victims of institutional child sexual abuse. The motion was supported by the Leader of the Opposition before debate was adjourned and the motion was referred to the Federation Chamber for further debate.

Marking the death of a former Member

Just before Question Time on Tuesday, the Prime Minister moved a motion of condolence, seconded by the Leader of the Opposition, in relation to the death of John Michael Spender KC, the Member for North Sydney from 1980 to 1990. The Member for Wentworth, his daughter, also spoke to the motion. The motion was then referred to the Federation Chamber for further debate.

Statements by indulgence

Following the condolence motion on Tuesday, the Prime Minister and Leader of the Opposition made statements by indulgence on the floods in Australia. The House then agreed that further statements could be made in the Federation Chamber.

On Thursday, just before 2 pm, the Prime Minister and the Leader of the Opposition made statements by indulgence regarding the impending retirement of New South Wales minister Brad Hazzard. Following Question Time, both leaders made statements regarding the Australian wheelchair rugby league team, the Wheelaroos, also by indulgence.

Federation Chamber

The Federation Chamber did not meet on Tuesday, as it was Budget night. It met for extended hours on Thursday.

During the sittings, the Leader of the House referred a number of bills to the Federation Chamber for consideration. Under standing order 45, either the Leader of the House or the Chief Government Whip may make a programming declaration referring a government business order of the day to the Federation Chamber. Under the same standing order, similar declarations can be made returning government business items to the House. The Leader of the House made such a declaration on Wednesday: three bills were returned from the Federation Chamber and were debated and passed the House the following day.

Bills are also returned to the House from the Federation Chamber when there is an unresolved question—that is, a question that cannot be decided on the voices—which must be resolved before proceedings can continue. On Wednesday, the question on an amendment moved to the Offshore Electricity Infrastructure Legislation Amendment Bill during the consideration in detail stage could not be resolved in the Federation Chamber. At the conclusion of consideration in detail no further proceedings could be conducted in the Federation Chamber, as the next question (either ‘That the bill, as amended, be agreed to’ or ‘That the bill be agreed to’) depended on resolution of the proposed amendment. The bill was returned to the House, where the amendment was defeated on division. The bill was then agreed to and read a third time.

On Thursday, the question on a second reading amendment relating to the Emergency Response Fund Amendment (Disaster Ready Fund) Bill could not be resolved in the Federation Chamber and the bill was returned to the House. After the amendment was defeated on division that afternoon, the question on the second reading was put and passed, and consideration in detail took place.

Disallowance motion

By delegation of the Parliament, executive government is able to make certain rules, regulations and other legislative instruments under specific acts. This ‘delegated legislation’, which must be presented to both Houses, is usually subject to veto by either House through the process of disallowance. Within 15 sitting days of a legislative instrument being tabled, a Member may give notice of a motion to disallow the instrument. If, within 15 sitting days of this notice, the House has not considered and disagreed to the motion (including if the motion has not been called on and/or successful moved), the instrument is disallowed and ceases to have effect.

In view of the fact that disallowance will occur unless the notice is called on and dealt with in the specified time, it is general practice for the Government to move a suspension of standing orders to permit a private Member’s disallowance motion to be moved during government business time.

On Thursday afternoon the Leader of the House successfully moved to suspend standing orders to enable a private Member's motion relating to the disallowance of certain rules made under the *Export Control Act 2020* to be called on immediately. The private Member then moved the disallowance motion. Debate ensued, and the motion was then defeated on division. The rules therefore continue to have effect.

Presentation of annual reports

The Speaker presented the 2021-22 annual report for the Department of the House of Representatives on Tuesday and the annual reports for the Parliamentary Budget Office and the Department of Parliamentary Services on Wednesday.

Legislation

In addition to the six appropriation and supply bills, a further 12 government bills were introduced. Eleven bills were passed.

Question Time

On occasion during Question Time the Speaker will announce the presence of a distinguished visitor. On Tuesday he advised the House that Professor John Langmore AM, former Member for Fraser (now the division of Fenner), Mr Stuart Henry, former Member for Hasluck, and the Hon Bernie Ripoll, former Member for Oxley, were in the gallery. On Wednesday he informed the House that Her Excellency Ms Caroline Kennedy, the ambassador of the United States of America, was present in the distinguished visitors' gallery. Later in Question Time he informed the House that a group of First Nations students participating in the Work Exposure in Government program were present.

Communication with the Senate

During the week, the House considered several messages from the Senate regarding amendments the Senate had made to bills. While most of the Senate's amendments were agreed to, in the case of the Social Services and Other Legislation Amendment (Lifting the Income Limit for the Commonwealth Seniors Health Card) Bill, on Wednesday the House agreed to some of the Senate's amendments but disagreed to others. The House received a message the following day indicating that the Senate did not insist on its amendments.

There was also message traffic relating to committee membership.

The House is scheduled to meet next on 7 November. The Senate is not scheduled to meet that week as its committees will be considering budget estimates. On Budget night, the Minister for Finance tabled the Budget statement and related documents and then tabled particulars of certain proposed expenditure and moved that these be referred to the Senate's legislation committees. This allows Senators to consider the details of proposed budget expenditure over coming weeks while the appropriation bills are still before the House.

Further information on the work of the House

[Bills and legislation](#)—access bills, explanatory memoranda, amendments, speeches, information about key stages of a bill's consideration, 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

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

[House of Representatives Standing and Sessional Orders](#), as at 2 August 2022—the House's rules of procedure

[Procedural Digest](#)—a record of selected procedural events in the House of Representatives Chamber and the Federation Chamber. It includes Speaker's rulings, precedents and unusual situations.