

HOUSE REVIEW



Selected features of House of Representatives business

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Sitting period 22-25 May and 29 May-1 June 2017 (no. 2)

This fortnight the Budget bills and associated bills dominated the work of the House. Arrangements to facilitate consideration of the Budget bills are discussed in this edition, as well as some significant anniversaries, special visitors, and regular House events.

Legislation

Cognate debate

House operations often disclose a regard for history. Equally they can disclose a regard for efficiency. When two or more orders of the day (items already introduced to the House and ordered to be considered on a later day) are related, the House may agree to debate them together, that is, cognately. This saves time without depriving Members of speaking opportunities. A cognate debate is an informal arrangement between all Members of the House. When the first item in the ‘package’ is called on for resumption of debate, the Chair asks if there is any objection to them all being debated together. If no Member objects, the Chair allows a single debate.

This mechanism is used most often for the second reading stage of related bills. At the end of the combined debate, separate questions are put on each bill, to finalise it. The later bills are generally dealt with very quickly because of the earlier, combined debate. In essence, the linked bills in a cognate debate begin their lives in the House by being introduced separately, share a second reading debate, and then complete their lives separately.

Budget bills—cognate debate, second reading debate and consideration in detail

On Monday 22 May, when debate was resumed on [Appropriation Bill \(No. 1\) 2017-2018](#), the House agreed to a cognate debate on its second reading stage with [Appropriation Bill \(No. 2\) 2017-2018](#), and the [Appropriation \(Parliamentary Departments\) Bill 2017-2018](#). (See the last House Review for comment on the initial stage of these bills that were introduced on Budget day, 9 May.)

Over the last fortnight a majority of Members, including some Ministers, spoke to the second reading of the Budget bills. A long second reading debate is customary. One of the attractions is that the usual requirement for speeches to be relevant to the question ‘that this bill be now read a second time’ does not apply to the second reading of the main Appropriation bill. The only requirement is that public affairs be debated. On 31 May, after more than 24 hours of debate, the question on the second reading of Appropriation Bill (No. 1) was agreed to.

The detail stage of Appropriation Bill (No. 1) began later on 31 May in the [Federation Chamber](#). The context for this stage is the consideration of schedule 1 to the bill, ‘Services for which money is appropriated, a summary list of portfolios and expenditure’. Once an order for consideration of the portfolios is agreed, consideration of the individual portfolios begins and the relevant proposed expenditure is decided on. During this stage, debate is more confined: it needs to be relevant to the portfolio being considered. In recent years this stage has often been treated as a question and

answer session between the responsible Minister and Members although it shouldn't be confused with Question Time.

So far, the proposed expenditure on the Agriculture and Water Resources, Infrastructure and Regional Development, Communications and the Arts, Attorney-General's, Immigration and Border Protection, and Health portfolios has been considered and agreed. When expenditure on every portfolio listed in the schedule to the (No. 1) bill has been agreed, the detail stage on this bill is complete. Usually, this stage continues into the second last sitting week before 30 June. After the third reading, the second bill in the cognate Budget package will be called on, the necessary questions will be put for decision, and the same for the third bill. Although a detail stage on these bills is possible it does not occur often. The Senate usually considers the Budget bills in the last sitting week before 30 June.

The issue arises, how is the wish for the House to give comprehensive consideration to the Budget bills balanced with the need to progress other business?

Federation Chamber—programming declaration and extended hours

On Monday 22 May, Ms Marino made a programming declaration in her role as Chief Government Whip. She declared that at the end of that day's sitting, the three Budget bills would stand referred to the [Federation Chamber](#) for further consideration. Referral of business to the House's second debating Chamber is provided for in the standing orders and the result is that while the Budget bills are debated extensively in the Federation Chamber other business can be considered in the main Chamber of the House. Because the Federation Chamber can only operate with cooperation, its quorum requiring the presence of a non-Government Member, programming declarations need to be based on consultation with the Opposition.

On Tuesday 23 May the House agreed to a motion by the Leader of the House, Mr Pyne, to extend the meeting hours of the Federation Chamber over the sitting weeks until 21 June and to use some time that is normally allocated to private Members for Government business. The House's ability to consider two streams of business concurrently, and the extended meeting times, will enable many Members to scrutinise the Budget bills without unnecessarily delaying progress on other business on the House's agenda, the [Notice Paper](#).

Amendment to an amendment

When debate was resumed on the second reading of the [Fair Work Amendment \(Corrupting Benefits\) Bill 2017](#) on 29 March, the Shadow Minister for Employment and Workplace Relations, Mr O'Connor, moved a second reading amendment. This is an 'in principle' amendment to the question: 'That this bill be now read a second time'. The amendment was to the effect that although the Opposition would not oppose the second reading, it called on the Government to prevent cuts to penalty rates. On 23 May, when the Member for Melbourne, Mr Bandt, spoke on the second reading, he moved an amendment to Mr O'Connor's amendment—an unusual occurrence. Mr Bandt's proposed amendment asserted that the improvements proposed in the bill were inadequate. Each amendment was negatived and the questions on the second and third reading carried on the voices. The Senate is yet to receive the bill and consider it formally but its Education and Employment Legislation Committee has considered the bill's provisions and [reported](#) to the Senate on 9 May.

Introductions

Over the fortnight a number of bills were introduced, including Budget-related bills, for example to implement changes to school funding, a one-off energy assistance payment, depreciation for small businesses, veterans' eligibility for treatment, a levy on major banks, a Medicare Guarantee Fund, and changes to foreign resident capital gains withholding payments. A full list of the bills that were introduced is available at [Last Week in the House](#).

Passing the House

After an extensive second reading debate the [Australian Education Amendment Bill 2017](#), changing arrangements for schools funding, passed the House on 29 May. The House divided on Ms Plibersek's second reading amendment and the second reading, and leave was not granted for the third reading to be moved immediately. Following a suspension of standing orders the third reading was moved and carried on division. The [Senate Education and Employment Legislation Committee](#) is examining the provisions of the bill and is scheduled to report to the Senate on 14 June.

Ministerial statements

On 24 May after the Acknowledgement of country and Prayers, the Speaker [acknowledged](#) the 50th Anniversary of the 1967 Referendum and the 25th Anniversary of the Mabo High Court decision. He welcomed distinguished visitors to the House. The Prime Minister then made a Ministerial Statement, by leave, honouring the history of the Referendum campaign and the Mabo case plaintiffs. Mr Turnbull acknowledged the presence of some of the people who had been involved, their families and friends. He also noted the roles of Indigenous parliamentarians. The Leader of the Opposition made a statement in reply, acknowledging the history of change and reflecting on change still to come. The Leader of the House moved the House take note of the Prime Minister's statement. Further consideration will occur in the Federation Chamber.

Private Members' business

Although Government business dominates the time of the House, taking up nearly half the time of the House, the allocation of time on a sitting Monday to consideration of private Members' business is considerable. House standing orders provide for 'private' Members—all Members except the Speaker and Ministers—to initiate formal debates on subjects of their choice. Debate on motions and bills sponsored by private Members, Government and non-Government, is a major feature of sitting Mondays. Their motions and bills, if chosen by the House [Selection Committee](#), are considered in the House (between 10.10am-12noon) and in the Federation Chamber (11.00-1.30; 4.45-7.30pm) on Mondays. The Selection Committee allocates the order of business and the time for selected items. Where possible the Committee provides that consideration of the private Members' notices alternates between those from Government and non-Government Members.

On Monday 22 May, the Public Service Amendment (Supporting a Regional Workforce) Bill 2017 was introduced by Ms McGowan. On the same day, debate was resumed on Mr Shorten's Fair Work Amendment (Protecting Take Home Pay) Bill 2017 and 12 private Members' motions were moved in the House and Federation Chamber. Motion topics included: decentralisation of Government agencies, Cyclone Debbie, energy security, volunteer management services funding, schools, infrastructure, and the adult migrant English program.

On Monday 29 May, Mr Wilkie introduced the Social Services Legislation Amendment (Relieving Domestic Violence Victims of Debt) Bill 2017. Debate was resumed on Mr Shorten's Fair Work Amendment (Protecting Take Home Pay) Bill 2017 and Mr Christensen moved an amendment to the question on the second reading—a very unusual event for a private Member's bill. Topics of Members' motions included coal, and fees imposed by businesses for communications by post.

The Selection Committee provides that debate on all items is adjourned when the time allocated for the debate expires, but it may select these bills and motions for further debate on a future Monday. Private Members' bills and motions are rarely passed by the House.

Committees

On Thursday 1 June, the House agreed to a Government motion to establish a House Select Committee on Development and Decentralisation. The Committee is to inquire into and report on approaches to regional development, and Commonwealth and corporate decentralisation. It has been asked to prepare an issues paper and interim report, with its final report due on 28 February 2018. Select committees usually expire automatically when they have reported finally on the terms of reference they were established to examine. They contrast with standing committees: these are appointed for the life of a parliament.

Address in Reply

On Tuesday 23 May proceedings were suspended to enable Members to accompany the Speaker to Government House to [present](#) the Address in Reply to the Governor-General, thanking him for his speech at the opening of the 45th Parliament. (See the previous House Review for discussion of the Address in Reply debate.)

Distinguished visitor

Before Question Time on Monday 29 May the Speaker announced the arrival of US Senator John McCain. The Prime Minister and Leader of the Opposition made statements by indulgence to welcome Senator McCain to the House. Mr Turnbull spoke of Senator McCain's life of public service and Mr Shorten of the example the Senator has set as he lives by his beliefs.

Interaction with the Senate

Because of [Senate Estimates](#), the Senate did not meet during the fortnight. Instead, its eight legislation committees held public hearings to scrutinise the proposed expenditure of Government departments and authorities. Some of the evidence given in the hearings was referred to in debate and Question Time in the House. When the Senate meets again on 13 June a collection of formal messages from the House, some transmitting bills, will be waiting to be reported and considered by that House.

The next edition of *House Review* will be published after the sitting fortnight 13-22 June 2017.

Further information

- [Last Week in the House](#) a summary of House business
- [Live Minutes](#) draft minutes of proceedings (updated every five minutes) in the House
- [Votes and Proceedings](#) the formal minutes of House proceedings
- [House of Representatives Practice](#), 6 ed, 2012, the most authoritative guide to House procedure
- House of Representatives [Infosheets](#) concise discussions of House operations and context
- [Hansard](#) the transcript of proceedings
- [Statistics](#) on the work of the House
- [Daily Bills List](#) a summary schedule of bills initiated in the House and Senate, and the stage reached