

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 27-30 November 2023 (no. 65)

The last sitting week for the year featured a national apology and the passage of a number of bills.

National apology for Australians impacted by thalidomide tragedy

On Wednesday morning, the Prime Minister moved that the House offer a national apology to all Australians affected by the thalidomide tragedy. The Federation Chamber suspended to allow all Members to attend. The motion was seconded by the Leader of the Opposition. As a sign of respect, Members observed a minute's silence. The motion was referred to the Federation Chamber for further debate.

Marking the death of former Members

On Tuesday, the Prime Minister moved a motion of condolence for the Hon. Bill Hayden AC, a former Governor-General of the Commonwealth of Australia, a former Leader of the Australian Labor Party, Minister and Member for Oxley from 1961 to 1988. The Leader of the Opposition, two other Members and the Speaker (the current Member for Oxley) also made remarks. All Members present rose in silence before debate was adjourned and referred to the Federation Chamber, where Members made speeches on Thursday morning. On Thursday afternoon, the motion was returned to the House and agreed to, all Members present rising in silence.

Before Question Time on Thursday, the Prime Minister moved a motion of condolence for the Hon. Gerard (Gerry) Leslie Hand, a former Minister and Member for Melbourne from 1983 to 1993. The Leader of the Opposition also spoke to the motion before all Members rose in silence. After debate was adjourned, the motion was referred to the Federation Chamber.

Legislation

Introductions

Two private Members' bills were introduced on Monday. One related to improving Australia's compliance with human rights obligations in the immigration detention regime and the other related to trialling age verification technologies as a way of protecting children from online harms. On Tuesday, the Member for Banks, who had introduced the online safety bill, moved to suspend standing and sessional orders to have the bill called on immediately and debated. The motion was defeated on division.

Passing the House

Seven bills passed the House during the week.

Bills pass all stages in a day

On Monday, the Minister for Immigration, Citizenship and Multicultural Affairs presented a migration amendment bill. He made his second reading speech and debate was then adjourned and made an order of the day for the next sitting, as required by standing order 142. Later in the day, the Leader of the House, pursuant to a contingent notice, moved that debate on the second reading resume immediately, with the time limit for Members speaking to be five minutes and the second reading debate to continue for no longer than one hour, after which the bill would be passed through all stages without delay. To this, the Manager of Opposition Business moved an amendment to provide

a longer speaking time of 10 minutes for the first Opposition speaker. The amendment was agreed to on division and the original motion, as amended, was then agreed to on division. The bill was called on and the second reading debate continued for an hour, as provided for by the resolution. The second and third readings were then agreed to on division.

On Wednesday, the Minister for Home Affairs presented a bill to amend the *Australian Citizenship Act 2007*. By leave, the bill was made an order of the day for a later hour. Later in the day, the Leader of the House moved a contingent motion to suspend standing and sessional orders to allow the immediate resumption of the debate, with a time limit of five minutes for each speaker, and the second reading debate continuing for no longer than an hour, after which the bill would be passed through all stages without delay. The Manager of Opposition Business moved, as an amendment, that the shadow minister would have a longer time limit of 10 minutes, which was agreed on division. The House then agreed to the suspension motion as amended on division.

When debate on the bill was resumed, the shadow minister for immigration and citizenship spoke and moved a second reading amendment. After the amendment was seconded, the Leader of the House moved to suspend standing orders so that divisions on the bill could occur after 6.30 pm (otherwise, except on a suspension motion moved by a minister, divisions would be deferred until the following day). When this was agreed to, the second reading debate continued. Two crossbench Members moved successive amendments to the second reading amendment already moved. When the time for debate expired, the question on each amendment was put and negatived in succession.

The bill was read a second time and, leave having been granted, the third reading was moved immediately and carried.

Consideration in detail of fair work legislation in accordance with resolution

On Tuesday, when consideration in detail of the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 commenced, proceedings were subject to the resolution the House had made the previous sitting week. The resolution provided that any detail amendments were to be moved together as one set for the government, one set for the opposition and one set per crossbench Member, with one question to be put on each set. Any question on a set of amendments was to be put after no more than 20 minutes of debate unless a minister set a further period of 10 minutes. Eighty-two government amendments were moved together and agreed to on division, before the Leader of the Australian Greens moved a further eight amendments, which were agreed to on the voices.

Debate was adjourned and resumed the following day, when six crossbench Members each moved a set of amendments, which were negatived. The Leader of the House then moved a suspension of standing orders without notice to vary the resolution, to permit the Member for Wentworth to move an additional set of amendments and to permit a separate question to be put on that. When the suspension motion was carried on division by an absolute majority, the Member moved three additional amendments, which were agreed to on division. The bill, as amended, was agreed to and read a third time.

Statements

There are a number of ways that Members can make statements to the House. They can be made by indulgence of the Chair, for example, or ministers may seek leave to make a ministerial statement. Standing order 50A sets aside time on Wednesday and Thursday mornings for ministers to make statements on significant matters, pursuant to notice, and provides for an Opposition Member making a statement on the same matter for an equal length of time. There were examples of each during these sittings.

Following Question Time on Monday, the Member for Berowra and the Prime Minister made statements by indulgence marking the 100th birthday of the first Member for Berowra, the Hon Tom Hughes AO KC. On Tuesday, after Question Time the Prime Minister, by indulgence, made a

statement commemorating the sinking of the MV *Montevideo Maru* in 1942. The shadow minister for defence also made a statement by indulgence, before all Members present stood in their places as a mark of respect for the lives lost. The Prime Minister and the Leader of the Opposition then made statements regarding Senator Patrick Dodson, who had announced his intention to retire.

On Thursday morning, the Assistant Minister for the Prevention of Family Violence made a statement on a significant matter in relation to the International Day for the Elimination of Violence Against Women, and the Deputy Leader of the Opposition spoke in reply. The Assistant Minister for Foreign Affairs then made a statement on a significant matter, namely consular services for Australians overseas, and the shadow minister for immigration and citizenship spoke in reply. The House agreed to permit further statements on these matters in the Federation Chamber.

On Thursday afternoon, the Minister for Climate Change and Energy, by leave, made a ministerial statement relating to the annual climate change statement. The shadow minister then spoke in reply. At the conclusion of the speeches, the minister moved a motion to take note of the statement, which was referred to the Federation Chamber for further debate.

After Question Time on Thursday, the Prime Minister and the Leader of the Opposition made statements, on indulgence, acknowledging the retirement of Luzia Borges, a member of the parliamentary cleaning staff, after 35 years of service. Later that day, shortly before the House rose, the Speaker made a statement acknowledging the service of parliamentary attendant Bev Breen and congratulating her on her retirement.

Communication with the Senate

Only the Senate sat Friday, 17 November and consequently there were nine Senate messages to be reported to the House on Monday afternoon. In total, 11 Senate messages were reported this week.

The standing orders of both the House and the Senate provide for the holding of conferences to resolve a disagreement between the two houses. A conference may not be requested on the subject of a bill or motion in possession of the other house (House standing order 263/Senate standing order 156). Only two such conferences have been held, in 1930 and 1931, at the request of the House, while a third conference was requested by the Senate in 1950 but not agreed to by the House.

On Tuesday, the House received a message from the Senate requesting a conference with the House on four private Senators' bills which had been transmitted to the House for concurrence the previous week. The terms of the message indicated that this was notwithstanding Senate standing order 156. When the Speaker reported the message, the Manager of Opposition Business moved that the message be considered immediately. Following debate, the Leader of the House moved closure of question. When this was agreed to on division, the question that the message be considered immediately was put. The House divided again and the motion was defeated.

The House is scheduled to meet next on 7 December.

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.