

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 31 July – 10 August 2023 (no. 61)

The first sitting fortnight for the spring sittings featured: the swearing-in of a new Member, a reversion to pre-pandemic division practices and a show of the parliament's support for the Matildas.

---

### **Swearing in of new Member**

On the first day of sittings, the Speaker announced that he had received a return to the writ for the election of a Member to serve for the Division of Fadden. Mr Cameron Caldwell was admitted and sworn as the new Member for Fadden.

### **Division procedure**

Following Question Time on 1 August, the Speaker made a statement about changes to division procedures. Since the beginning of the pandemic, questions had been put in such a way that minimised the movement of Members from one side of the Chamber to the other. The Speaker noted that the physical arrangements in the chamber had returned to their pre-COVID-19 forms and advised the House that the form in which the question was put would also revert to that provided in the standing orders. This means that a question for decision of the House will be stated in the form 'that the [proposal] be agreed to'. The question on the first division for the week, a deferred division on the Public Service Amendment Bill 2023, was put in that form later that day.

### **Matter of privilege**

On 8 August the Member for Brisbane raised a matter of privilege relating to the Member for Cook. The Speaker took the matter under consideration and reported back to the House after Question Time on 10 August. The Speaker stated that a prima facie case for the Member for Cook knowingly misleading the House had not been established on the evidence provided and accordingly the matter was not granted precedence.

### **Motions with and without notice**

On 3 August the Leader of the Opposition moved to suspend standing orders without notice during Question Time to enable him to move a motion relating to the proposed Voice to Parliament. A suspension motion without notice requires an absolute majority of members to pass. The motion was debated and defeated on division.

On 8 August the Minister for the National Disability Insurance Scheme lodged a notice of motion relating to Robodebt. The motion was moved on 10 August. During the ensuing debate an amendment to the motion was moved by the Manager of Opposition Business. The amendment was defeated on division and the original motion was then agreed on division.

### **Marking the deaths of former Members**

On the first day of the sittings, the Prime Minister moved a condolence motion on the death of the Hon Simon Findlay Crean, Member for Hotham from 1990 to 2013 and a former Minister and Leader of the Australian Labor Party. The Leader of the Opposition seconded the motion. The motion was referred to the Federation Chamber, where it was debated later in the week.

On 31 July, the Speaker also informed the House of the death of Ewen Thomas Jones, Member for Herbert from 2010 to 2016. The following day, the Speaker informed the House of the death of Arthur (Gordon) Dean, Member for Herbert from 1977 to 1983.

### **Ministerial statement**

On 8 August the Minister for Resources made a ministerial statement relating to the Commonwealth's proposed national radioactive waste facility. The Shadow Minister for Agriculture addressed the House in reply.



*Former Prime Minister the Hon Dr Kevin Rudd AC and Ms Therese Rein, pictured speaking with the Prime Minister, were present in the Distinguished Visitors Gallery during Question Time on 10 August. Dr Rudd's official portrait was earlier unveiled in the Members' Hall.*

*Photo courtesy AUSPIC/DPS.*

### **Statements on significant matters**

On 3 August, a Minister representing the Minister for Women made a statement, pursuant to notice, in relation to World Economic Forum gender gap report rankings. The Shadow Minister also made a statement. The Minister for Social Services then made a statement, pursuant to notice, in relation to family and domestic violence leave, and was followed by the Shadow Minister. A motion permitting further statements in the Federation Chamber was moved and agreed in relation to each. Members made statements in the Federation Chamber in relation to the World Economic Forum gender gap report rankings on 8 and 9 August; and in relation to family and domestic violence leave on 9 August.

On 9 August, the Minister for Education made a statement in relation to sexual assault and harassment on university campuses. The Shadow Minister for Women also made a statement on the matter. The Minister for Homelessness pursuant to notice, then made a statement in relation to Homelessness Week, followed by the Shadow Minister. A motion permitting further statements in the Federation Chamber was moved and agreed in relation to each, and further statements were made in that Chamber on 10 August.

### **Statements on indulgence**

On the first day of the sittings, the Member for Cook made a statement on indulgence regarding the findings of the Royal Commission into the Robodebt Scheme.

On 3 August, the Prime Minister made a statement on indulgence regarding a request he had made to the Presiding Officers to illuminate the front of Parliament House in support of the Matildas. The

Speaker informed the House that the Presiding Officers had approved the request in honour of Australia's forthcoming match in the FIFA Women's World Cup. On 8 August, the Prime Minister made a brief statement on indulgence congratulating the Matildas on their victory the previous evening and thanking the Presiding Officers for illuminating Parliament House to express the support of the Parliament. The Leader of the Opposition, on indulgence, joined the Prime Minister in congratulating the Matildas.



*Parliament House was illuminated in green and gold in support of the Matildas, who won their round of 16 match against Denmark.*

*Photo courtesy AUSPIC/DPS.*

On 7 August, just prior to Question Time, the Prime Minister made a statement by indulgence to congratulate the Diamonds on winning the Netball World Cup in South Africa.

On 10 August, the Prime Minister made a statement on indulgence informing the House that he had accepted an invitation from President Joe Biden to undertake an official visit to the United States from 23 to 26 October. The Deputy Leader of the Opposition, on indulgence, wished the Prime Minister well on his visit.

## **Petitions**

On 31 July, the Chair of the Petitions Committee presented the committee's report and made a statement regarding the petitions process. She reminded the House that any Member may present a petition without needing to seek leave during the periods for 90-second statements in the House and Federation Chamber, constituency statements in the Federation Chamber, the grievance debate in the Federation Chamber and the adjournment debate in the House and Federation Chamber. A petition should first be approved by the Petitions Committee as meeting the requirements for petitions set out in the standing orders before it is presented. If a petition has not yet been approved, a Member may seek leave to present the petition as a document; however, this is not recommended.

## **Legislation**

### *Introductions*

Twelve government bills were introduced during the fortnight, including one which originated in the Senate. Amongst the 12 bills were the Housing Australia Future Fund Bill (No. 2] and two related bills. These bills are identical to bills which were introduced and passed by the House in February, but which had not been put to a vote in the Senate. As there has been an interval of greater than three months, if the Senate rejects the bill, or fails to pass it, or passes it with amendments to which the

House of Representatives will not agree, the bills may become a potential trigger for a double dissolution (see [Infosheet 18 – Double dissolution](#)).

Also among bills introduced during the fortnight were the Parliamentary Workplace Support Service Bill 2023 and a related bill which seeks to establish the Parliamentary Workplace Support Service as an independent statutory agency to provide human resources services for parliamentarians and persons employed under the *Members of Parliament (Staff) Act 1984* (the MOPS Act) and other services to support positive cultural change across Commonwealth parliamentary workplaces. This would give effect to certain recommendations of the Australian Human Rights Commission's *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*.

The Members of Parliament (Staff) Amendment Bill 2023, introduced on 10 August, seeks to amend the MOPS Act to, in the words of the Minister, 'modernise, improve transparency, and clarify the employment framework for parliamentarians and their staff.'

On 7 August the Telecommunications (Interception and Access) Bill was introduced by leave and the second reading moved. The following day, the bill was debated and passed by the House after a division on the question for the second reading.

One private Member's bill, relating to electoral legislation and trust, was introduced on Monday, 7 August by the Member for Curtin. The previous Monday, the Speaker informed the House that the Member for Mayo had fixed Monday, 4 September as the day for presenting two electoral amendment bills, which she had previously given notice of. Standing order 110 allows a Member who has given a notice of motion to change the day proposed for moving the motion to a later day by notifying the Clerk in writing before the motion is called on.

#### *Passing the House*

Nine bills passed the House during the fortnight. This included the Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023 which was opposed by nine independent Members and three Australian Greens Members on the question for the second reading. During consideration in detail, 17 amendments in total were moved by five crossbench Members. All were defeated on division, with the same 12 Members who opposed the second reading voting in support of each of the amendments.

The Public Service Amendment Bill 2023 also featured a lengthy detail stage, with nine amendments in total moved by three Members on the crossbench. All were negated on division following debate and the third reading was carried on the voices.

#### **Parliamentary committees**

On 7 August the Assistant Treasurer moved on notice a motion to refer an inquiry to the Standing Committee on Economics relating to insurers' responses to recent natural disasters in Australia. The motion was agreed on the voices and requires the committee to report by 30 September 2024. It is not common for the House to refer inquiries to standing committees, most inquiries being received from Ministers. In this instance, the reporting date is binding on the committee and would require the House to grant an extension if required. Committees are not bound by reporting dates set by Ministers.

A comprehensive list of reports, with hyperlinks, will be published in [Last Week in the House](#).

#### **Communication with the Senate**

Message traffic this fortnight largely related to bills. 29 messages from the Senate were reported. Of these, 24 were reporting bills which had passed the Senate without amendment; three were returning bills with amendments (all of which were subsequently agreed to by the House); one was transmitting a bill for concurrence; and one was reporting a change in committee membership.

The House is scheduled to meet next on 4 September.

---

***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.