



Procedural Information Bulletin

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For the sitting period 2 to 4 July 2019

The 46th Parliament

On 1 July 2019, Australia's 27th Governor-General, General the Hon. David Hurley AC DSC (Retd) received his commission in the Senate chamber, with members of the Parliament, the Executive and the Judiciary in attendance. Although held in the Senate, the event is by no means parliamentary, and certainly not a joint sitting as was reported here and there. In fact, the ceremony has no particular provenance; its value very much lies in the presence of each branch of government to bear witness.

The formal opening of parliament occurred the following day, at the date and time (and – [perhaps erroneously](#) – place) specified by proclamation of the former Governor-General, General the Hon. Sir Peter Cosgrove AK MC. It followed procedures set down in the standing and other orders of each House, by which a Welcome to Country ceremony precedes various Westminster-derived elements, culminating in the Governor-General's speech to both Houses assembled in the Senate chamber. *Odgers' Australian Senate Practice* observes that the "[opening ceremony is not constitutionally required, and is otherwise objectionable in principle](#)", however numerous proposals for change mooted over the years in each House have come to naught. In short, people like a bit of ceremony.

The [composition of the Senate](#) changed significantly on 1 July, with the government now holding 35 of 76 seats, compared with 31 in the last Parliament, and a reduced crossbench. After senators elected on 18 May were sworn, the Senate again elected Senator the Hon. Scott Ryan as its President and Senator Sue Lines as its Deputy President and Chair of Committees, their offices having been vacated by operation of standing orders 5 and 9 the day before the opening.

The Senate and the House each devoted the next day to condolence motions following the death of former Prime Minister, the Hon. Robert (Bob) James Lee Hawke AC GCL. Following convention, each House then adjourned as a mark of respect.

Standing order 3 describes the procedure for the Senate's consideration of the Governor-General's speech. On the one hand, it provides that certain types of business may be transacted before that speech is considered (so. 3(1)). This is said to embody a "traditional assertion" of the Senate's rights. On the other hand, standing order 3(4) provides that "Only formal business shall be entered into before the address-in-reply to the Governor-General's opening speech has been adopted." This constrains the Senate's consideration of substantive business, including government legislation. That part of the standing order is invariably suspended, on the government's motion, to allow consideration of its legislative program. On 2 July, non-government parties unsuccessfully sought to amend the government's suspension motion, to limit the particular business that could be transacted.

On 4 July the Senate set its sitting days for the remainder of 2019, and adopted as a continuing order the restriction on debating suspension motions connected to formal business (first implemented in November 2018: see [Bulletin 331](#)).

Legislation

The only legislation considered by the Senate this week was the [tax relief bill](#) announced in the budget (see [Bulletin 333](#)), which was passed without amendment on 4 July under an “hours motion”, providing that the Senate meet until consideration of the bill was complete. A second reading amendment proposing to refer the bill to a committee was defeated, as were several amendments proposed by the Opposition and by the Australian Greens, to variously bring forward, postpone or excise elements of the package.

Six government bills were introduced in the Senate the same day and adjourned under the provisions of [standing order 111\(6\)](#), which provides that at least 14 days must elapse between introduction and debate on government bills in the first sitting period following an election. Bills may be exempted from that requirement by decision of the Senate, for instance by an explicit exemption motion, a time management motion (guillotine), or the kind of hours motion mentioned above.

Four new private senators’ bills were introduced, including two proposals to alter the Constitution, and many were restored to the *Notice Paper*, having lapsed following the prorogation of the 45th Parliament.

Orders for documents and explanations

On 4 July the Senate passed orders requiring:

- documents from the Department of Home Affairs in relation to the Paladin group of companies
- a report from the Independent Health Advice Panel established under the “medevac” amendments (see [Bulletin 332](#)), and the minister’s response
- a letter from the Prime Minister on Ministerial Standards, in relation to two former ministers.

In relation to the last matter, the Senate also provided that the relevant minister may be asked to provide an explanation on the matter on 22 July, which may then be debated. A similar explanation is required from the minister the following day under another order, relating to media reports connecting two ministers to alleged unlawful destruction of endangered grassland species.

As with the previous parliament, a list detailing orders for documents, and responses thereto, is available on the [Senate’s business pages](#).

Committee activity

By week’s end, members had been appointed to Senate standing committees and some joint committees, dates were set for the supplementary Budget estimates hearings in October, and the order allocating departments and agencies to committees was amended to take account of adjustments in the administrative arrangements of the government.

In addition, 12 bill inquiries were underway following adoption by the Senate of a report of the Selection of Bills committee, and a Senate Select committee on the Australian Government’s Northern Australia agenda had been established. A successful opposition amendment provided that industrial relations would continue to be allocated to the Employment and Education Committee, notwithstanding its move to the Attorney-General’s portfolio.

A range of committee inquiries were proposed following the execution of search warrants by the Australian Federal Police on a News Corp. journalist and on the offices of the Australian Broadcasting Corporation, in aid of separate investigations. The government asked the Parliamentary Joint Committee on Intelligence and Security to review the impact of law enforcement and intelligence powers on the freedom of the press. On 4 July, an Opposition proposal to establish a Joint Select Committee into the Public's Right to Know and Press Freedom was defeated in a tied vote. A subsequent Australian Greens proposal – this time to establish a Senate Select Committee – has been put on the *Notice Paper* for the next sittings.

RELATED RESOURCES

[Dynamic Red](#) – updated continuously during the sitting day, the Dynamic Red displays the results of proceedings as they happen.

[Senate Daily Summary](#) – a convenient summary of each day's proceedings in the Senate, with links to source documents.

Like this bulletin, these documents can be found on the Senate website: www.aph.gov.au/senate

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