

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 24 June – 4 July 2024 (no. 71)

The last sitting fortnight for the Winter sittings featured: the swearing-in of the Governor-General, a large number of suspension motions, recission of a vote and the passing of a new statutory Joint Committee Defence.

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### Swearing in of the Governor-General

On Monday 1 July Ms Sam Mostyn AC was officially sworn in as the 28<sup>th</sup> Governor-General of the Commonwealth of Australia. In the Senate chamber, Ms Mostyn took the affirmation of allegiance and affirmation of office before the Chief Justice of Australia, the Honourable Stephen Gageler AC, swore in Ms Mostyn reading and signing the oaths of allegiance and office. The Prime Minister and Ms Mostyn then signed the proclamation, followed by the Australian National Anthem and a Welcome to Country ceremony in the Members' Hall.

The constitutional duties of the Governor-General include recommending the appropriation of revenue or money (s. 56 of the Constitution) and assenting to bills (s. 58 of the Constitution). The Governor-General advises each House by message of the assent to bills and recommendation of appropriation in the House of Representatives. Messages during the fortnight have been from His Excellency the Governor-General (General the Honourable David Hurley AC CVO DSC (Retd)) as they were signed before 1 July.

It has become practice for the first bill to be assented to by a newly appointed Governor-General to be presented by the Speaker in person, accompanied by the Clerk of the House. The Speaker informs the House accordingly.

### Marking the deaths of former Members

On 24 June the Prime Minister moved a condolence motion on the death of the Honourable Gary Roy Nairn AO, Member for Eden Monaro from 1996 to 2007 and a former Minister. The Leader of the Opposition seconded the motion. The Speaker also referred to the death of a former Member, Dr Robert John Solomon AM and a former Senator and Member for Boothby from 1981 to 1996, the Honourable Raymond (Steele) Hall.

### Legislation

#### *Introductions*

During the fortnight, thirteen Government bills were presented. Subjects included a National Housing and Homelessness Plan, veterans entitlements and customs licencing charges.

Two private Members' bills were introduced. These related to housing and homelessness and a ban on gambling advertisements.

#### *Governor-General Amendment (Salary) Bill 2024*

The Governor-General Amendment (Salary) Bill 2024 was introduced on 24 June 2024 and passed the House on 25 June 2024. Section 3 of the Constitution provides that the salary of the Governor-General shall not be altered during their continuance in office so any amendments to the salary needed to be passed prior to the swearing in of the new Governor-General on 1 July 2024. In line

with past practice, the proposed salary is calculated by reference to the estimated average salary of the Chief Justice of the High Court of Australia over the notional five-year term of the appointment of the Governor-General. Where, in the past, a Governor-General has been the recipient of other Commonwealth entitlements - such as a judicial pension - the annual salary has been adjusted accordingly. Ms Mostyn is not a recipient of any such entitlements.

#### *Passing the House*

13 bills passed during the fortnight including the package of the Nature Positive bills. There were three bills in this cognate package and all three of the bills were the subject of detailed amendments, which were defeated on division or on the voices. The final bill in the package passed the House at 4.29pm on Thursday 4 July, just prior to the interruption for the automatic adjournment of the House pursuant to standing order 31 and the adjournment debate.

#### *Rescission of a vote*

On Thursday 27 June the Treasury Laws Amendment (Responsible Buy Now Pay Later and Other Measures) Bill 2024 was returned to the House for further consideration with an unresolved question on the amendment moved by the Member for Griffith to the amendment moved by the Member for Petrie. The questions on both second reading amendments were negated on division. The question on the second reading passed on the voices and leave was granted for the third reading to be moved immediately and on the motion of the Minister, the bill was read a third time.

Following the next item of business, Manager of Opposition Business sought leave to move that the vote on the third reading be rescinded, to enable the movement of amendments in the consideration in detail stage. Leave was granted, and the question on the motion to rescind passed on the voices. The amendments were then moved together by leave and the question on the amendments negated on division. The Minister moved by leave that the bill be read a third time which passed on the voices. Under Standing Order 120, a resolution or other vote of the House may be rescinded during the same session and can be done at once to correct irregularities or mistakes by seeking leave of the House, or when one day's notice has been given. In other cases, a motion for rescission may only be made on seven day's notice.

#### **Suspension of Standing Orders**

On 25 June the Leader of the House moved pursuant to notice to suspend standing orders to change meeting times in the House and Federation Chamber on 1 July and the order of business in the Federation Chamber on 4 July 2024 to accommodate the attendance of Members at the swearing in ceremony of the Governor-General which passed on the voices. A motion moved on notice may be carried by the majority of Members.

During the fortnight, 10 suspension motions were moved on a range of topics including several seeking to bring on a private Member's bill, and motions to allow debate on the cost of living and the defacing of war memorials. Two of these motions were two negated on division and debate on seven were adjourned.

On 3 July, the Deputy Leader of the House, on behalf of the Leader of the House, moved pursuant to notice, that so much of standing and sessional orders be suspended to allow for a one-hour debate on a motion, with set speaking times, no amendments permitted and variation being made only on a motion moved by a minister. This motion passed on the voices and the Assistant Minister for Foreign Affairs moved a motion on a two state solution and recognition of the state of Palestine, the debate took place and the question on the motion was carried on division 81 to 55.

#### **Statement by the Speaker on Question Time**

On 4 July the Speaker made a statement prior to the start of Question Time, noting that access to Question Time had been limited due to security reasons following the events of the morning at the front of the building. The Speaker explained that the decision had been made for the safety of all staff working in the building.

## **Statement by the Deputy Speaker in the Federation Chamber**

On 27 June, the Deputy Speaker made a statement regarding the conduct of advisors in the Federation Chamber.

### **Parliamentary committees**

Committees continued their work during the fortnight with meetings, public hearings and presentation of reports. On 24 June, the House Standing Committee on Agriculture presented its advisory report, incorporating a dissenting report, on its inquiry into the Export Control Amendment (Ending Live Sheep Exports by Sea) Bill 2024. In line with the reporting deadline in the Minister's referral, the Committee provided the report to the Speaker on 21 June pursuant to standing order 247(c). Following presentation of the report to the House, debate on the bill was resumed with the question on the second reading amendment being negatived on division, 55 to 89. The House also divided on the question of the second reading and following the moving of the third reading by leave, the bill passing the House on 26 June.

The Defence Amendment (Parliamentary Joint Committee on Defence) Bill 2024 seeks to establish the Parliamentary Joint Committee on Defence to have general oversight of Australian defence agencies. A joint statutory committee is a committee established by an Act of Parliament that draws its membership from, and reports to, both Houses of Parliament. On 1 July debate resumed on the bill (following introduction in the previous sitting), including debate on the composition of the committee membership. The opposition moved detailed amendments relating to the committee's composition which were negatived on division and the bill passed the House on 3 July.

When the House has referred an inquiry to a committee, changes to the scope of inquiry or procedures, including extending the time for reporting, are possible through motions moved for adoption by the House by the relevant minister. On 3 July, the Minister for Financial Services, pursuant to notice, moved that the Standing Committee on Economics' Inquiry into insurers' responses to 2022 major floods claims reporting date be extended from 30 September to 18 October. The question was put and passed by the House.

### **Communication with the Senate**

Message traffic this fortnight largely related to bills. 32 messages from the Senate were reported, of these 25 were reporting bills which had passed the Senate without amendment or requests; three were returning bills with amendments (all of which were subsequently agreed to by the House); one informed the House that the Senate didn't insist on its amendments disagreed to by the House of Representatives, two reported changes in the membership of joint committees and one informed the House that the Senate agreed to a resolution referring a bill to a joint committee for inquiry and report.

The House is scheduled to meet next on 12 August.

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### ***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.