

# HOUSE REVIEW



## Selected features of House of Representatives business

Sitting period 18-27 March (no. 68)

The last sitting fortnight for the Autumn sittings featured the swearing-in of a new Member. On 25 March, the House also acknowledged the impending retirement of Mr James Catchpole, Clerk Assistant (Table), after 33 years in the department.

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### **New Member for Dunkley sworn in; writ issued for Cook by-election**

Just before Question Time on the first day of the sittings, the Speaker announced that he had received a return to the writ which he had issued on 29 January for the election of a Member to serve for the division of Dunkley, to fill the vacancy caused by the death of Ms Murphy. By the endorsement on the writ, it was certified that Jodie Anne Belyea had been elected. Ms Belyea was admitted and then made and subscribed the affirmation of allegiance required by law. Mr Albanese, by indulgence, made a statement welcoming her. On 27 March, standing orders were suspended to enable new Member for Dunkley to make her first speech.

Also on the first day of sittings, the Deputy Speaker informed the House that the Speaker had issued a writ the previous Monday for the election of a Member to serve for the division of Cook, to fill the vacancy caused by the resignation of Mr Morrison. The Speaker has fixed 13 April as polling date, with rolls closing on 18 March and nominations closing on 21 March. The writ is to be returned on or before 19 June.

### **Marking the death of a Senator and a member of the Australian Defence Force**

On 18 March the Prime Minister moved a condolence motion on the death of Senator Linda White, Senator for Victoria since 2022. The Leader of the Opposition seconded the motion and spoke, along with the Deputy Prime Minister, the Leader of the Nationals, the Minister for Immigration, Citizenship and Multicultural Affairs and the Deputy Leader of the Opposition, before all Members rose in silence. Debate was adjourned and the order of the day referred to the Federation Chamber, where further speeches were made on 21 March and 26 March. The motion was returned to the House and agreed to shortly before Question Time the following day, all members rising in their places.

Earlier on 18 March, standing orders had been suspended to rearrange business for that day, including to provide for a later Question Time at 3.30 pm, so that Members could attend the funeral of Lance Corporal Jack Patrick Fitzgibbon, who died while serving his country. On 21 March, the Prime Minister referred to the death of Lance Corporal Fitzgibbon and moved a condolence motion. The former Member for Hunter, the father of Lance Corporal Fitzgibbon, and his family were present. The Leader of the House seconded the motion and the Minister for Defence and the shadow minister for defence also spoke, before all Members rose as a sign of respect. Further speeches were made in the Federation Chamber on 26 and 27 March.

### **Change to sittings**

On the first day of sittings, the House resolved not to sit on Thursday, 28 March as originally scheduled, to enable Members to return to their electorates before Good Friday.

## Legislation

### *Introductions*

During the fortnight, 19 Government bills were presented.

Three private Members' bills were introduced. These related to combatting online notoriety, limiting and reducing the market share of supermarket businesses and improving the fairness and transparency of elections.

### *Passing the House*

Nineteen bills passed the House during the fortnight.

### *Bill passes the House in a day*

On 26 March, the Minister for Immigration presented the Migration Amendment (Removal and Other Measures) Bill 2024 and moved the second reading. When debate was adjourned at the conclusion of his second reading speech, as required under SO 142, the Leader of the House moved a contingent motion to enable the immediate resumption of debate, limit the second reading debate to an hour and allow the passage of the bill through all stages without delay. The Deputy Leader of the House then moved to amend the terms of the motion to further limit the second reading debate and to provide for a time-limited period for consideration in detail. To this, the Leader of the Australian Greens moved to amend the motion to delay resumption of debate until the next day of sitting. This amendment was defeated on division. The House then agreed to both the Deputy Leader of the House's amendment and the original motion, as amended, on division.

The resolution provided for a second reading debate of 40 minutes and then for consideration in detail, with all Government amendments to be moved together, all Opposition amendments to be moved together and any crossbench amendments to be moved as one set per member, with one question to be put on each set of amendments after no more than five minutes of debate on each set. The resolution also provided that, if debate had not concluded before 1.40 pm, the question would be put on any remaining questions necessary to complete the bill.

Debate on the second reading then resumed. A second reading amendment was moved and was negated on division after the time allotted for debate had expired. The second reading was then agreed to on division. At 1.45 pm, consideration in detail commenced and an Opposition member moved an amendment, which was defeated on division. The Speaker then put the question that the bill be agreed to, which was carried on division. During the division on the third reading, the Member for Curtin sought to amend the motion 'that the bill be now read a third time' to omit 'now' and insert 'not'; the Speaker explained this was not in order as the question had already been put and the division was underway. The question on the third reading was carried and the bill read a third time at 1.58 pm.

Crossbench Members took a series of points of order during divisions on the bill at the conclusion of consideration in detail as no question had been put on amendments that had been circulated but not moved by the Member for Warringah. Following the bill's third reading, the Leader of the Australian Greens asked the Speaker why the Opposition amendment had been moved after 1.40 pm but the Member for Warringah had been unable to move her amendments, as circulated. The Speaker stated that the time had not been pointed out when the Opposition amendment was moved.

After Question Time, the Leader of the Australian Greens moved to suspend standing and sessional orders to allow the rescission of the agreement to the bill and the third reading and to enable the Member for Warringah to move amendments that had been circulated in her name. The motion was defeated on division.

### *Suspension and other motions moved during passage of bill*

Debate on the second reading of the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024 resumed during the fortnight. On 25 March, a

crossbench Member moved a second reading amendment, and then the Leader of the Australian Greens moved to suspend standing and sessional orders to delay the putting of the question on the second reading until an environmental reform package had passed both Houses. The suspension motion was defeated on division. Later that day, when debate on the bill had resumed following the interruption for Members' statements and Question Time, the Leader of the Australian Greens moved another suspension motion, this time seeking to delay the putting of the question on the second reading until the Government's amendments to the bill had been considered by a Senate inquiry. The Leader of the House moved closure of question, which was carried on division, and then the motion to suspend standing orders was defeated on division.

The Leader of the House then moved closure of the question on the second reading, which was agreed to on division. The House then divided again on the question 'That the bill be read a second time', which was carried. During consideration in detail, a crossbench Member (the Member for Warringah) moved two amendments, and then, after some debate, at 7.23 pm a minister moved closure of question. More than one voice called for a division. The Chair announced that, it being after 6.30 pm, the division would be deferred until the first opportunity the following day, in accordance with standing order 133.

The next day, the Speaker made a statement informing the House that standing order 133(d) does not permit a motion for closure of question to be moved during a period of deferred divisions. Consequently, the division that was called for and deferred did not take place and debate resumed on the question 'That the amendments moved by the Member for Warringah be agreed to'. After a short period of debate, the Minister for Resources once again moved closure of question. When this was agreed to on division, the question was put on the Member for Warringah's amendments. The House divided and the amendments were defeated. Three Government amendments, moved by leave together, were agreed to on division. After another crossbench Member, the Member for Wentworth, moved an amendment, the Minister again moved closure of question. After this was carried on division, the House then divided again and the amendment moved by the Member for Wentworth was defeated. There were two further divisions, in which the House agreed to the bill as amended and to the question on the third reading. The bill was then read a third time.

#### *Unresolved questions returned from the Federation Chamber*

During the fortnight, various unresolved questions were returned from the Federation Chamber. As decisions in the Federation Chamber can only be made 'on the voices', if a single Member dissents then the matter for decision becomes an unresolved question which is reported back to the House for resolution.

On the evening of 26 March, the Federation Chamber was unable to agree on the question 'that the bill be reported to the House without amendment'. The following day, the Speaker made a statement indicating that the process of reporting this question to the House resolved the matter and referred to a number of precedents for not proceeding to deal with unresolved questions that had become redundant. He then put the question 'That the bill be agreed to', which was carried on division.

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

Message traffic with the Senate related not only to bills but also to committee memberships. On the last sitting day of the fortnight, the House suspended standing orders 31 (automatic adjournment of the House), 33 (limit on business) and 133 (deferred divisions) to enable consideration of Senate messages. At 7.32 pm that evening, debate on the Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Bill 2024 was adjourned to enable consideration of a Senate message returning the Treasury Laws Amendment (Making Multinationals Pay Their Fair Share—Integrity and Transparency) Bill 2023 with amendments. The Senate amendments were considered immediately and agreed to on the voices. The Leader of the House then moved the adjournment. Following debate, the House adjourned at 7.56 pm.

The House is scheduled to meet next on 14 May. On 27 March, the House agreed to vary arrangements for that day, as the Budget will be presented.

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[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.