

HOUSE REVIEW



Selected features of House of Representatives business

Sitting period 6 – 9 March 2023 (no. 56)

This sitting week the House was informed of the details of the Aston by-election.

By-election for the division of Aston

When a vacancy occurs in the House, it is the Speaker's responsibility to issue a writ for the election of a new Member. Just before Question Time on Monday, the Speaker informed the House that on 27 February he had issued the writ for the election of a Member for the division of Aston, following Mr Tudge's resignation on 17 February. The by-election is to be held on 1 April.

Question Time

Under standing order 47(e), if a motion for the suspension of standing orders is moved during Question Time, once the terms of the motion have been proposed, a minister may require that further proceedings take place at a later hour as set down by the minister. During Question Time on Monday, the Leader of the Opposition moved to suspend standing orders so that he could move a motion relating to electricity prices. After the Member had proposed the terms of his motion but before he spoke to them, the Leader of the House required that further proceedings be conducted at the conclusion of Question Time. Following Question Time, the Leader of the Opposition spoke to his motion, which was then seconded and debated before being defeated on division. This is the first time standing order 47(e) has been used since it was adopted by the House in July last year.

On occasion during Question Time the Speaker will announce the presence of distinguished visitors. This week these included a Minister from Mongolia and the Ambassador for the Republic of Korea as well as the Canberra Fellowship's parliamentary delegation from Indonesia. On Tuesday, the Speaker informed the House that family members of former Prime Minister the Hon Sir Joseph Lyons and former Member the Hon Enid Lyons were present and noted that they had given the Lyons family Bible to the Parliament earlier in the day.

Legislation

Introductions

During the week, nine Government bills were presented, and one private Member's bill, relating to reform of the appointments process for major Commonwealth public appointments, was introduced.

Federation Chamber

Bills can be referred to the Federation Chamber by a programming declaration, motion or Selection Committee determination after they have been introduced in the House and before the question on the second reading has been put. Standing order 183 allows the Federation Chamber to consider bills to the completion of the consideration in detail stage. While proceedings in the Federation Chamber are substantially the same as they are for the same stage in the House, questions in the Federation Chamber can only be decided on the voices. If a Member dissents when the Chair announces the result, the question is unresolved and reported to the House.

On Tuesday, the Leader of the House declared that two migration-related bills, to be debated cognately, would stand referred to the Federation Chamber when the second reading debate on the

first bill in the package had been adjourned and two other bills would stand referred at the adjournment of the second reading debate of each bill.

On Thursday morning, the Deputy Speaker reported that the Migration (Visa Pre-application Process) Charge Bill had been fully considered by the Federation Chamber. The Federation Chamber had agreed to its second reading following the cognate debate and also agreed that it be reported to the House without being considered in detail. When the bill was reported to the House without amendment or unresolved question, the question 'That the bill be agreed to' was put. The House then divided. The motion was agreed to (86:52) and the Minister, by leave, successfully moved the motion on the third reading.

The Migration Amendment (Australia's Engagement in the Pacific and Other Measures) Bill was then reported with an unresolved on a proposed second reading amendment moved by the Member for Wannon. The House divided and the amendment was defeated (86:52). The House agreed to the second reading on division (86:52) before the bill was read a third time on the motion of the Minister, by leave.

The Speaker then reported that a third bill, the Treasury Laws Amendment (2023 Measures No. 1) Bill, had been fully considered by the Federation Chamber and returned with an unresolved question on detail amendments. The question that the amendments be disagreed to was put and passed on division (82:56), the bill was agreed to and the bill was read a third time.

Deferred divisions

Under standing order 133, with certain exceptions, divisions called for between the hours of 6.30 pm and 7.30 pm on Mondays, Tuesdays and Wednesdays are deferred until the first available opportunity the next sitting day. The timing of the first available opportunity depends on the day of the week. For example, while there are no periods when divisions are deferred on Wednesday and Thursday mornings, on Tuesdays most divisions called for prior to 2 pm are deferred until after the discussion of the matter of public importance.

This meant that first opportunity for the division on the second reading of the Referendum (Machinery Provisions) Amendment Bill 2022, deferred from Monday evening, was after the discussion of the matter of public importance on Tuesday. After the question was agreed to (87:52) and the bill was read a second time, it was considered in detail. Two sets of crossbench amendments were defeated on the voices before the bill was agreed to and read a third time.

On Thursday morning, a deferred division was held on the second reading of the National Reconstruction Fund Corporation Bill. The question was agreed to and the bill read a second time. During consideration in detail, two crossbench amendments were agreed to, one on division and the other on the voices, and three further sets of crossbench amendments were disagreed to. The bill, as amended, was agreed to and the Minister, by leave, moved that the bill be read a third time. A debate on the third reading then took place. Such debates are not common. During debate, the Speaker reminded Members that the scope of debate on the third reading is more restricted than at the second reading stage, being limited to the contents of the bill—that is, the matters contained in the clauses and schedules of the bill—and that it is not in order to re-open or repeat debate on matters discussed on the motion for the second reading or during the detail stage. At the conclusion of the debate, the question was put and passed and the bill was read a third time.

Passing the House

In total, seven bills passed the House during the week.

Presenting documents to the House

Documents may be presented to the House by the Speaker, by Ministers and, in certain circumstances, by private Members.

Many government documents are tabled after Question Time, during the period set aside in the routine of business. They are generally presented together according to a previously circulated list. The Speaker may also present documents during this period. Under standing order 199, Ministers or the Speaker may also present documents at any time when other business is not before the House.

There are fewer opportunities for private Members to present documents. One such opportunity is the presentation of committee or delegation reports, which may be presented at any time when other business is not before the House. Six committee reports were presented this way during the week. When reports are presented outside the time set aside for committee and delegation reports on Mondays, Members must seek leave if they wish to make a statement in connection with the report.

The presentation of petitions is another opportunity for Members to present documents. Petitions which have been approved by the Petitions Committee may be presented by Members during 90-second statements, three-minute constituency statements, adjournment debates and the grievance debate, without the need to seek leave. Leave must be granted for a Member to present a document which has not yet been approved by the Petitions Committee. On Thursday, the Member for Wannan was granted leave to present such a document during Members' statements in the House, and the Deputy Speaker informed the House that the document would be forwarded to the Petitions Committee for its consideration and would be accepted subject to confirmation by the committee that it conforms with standing orders.

In all other instances, private Members must seek leave to present documents. On Thursday afternoon, the Member for Clark was granted leave to present documents in the Federation Chamber during the adjournment debate.

Documents presented to the House are authorised for publication by standing order 203.

Communication with the Senate

Three messages were reported from the Senate returning bills with an amendment or amendments. On each occasion, the House agreed to consider the amendments immediately, and agreed to them on the voices. Two other messages were reported returning bills without amendment or requests.

The House is scheduled to meet next on 20 March.

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.