



DEPARTMENT
OF THE SENATE

The 45th Parliament – success stories?

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Introduction

- Senate membership
- sections 53 and 51 of the Constitution
- the standing orders
- Case studies (from the Senate)
- Disruption?

Framework

Legislative powers of the Senate

- Section 53 (same as House, but the purse strings remain with the Executive)
- Section 51 areas of legislative jurisdiction
- Senate's standing orders (routine of business)

Case study 1: The Marriage bill

- The Senate's consideration
 - Extra time
 - A conscience vote
 - Introduced the day the postal vote declared
- Select Committee
 - collegiate and co-ordinated
 - no recommendations but areas of consensus
- A bill primed for success

Case study 2: the tampon tax

- The GST
 - A broad base tax with exemptions
 - Intergovernmental Agreement on Federal Financial Relations
 - debate – question put
 - Estimates questions
 - Minister for Health makes determination

Case study 3: the Home Affairs bill

- An unremarkable bill
- A bill repackaged as amendments
- An alteration to the routine of business and the votes
- House consideration – constitutional issue
- Further Senate consideration
- Senate committee inquiry

The role of the Senate

- The culture of independence
- Scrutiny of the executive
- Legislative contribution (powers and functions)
- Enrich rather than disrupt