Parliamentary Lesson Plan
Legislation: Passing a bill in the Senate

This lesson explores how bills are modified and how compromises are made in the Senate. Students debate a bill that has passed the House of Representatives and has now reached the amendment stage in the Senate. In addition, students examine how the Senate acts as a house of review and scrutinises the actions and decisions of the government. See DIY Role-play in the Classroom: Law-making (link in Useful tools) for instructions and resources to assist this lesson.

(Note: This lesson is paired with Lesson 10 Legislation: Passing a Bill in the House of Representatives. The script supplied with this lesson is an abridged version of what normally takes place in the chamber. It is designed to demonstrate decision making under severe time constraints.)

Outcomes
Students will:
- examine the passage of a bill in the Senate with particular attention to amending bills
- recognise the potential for minor parties and Independents to hold the balance of power in the Senate
- identify how decisions and compromises are made in the Senate
- evaluate the significance of the Senate.

Focus questions
- Why are there two chambers in federal Parliament?
- What are the characteristics of the Senate?
- How do bills enter and move through the Senate?
- What is committee of the whole?
- What is an amendment?
- How does proportional representation affect the composition of the Senate?

Concept words
Checks and balances • Compromise • Proportional voting • House of review
Bicameral • Private bill • Committee of whole • Bill • Clause
First, second and third reading • Division • Vote on the voices • President

USEFUL TOOLS
Definitions
Amendment: a change to a bill, Act of Parliament or the Australian Constitution.
Committee of the whole: an optional stage in the passage of bill when all members of the Senate may meet as a committee to consider a bill in detail.

Documents and resources
Getting started

1. To initiate discussion, ask students to name the two chambers in federal Parliament.
2. Ask students why they think the framers of the Constitution included two chambers. (to provide local and state representation, to encourage all states—especially small ones—to join the federation, to protect state sovereignty and constitutions and to provide a sober second view of legislation)
3. Brainstorm characteristics of the Senate. (the chamber of proportional representation, six year terms, 76 senators representing six states and two territories, government or opposition majorities, more legislative committees and more amended legislation etc.)

Main activity

Choosing a bill

1. Tell the class they are senators and will amend an urgent, contentious bill—The Asian Bird Flu Bill 2006 (or a similar disaster bill) that has already passed the House.
2. Write the title of the bill in its short title e.g. The Asian Bird Flu Bill, 2006 and in its long title e.g. A Bill for an Act to protect Australia from Asian Bird Flu.
3. Write the details of the bill (clauses) as passed by the House, underneath the long title: e.g.
   - Increase Commonwealth Serum Laboratory spending by 100%
   - Double personnel numbers in Health Department infectious disease divisions
   - Triple humanitarian medical aid to regional neighbours combating Asian Bird Flu.
4. Critically consider the appropriateness of the bill as it stands and consider possible improvements to the clauses of the bill e.g.
   - Increase Commonwealth Serum Laboratory finance for the manufacture of anti-viral medicine
   - Freeze all cross-border movement in and out of Australia
   - Quarantine anyone showing cold or flu symptoms and ban visits.

Preparing for debate

1. Select a President and two clerks to direct proceedings and ask them to study the Path of a Bill diagram (over the page) and the law-making scripts. (attached)
2. Divide the class so that the government and opposition are equal in numbers and the smaller remainder make up the Independents and minor parties. (e.g. 11 government, 11 opposition, 2 independents and 5 minor party senators)
3. Party groupings discuss the bill separately and determine their position. (the government will argue for the bill; the opposition, minor parties and Independents will seek to amend the three clauses of the bill)

Debate

1. A bell is rung to start the proceedings and the President and clerks direct the amendment debate.
2. When the debate is exhausted the chamber votes on the bill.

Debrief

1. What changes to the bill were made and how did the non-government senators achieve this?
2. Why do you think the passage of a bill is divided into definite stages?
3. Despite the urgency of the bill, why is it important the Senate deliberated as it did?
4. Why are the President and clerks so important to chamber proceedings?

Parliamentary context

- Why are amendments more likely to occur in the Senate than the House of Representatives? (proportional voting, more minor party representation, House of Review)
- Name a bill recently amended by the Senate. Why was it amended and how did non-government senators do it?

Extension activities

Identify a current Senate legislative committee. Why are some pieces of legislation investigated at length? See House Committees of the current Parliament. (link in Useful tools)
# AN URGENT BILL IN THE SENATE

<table>
<thead>
<tr>
<th>Action</th>
<th>Script</th>
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<tbody>
<tr>
<td><strong>Usher of the Black Rod</strong> escorts <strong>President</strong> into the chamber and says:</td>
<td><strong>Honourable senators, the President of the Senate</strong> (all stand and resume seat after the President sits down).</td>
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<tr>
<td>When the <strong>Usher of the Black Rod</strong> has put the Black Rod in its stand, the <strong>President</strong> says:</td>
<td><strong>Senators, please sit down.</strong>  The Senate is now in session.  I call the Clerk.</td>
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<tr>
<td><strong>Clerk</strong> reads the next item:</td>
<td><strong>Government Business Order of the day No. 1: Avian Bird Flu Bill 200_.</strong></td>
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<tr>
<td><strong>Minister representing the Minister for Health</strong> reads the short title and hands the copy of the Bill to <strong>Clerk:</strong></td>
<td><strong>I present the Avian Bird Flu Bill 200_ and move that the Bill be read a first time.</strong></td>
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<tr>
<td><strong>Clerk</strong> reads long title:</td>
<td><strong>First reading: A Bill for an Act to protect Australia from Avian Bird Flu.</strong></td>
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<tr>
<td><strong>Minister representing the Minister for Health</strong></td>
<td><strong>I move that the Bill be read a second time.</strong></td>
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<td><strong>President</strong></td>
<td><strong>Leave is granted for the debate to continue immediately. I call Senator ________________ (surname) to speak.</strong>  <em>(Senators speak in turn, till the debate is exhausted.)</em>  <strong>Order! The question is that the Bill be read a second time.</strong>  <strong>Those of that opinion say Aye, to the contrary No.</strong>  <strong>I think the Ayes have it.</strong></td>
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<td><strong>Clerk</strong></td>
<td><strong>Second reading: A Bill for an Act to protect Australia from Avian Bird Flu.</strong></td>
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<td><strong>President</strong></td>
<td><strong>Is leave given for the third reading to be moved forthwith?</strong>  <em>(Senators say no—signifying a desire for committee of the whole to occur and for the clauses of the bill to be considered in detail.)</em></td>
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<td><strong>Deputy President</strong> sitting between the clerks say:</td>
<td><strong>The committee will now consider The Avian Bird Flu Bill 200_. Could senators with an amendment please stand.</strong>  <strong>I call Senator ________________ (surname) to propose an amendment to the Bill.</strong></td>
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<td><strong>Senator</strong></td>
<td><strong>The opposition believes that the bill can be improved. I move the following amendment to the Bill. The amendment reads as follows: ________________ _______________________________________________</strong></td>
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<td><strong>Deputy President</strong> makes sure that the senators only debate the proposed amendment and says:</td>
<td><strong>I call Senator ________________ (surname) to speak.</strong>  <em>(Senators speak in turn, till the debate on the amendment is exhausted.)</em></td>
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<td><strong>Deputy President</strong></td>
<td><strong>I call the Minister representing the Minister for Health.</strong></td>
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<td><strong>Minister representing the Minister for Health</strong></td>
<td><strong>I declare this Bill an urgent Bill and move that the Bill be considered urgently.</strong></td>
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| Deputy President                           | The question is that the Avian Bird Flu Bill 200_ be an urgent bill.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it. (Senators agree given the urgency)  
I call the Minister representing the Minister for Health.                                                                                                                                                                                                                                                                                                                                                           |
| Minister representing the Minister         | I move that the Senate complete its consideration of this Bill within the next ten minutes.                                                                                                                                                                                                                                                                                                                                                                                              |
| for Health                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Deputy President                           | The question is that time for consideration of the Avian Bird Flu Bill 200_., be limited to the next ten minutes.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it. (Senators agree given the urgency)                                                                                                                                                                                                                                                                                                                                                         |
| Deputy President (In reality the amendment | The question is that the amendment moved by the opposition be agreed to.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it.  
There being no other amendments, the question is that the amendment that has been agreed to be reported to the Senate.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it.                                                                                                                                                                                                                                                                                                                                 |
| (In reality the amendment may or may not be | accepted by the Senate. In this scenario the presumption is that the amendment improves the Bill.)                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| President                                  | The Deputy President has reported to me that the committee has considered the Avian Bird Flu Bill 200_. and has agreed to it with an amendment.  
The question is that this report be agreed to.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it.  
I call the Minister representing the Minister for Health.                                                                                                                                                                                                                                                                                                                                                          |
| Minister representing the Minister         | I move that the bill, as amended, now be read a third time and I thank the Senate for the speedy passage of this most important Bill.                                                                                                                                                                                                                                                                                                                                                       |
| for Health                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| President                                  | The question is that the Bill be read a third time.  
All those in favour say Aye  
All those opposed say No  
I think the Ayes have it.  
I call the Clerk.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Clerk                                      | Third reading: A Bill for an Act to protect Australia from Avian Bird Flu.                                                                                                                                                                                                                                                                                                                                                                                                                                            |