

Hawker Britton

Government Relations Strategy

44th Parliament - How the Senate has Voted

May 2016

The 44th Federal Parliament concluded on 4 May 2016. Throughout the duration of the 44th Federal Parliament, the balance of power in the Senate rested with a diverse group of independents and minor parties. These crossbenchers had considerable influence over the Coalition Government's ability to implement its legislative agenda and pass key budget measures.

At the conclusion of the 44th Federal Parliament, 622 divisions had occurred in the Senate. The Government won 70 per cent of divisions, 40 per cent of which were won with the support of the ALP and 30 per cent with the support of the crossbench. The Government lost 30 per cent of divisions. This Occasional Paper outlines the key legislative measures passed and rejected by the Senate during the 44th Parliament.

This Occasional Paper also compares the voting record of Senators both before and after the change in Prime Minister from Mr Abbott to Mr Turnbull. There were 410 divisions in the Senate during the Abbott led Coalition Government and 212 divisions under the Turnbull led Coalition Government.

While care needs to be taken, given these figures may also reflect the nature of the matters brought to a vote, the following trends are clear:

- Overall, the Senate was more likely to support the Turnbull Government, than the Abbott Government;
- The Australian Labor Party were relatively stable in their level of support for the Turnbull Government and the Abbott Government;
- The Greens were significantly more supportive of a Turnbull Government than the Abbott Government;
- Senator Lambie and Senator Lazarus remained consistent in their level of support throughout the Coalition Government;
- Senator Xenophon and Senator Wang were less likely to support the Turnbull Government than the Abbott Government; and
- Senator Muir (AMEP), Senator Madigan, Senator Leyonhjelm (LDP) and Senator Day (Family First) were significantly less likely to vote with the Turnbull Government than the Abbott Government.

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Composition of the Senate

There are 76 seats in the Senate. As a result of the 2013 Federal election, the Liberal/National Party Coalition held 33 seats, and the Australian Labor Party held 25 seats.

The final 18 seats were held by minor parties and independents. These included:

- The Australian Greens, with 10 seats;
- The Palmer United Party, with 1 seat;
- The Australian Motoring Enthusiast Party, with 1 seat;
- The Family First Party, with 1 seat;
- The Liberal Democratic Party, with 1 seat;
- Independent Senator John Madigan (formerly of the Democratic Labour Party);
- Independent Senator Nick Xenophon;
- Independent Senator Jacqui Lambie (formerly of the Palmer United Party); and
- Independent Senator Glenn Lazarus (formerly of the Palmer United Party).

Powers of the Senate

The Senate serves as a check on the Federal Executive by voting on and scrutinising bills and delegated legislation, engaging in government administration, and participating in the development of government policy. The Senate can, by a simple majority (39 votes):

- pass legislation (or prevent the passage of legislation with 38 votes);
- disallow legislative instruments;
- amend legislation; and
- compel the production of documents through Returns to Order.

Key Senate votes

i. Significant legislation passed by the Senate

[Commonwealth Electoral Amendment Bill 2016](#)

Amends the *Commonwealth Electoral Act 1918*.

The Bill implements partial optional preferential voting in Senate elections, abolishes group and individual voting tickets and enables political party logos to be printed on ballot papers for the House of Representatives and the Senate.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
No	Yes	No	N/A	No	No	No	No	Yes	No	Yes	36	23

[Road Safety Remuneration Repeal Bill 2016](#)

The Bill repeals the Road Safety Remuneration Act 2012, abolishing the Road Safety Remuneration Tribunal.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
No	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	36	32

ii. **Significant legislation blocked by the Senate**

[Building and Construction Industry \(Improving Productivity\) Bill 2013 \[No. 2\]](#) [Building and Construction Industry \(Consequential and Transitional Provisions\) Bill 2013 \[No. 2\]](#)

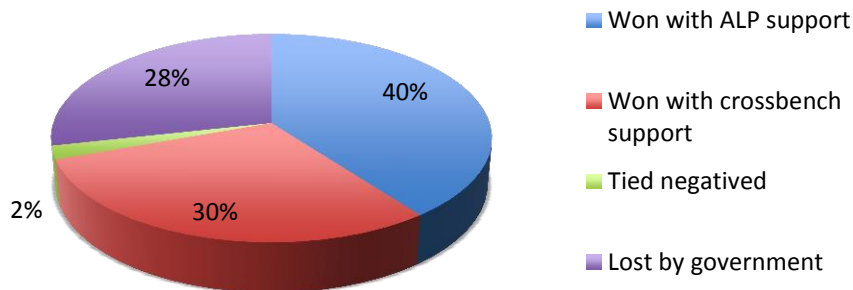
The Bill sought to reintroduce the Australian Building and Construction Industry Commission which would enable the minister to issue a Building Code; would provide for the appointment and functions of the Federal Safety Commissioner; would prohibit certain unlawful industrial action; would prohibit coercion, discrimination and unenforceable agreements and would provide the ABC Commissioner with powers to obtain information. The rejection of this Bill for a second time served as one of the 2 triggers allowing Prime Minister Turnbull to call the double dissolution election called for 2 July 2016.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
No	No	Yes	No	No	No	Yes	Yes	Yes	No	Yes	34	36

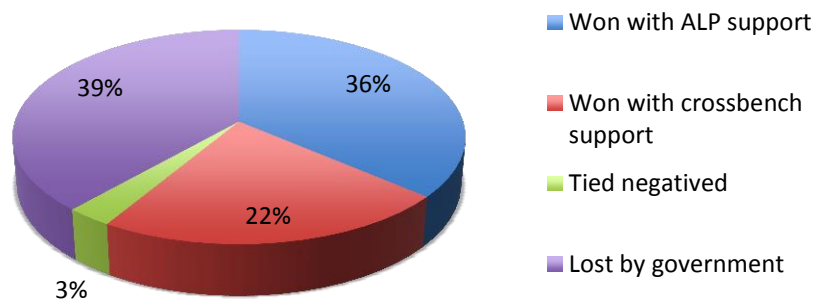
Senate Votes

A table showing all the divisions in the Senate since 7 September 2014, with a brief description of the legislation or motion, number of votes and how each major party, minor party and independent senator voted is available [here](#).

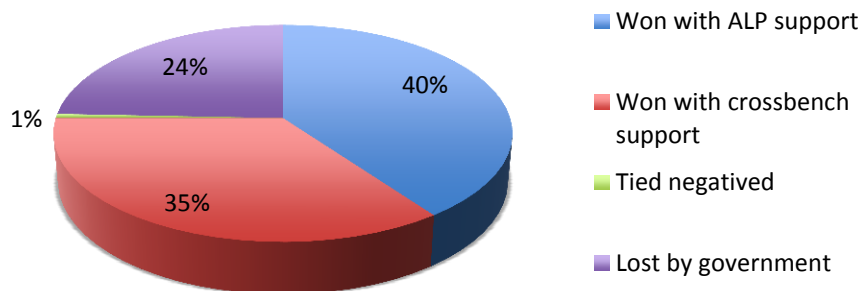
Coalition Government



Abbott Government



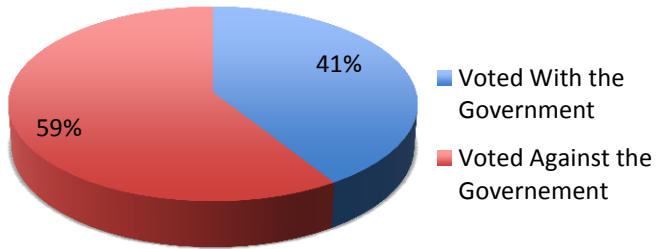
Turnbull Government



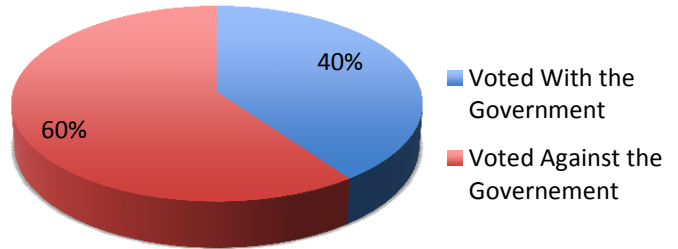
ALP and Greens voting record since 7 September 2014

ALP

Turnbull Government

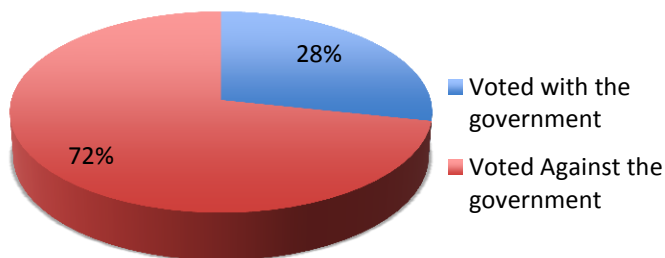


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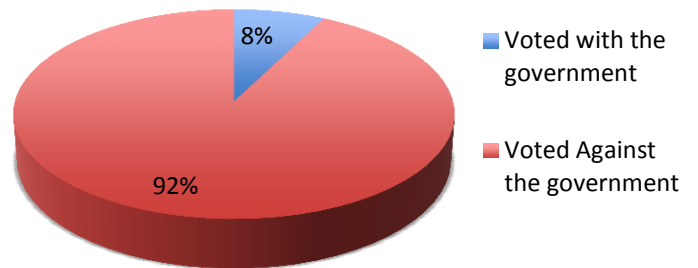


Greens

Turnbull Government



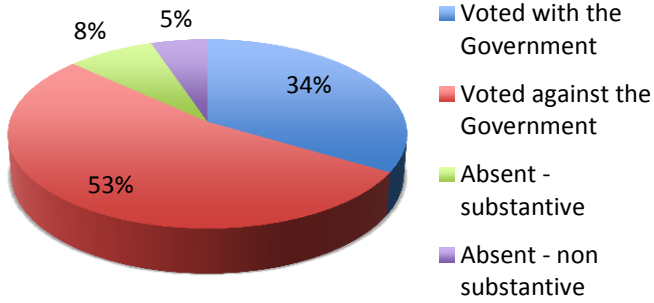
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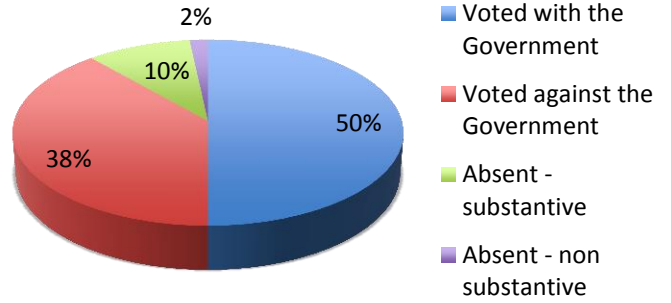
Crossbench voting record since 7 September 2014

Australian Motoring Enthusiast Party

Turnbull Government

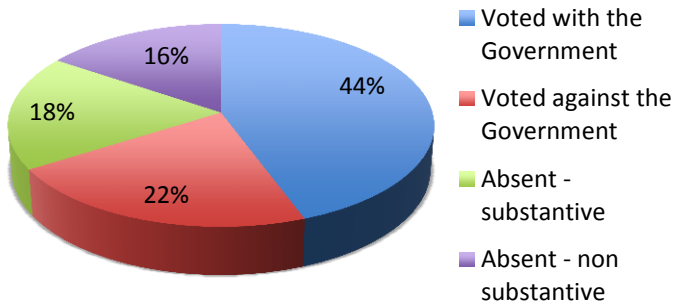


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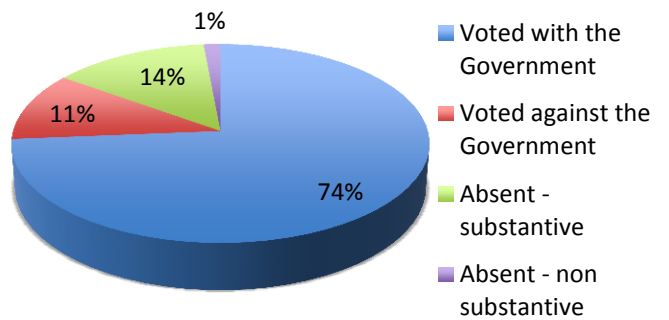


Family First

Turnbull Government

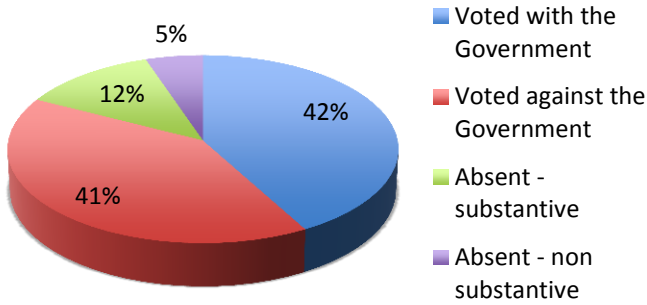


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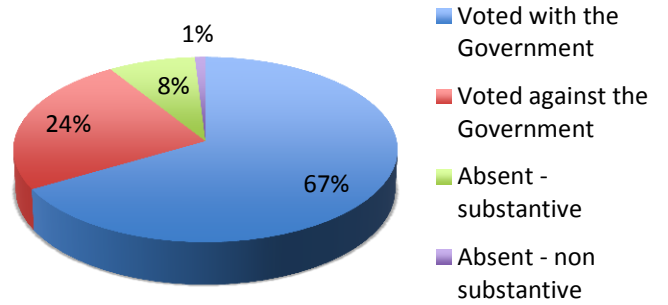


Liberal Democratic Party

Turnbull Government

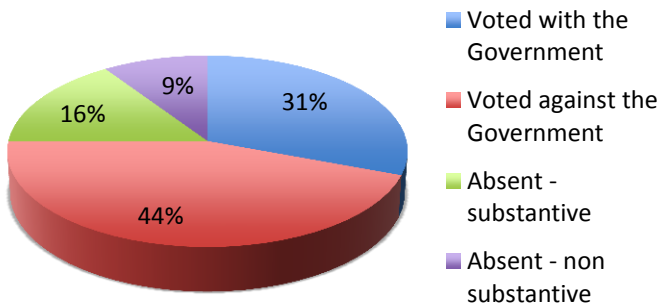


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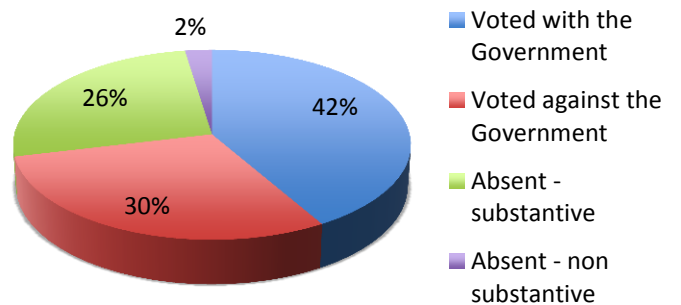


Senator Madigan

Turnbull Government

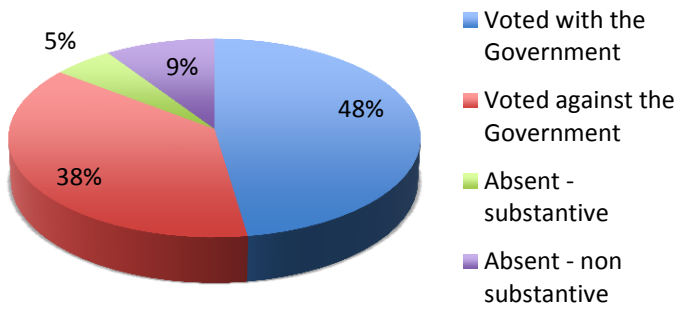


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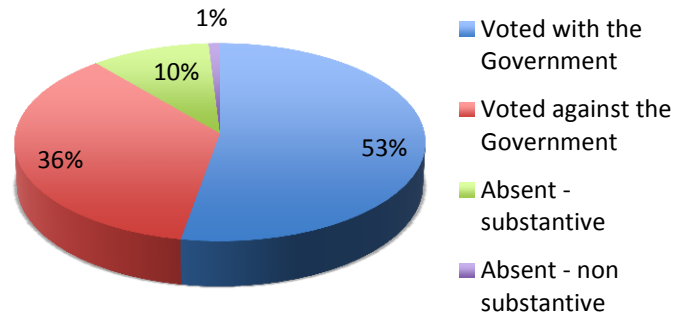


Palmer United Party

Turnbull Government

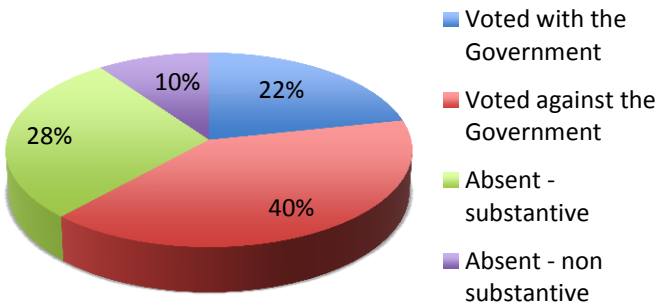


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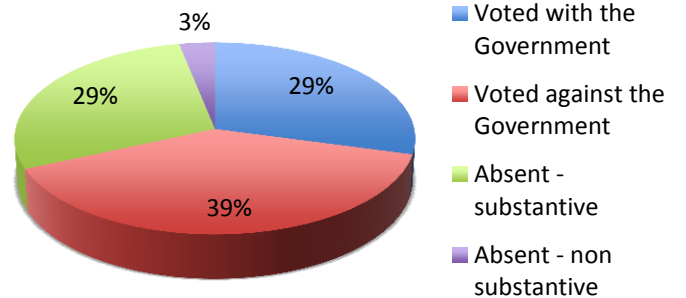


Senator Xenophon

Turnbull Government

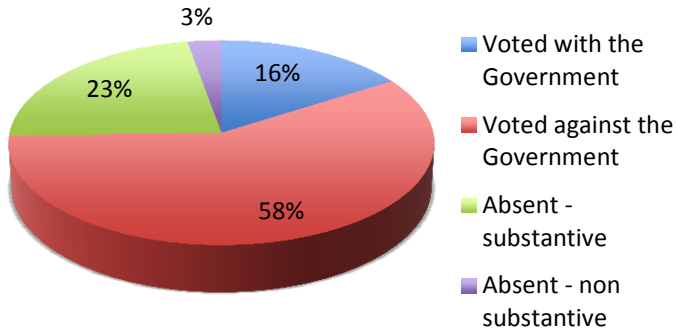


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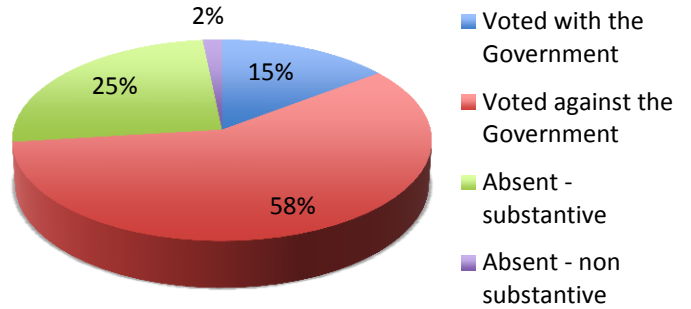


Senator Lambie

Turnbull Government

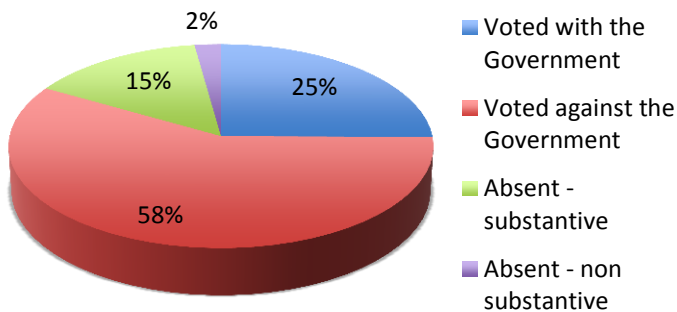


Abbott Government



Senator Lazarus

Turnbull Government



Abbott Government

