

How the Senate has Voted

October 2016

The 45th Federal Parliament returned on 30 August 2016, following the 2 July 2016 federal election. Throughout the duration of the 45th Federal Parliament, the balance of power will again rest with a diverse group of independents and minor parties. The July 2016 federal election produced a record number of Senate crossbenchers, an increase of two (to 20) from the 44th Federal Parliament.

At the time of publication, 42 divisions had occurred in the Senate. The Government won 67 per cent of divisions - 55 per cent of which were won with the support of the ALP and 12 per cent with the support of the crossbench. The Government lost 33 per cent of divisions. This Occasional Paper outlines the key legislative measures passed by the Senate during the first three sitting periods of the 45th Parliament.

This Occasional Paper will compare the early voting trends of the returned Senators in the 45th Parliament with their record in the 44th Parliament, and track whether the Nick Xenophon Team and Pauline Hanson's One Nation Political Party blocks of Senate crossbenchers vote together.

While care needs to be taken (particularly with the small sample size as there have only been two sitting weeks), given these figures may also reflect the nature of the matters brought to a vote, the following trends are clear:

- Overall, the Senate's record of passing government legislation in the 45th Parliament is not significantly different to that throughout the Turnbull Government's tenure in the 44th Parliament;
- The Australian Labor Party have been significantly more likely to support the Turnbull Government in the 45th Parliament than in the 44th Parliament;
- The Greens overall have been significantly less supportive of the Turnbull Government in the 45th Parliament than in the 44th Parliament;
- Senator Lambie's voting patterns have remained consistent throughout the Turnbull Government across both the 44th and 45th Parliaments;
- The Nick Xenophon Team and the Pauline Hanson's One Nation parties have reserved the right to not be bound along party lines, however to date each had voted as a block*; and
- Senator Leyonhjelm (LDP) and Senator Day (Family First) have been less likely to support the Turnbull Government's legislation in the 45th Parliament than in the 44th Parliament.

**Note that for the purposes of these Occasional Papers, the Nick Xenophon Team and Pauline Hanson's One Nation parties have been treated in the normal fashion for evaluation of voting patterns, as with the major parties and other minor parties.*

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Composition of the Senate

There are 76 seats in the Senate. As a result of the 2016 Federal election, the Liberal/National Party Coalition held 30 seats, and the Australian Labor Party held 26 seats.

The final 20 seats were held by minor parties and independents. These included:

- The Australian Greens, with 9 seats;
- Pauline Hanson's One Nation Political Party, with 4 seats;
- The Nick Xenophon Team, with 3 seats;
- The Jacqui Lambie Network, with 1 seat;
- The Liberal Democratic Party, with 1 seat;
- The Family First Party, with 1 seat; and
- Derryn Hinch's Justice Party, with 1 seat.

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

[Budget Savings \(Omnibus\) Bill 2016](#)

The Bill contains 24 measures and amends approximately 47 Acts across portfolio areas including health, higher education, welfare and military compensation and rehabilitation. The Bill amounted to savings of \$6.3 billion. The Bill passed the Senate on 15 September with the support of the Australian Labor Party and some crossbenchers.

Coalition	Labor	Greens	Lambie	FF	LDP	Hinch (Justice Party)	Xenophon (NXT)	One Nation	Ayes	Noes
Aye	Aye	No	No	N/A	N/A	Aye	No	No	40	14

[Fair Work Amendment \(Respect for Emergency Services Volunteers\) Bill 2016](#)

Amends the Fair Work Act 2009

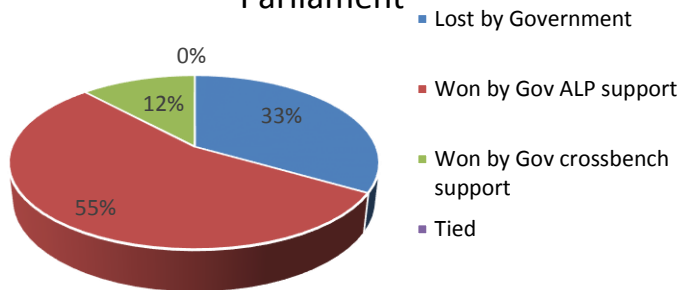
The Bill amends the *Fair Work Act 2009* to include that an objectionable emergency management term that cannot be included in enterprise agreements which relate to emergency management bodies under objectionable terms. It also allows volunteer bodies to make submissions to the Fair Work Commission in relation to enterprise agreements or workplace determinations that affect, or could affect, the volunteers of the designated emergency management body. The Bill passed with crossbench support on 10 October 2016.

Coalition	Labor	Greens	Lambie	FF	LDP	Hinch (Justice Party)	Xenophon (NXT)	One Nation	Ayes	Noes
Aye	No	No	No	N/A	Aye	Aye	Aye	Aye	37	31

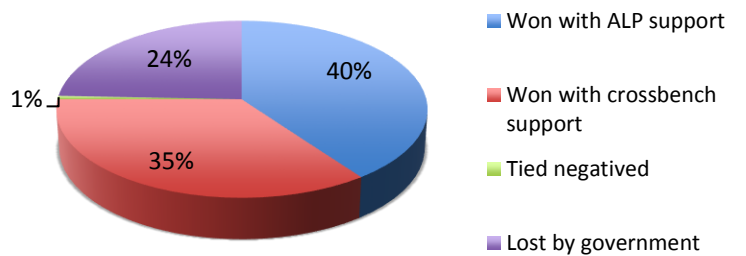
Senate Votes

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](#).

Turnbull Government - 45th Parliament



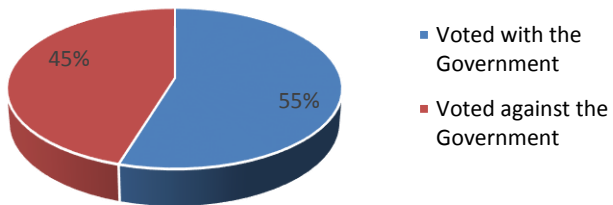
Turnbull Government - 44th Federal Parliament



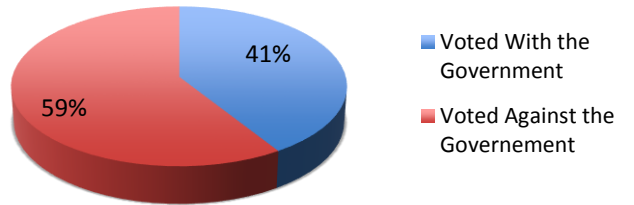
ALP and Greens Senate voting record since 30 August 2016

ALP

Labor- 45th Parliament

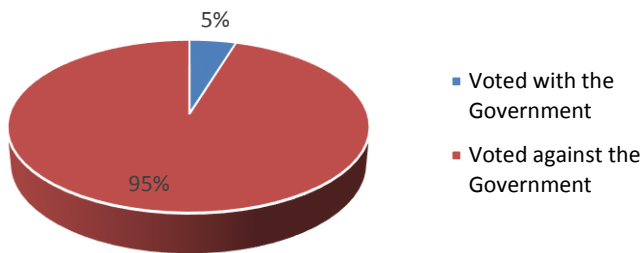


Labor - 44th Parliament

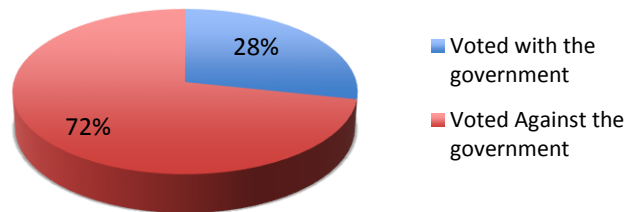


Greens

Greens- 45th Parliament



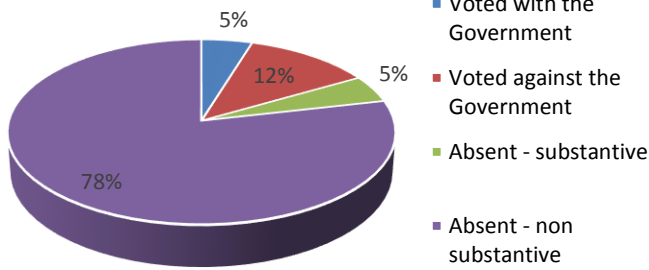
Greens - 44th Parliament



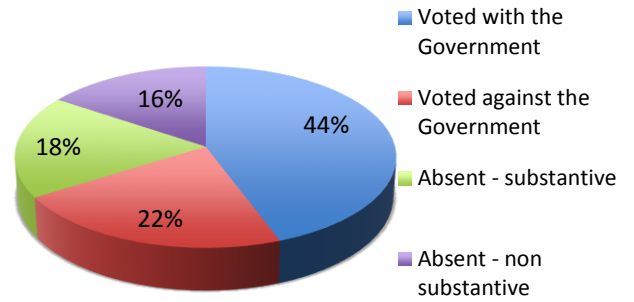
Crossbench voting record since 30 August 2016

Family First

Family First - 45th Parliament

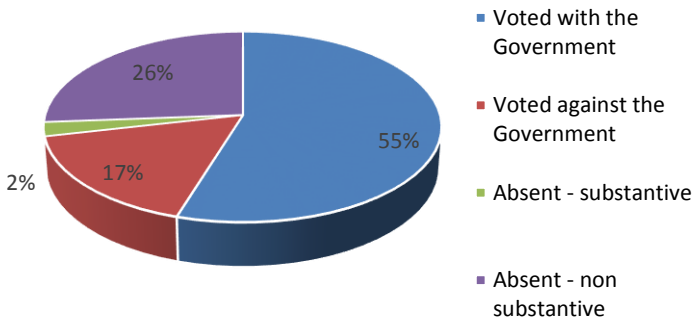


Family First - 44th Parliament

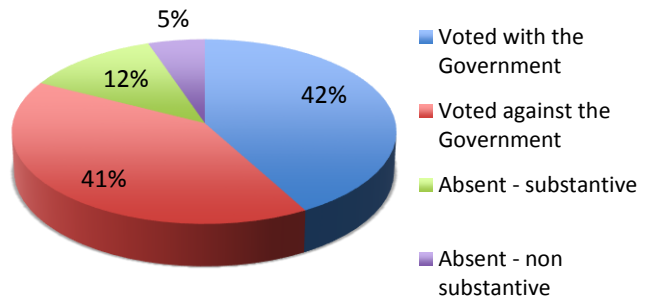


Liberal Democratic Party

LDP - 45th Parliament

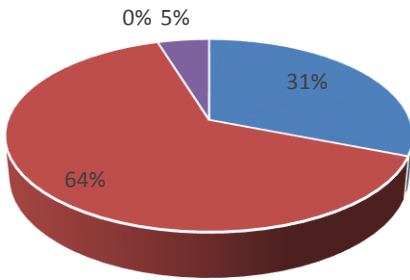


LDP - 44th Parliament



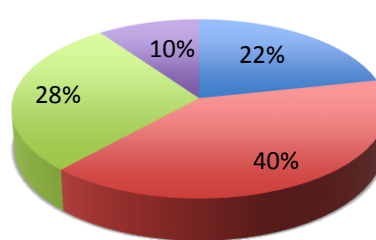
Senator Xenophon

NXT - 45th Parliament



- Voted with the Government
- Voted against the Government
- Absent - substantive
- Absent - non substantive

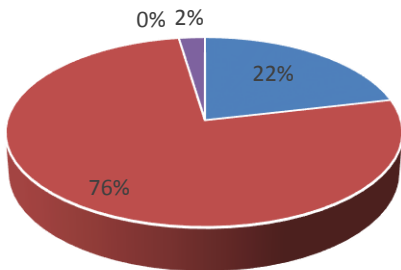
Nick Xenophon - 44th Parliament



- Voted with the Government
- Voted against the Government
- Absent - substantive
- Absent - non substantive

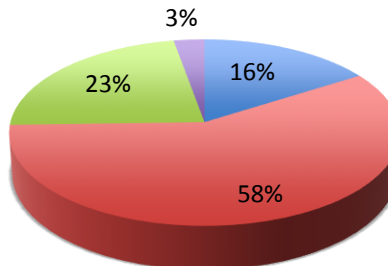
Senator Lambie

JLN- 45th Parliament



- Voted with the Government
- Voted against the Government
- Absent - substantive
- Absent - non substantive

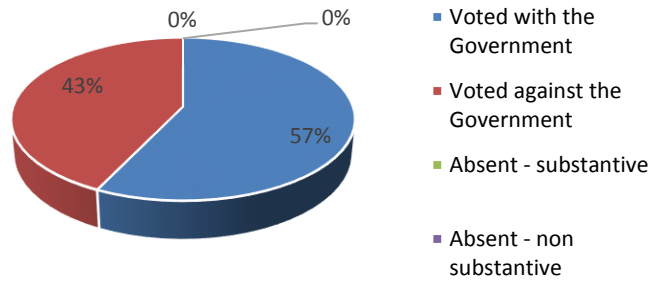
JLN - 44th Parliament



- Voted with the Government
- Voted against the Government
- Absent - substantive
- Absent - non substantive

Senator Hinch

Hinch
Justice Party- 45th Parliament



One Nation Party

One Nation - 45th Parliament

