

## How the Senate has voted

**August 2015**

The balance of power in the Senate rests with a diverse group of independents and minor parties. These crossbenchers have considerable influence over the Coalition Government’s ability to implement its legislative agenda and pass key budget measures over the life of the 44th Parliament.

This Occasional Paper outlines the key legislative measures passed, rejected and amended by the Senate, and some of the key scrutiny activities of the Senate during the 44th Parliament.

At the conclusion of the winter session, there had been 377 divisions in the Senate. The Government won 68 per cent of divisions, 40 per cent of which were won with the support of the ALP and 28 per cent with the support of the crossbench. The Government lost 30 per cent of divisions.

Significant legislation passed by the Senate, and legislation and regulation blocked by the Senate since our last update in May is listed in this Occasional Paper.

The Senate resumed sitting on 10 August 2015.

Hawker Britton’s table detailing the voting record of the Senate in divisions since 7 September 2014 is available [here](#).

The Hawker Britton Occasional Paper on the current Senate is available [here](#).

The previous Hawker Britton ‘How the Senate Has Voted’ Occasional Paper from May 2015 is available [here](#).

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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 holds 33 seats, and the Australian Labor Party holds 25 seats.

The final 18 seats are held by minor parties and independents. These include:

- The Australian Greens, with 10 seats;
- The Palmer United Party, with 1 seats;
- 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; and
- Independent Senator Jacqui Lambie (formerly of the Palmer United Party).
- Independent Senator Glenn Lazarus (formerly of the Palmer United Party).

The Hawker Britton Occasional paper on the composition of the current Senate, which includes information about parties and individual senators, is available [here](#).

## 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

#### [Migration Amendment \(Regional Processing Arrangements\) Bill 2015](#)

Amends the Migration Act 1958 to provide statutory authority for the Commonwealth to provide assistance to other countries to carry into effect arrangements for the processing and management of unauthorised maritime arrivals who have been taken to regional processing countries, including the expenditure of Commonwealth money on these arrangements.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	No	No	No	No	No	Yes	No	Yes	Yes	Yes	41	15

#### [Social Services Legislation Amendment \(Fair and Sustainable Pensions\)](#)

Amends the Social Security Act 1991, Veterans' Entitlements Act 1986 and Social Services and to increase the assets test free areas and the taper rate by which a pension is reduced once the free areas are exceeded from 1 January 2017.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	Yes	No	N/A	No	Yes	Yes	Yes	Yes	Yes	Yes	42	21

#### [Copyright Amendment \(Online Infringement\) Bill 2015](#)

Amends the Migration Act 1958 to provide statutory authority for the Commonwealth to provide assistance to other countries to carry into effect arrangements for the processing and management of unauthorised maritime arrivals who have been taken to regional processing countries, including the expenditure of Commonwealth money on these arrangements.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	No	N/A	N/A	No	No	N/A	No	N/A	N/A	Yes	37	13

## Renewable Energy Amendment Bill 2015

Amends the Renewable Energy (Electricity) Act 2000 to adjust the required GWh of renewable source electricity in each year from 2016 to 2030 with a GWh target of 33000 GWH in 2020; and replace the current partial exemption for electricity used in emissions-intensive trade-exposed activities with a full exemption and amend the Renewable Energy (Electricity) Act 2000 and Climate Change Authority Act 2011 to remove the requirement for the Climate Change Authority to undertake biennial reviews on the operation of the Renewable Energy (Electricity) Act 2000 and subordinate regulations; and Renewable Energy (Electricity) Regulations 2001 to reinstate native forest wood waste as an eligible source of renewable energy.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	No	No	Yes	No	Yes	No	No	Yes	Yes	No	41	14

### ii. Significant legislation and regulation blocked by the Senate

#### Communication Legislation Amendment (SBS Advertising Flexibility and other measures) Bill 2015

The bill amends the Special Broadcasting Service Act 1991 to increase the restriction of no more than five minutes per hour of advertising to 10 minutes of advertising in any hour of broadcasting on the Special Broadcasting Service (SBS); and clarify SBS's ability to earn revenue through the broadcast of programs containing product placement.

ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
No	No	N/A	N/A	No	N/A	Yes	N/A	N/A	No	Yes	28	31

### iii. Senate scrutiny of the government

In the winter session the Senate ordered the production of documents relating to documents containing information pertaining to payments made to commonwealth officers with regards to Customs and Immigration.

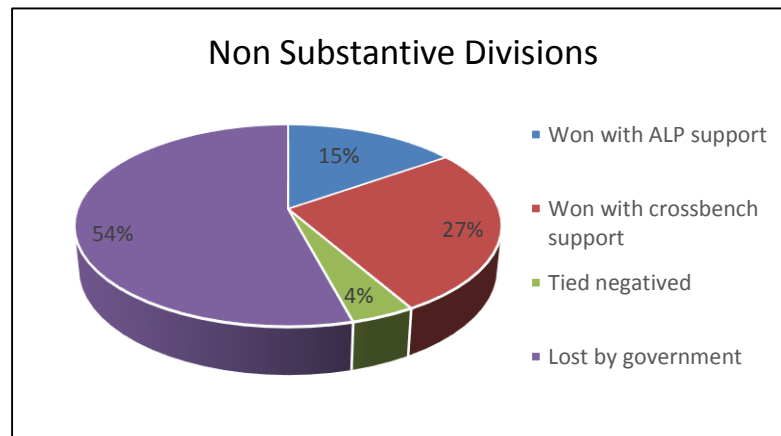
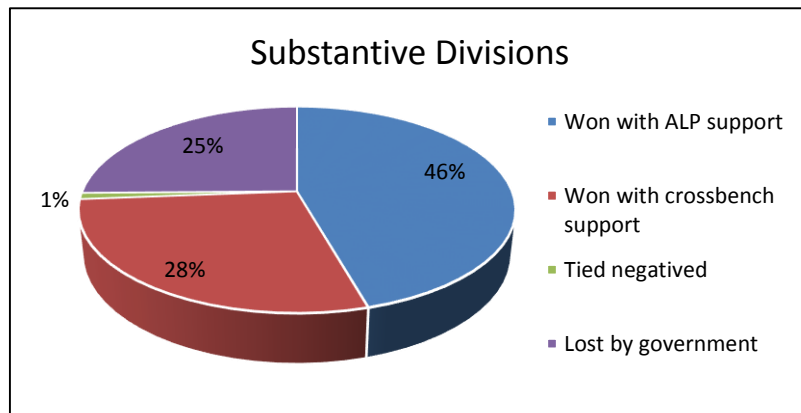
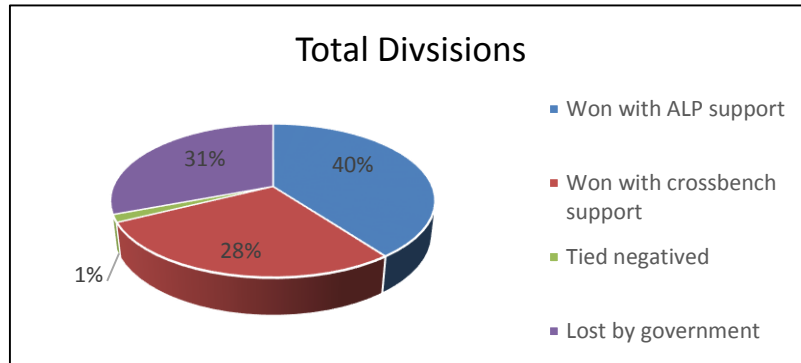
ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	No	32	26

In the winter session the Senate ordered the production of documents to the NBN Corporate Plans and Strategic Review.

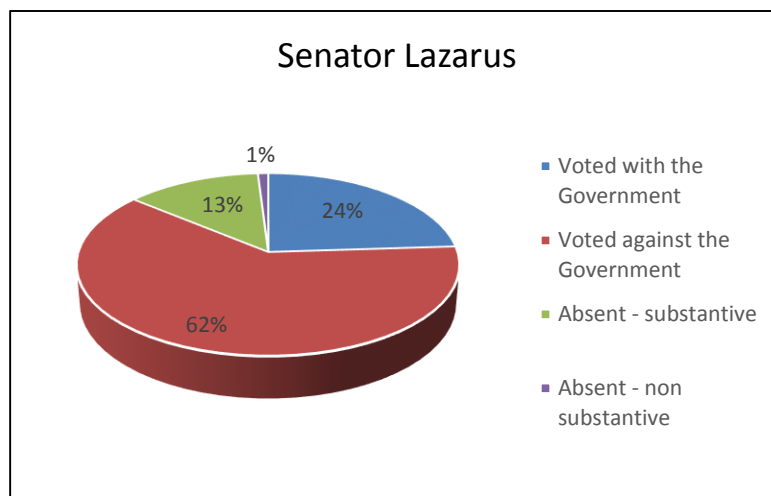
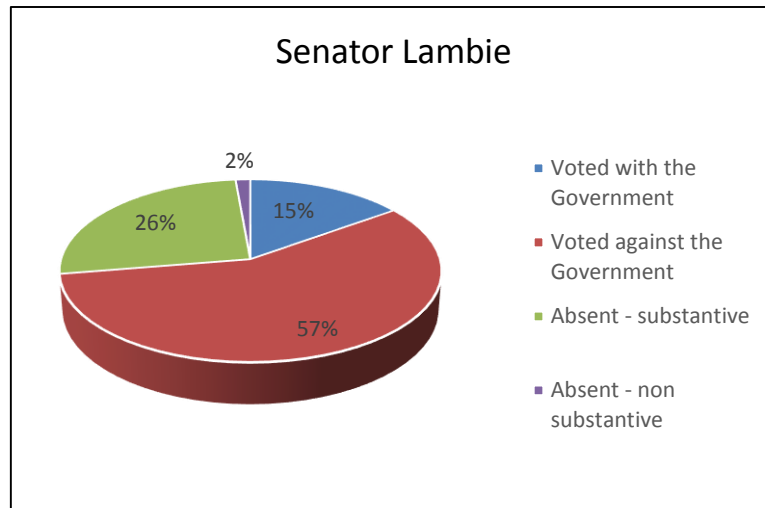
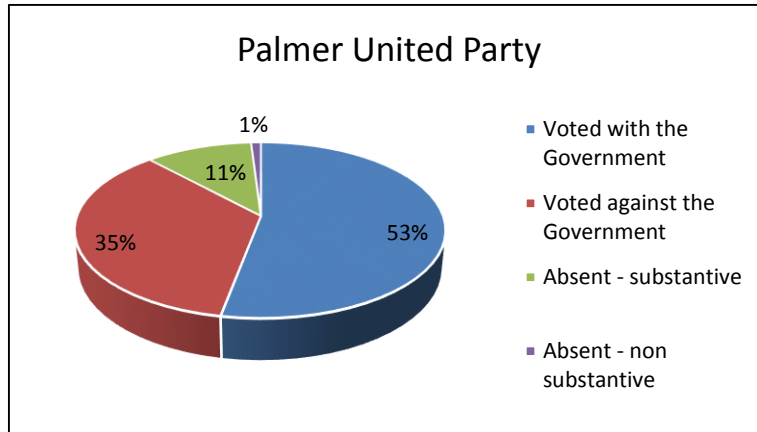
ALP	GRN	PUP	Lambie	LAZ	AMEP	FF	LDP	XON	MDN	LNP	Ayes	Noes
Yes	Yes	N/A	Yes	Yes	Yes	N/A	Yes	Yes	Yes	No	37	29

## Senate Votes

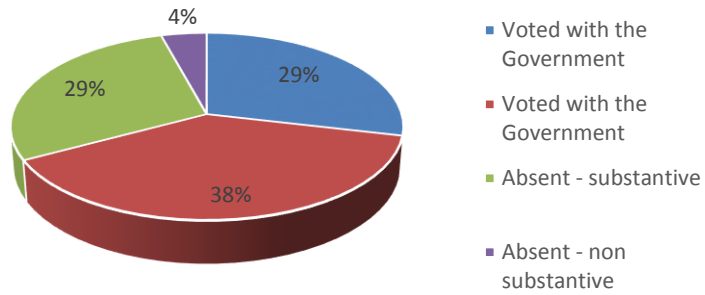
A table showing all the divisions in the Senate since 7 September, with a brief description of the legislation or motion, number of votes and how each major party, minor party and independent senator voted is available [here](#).



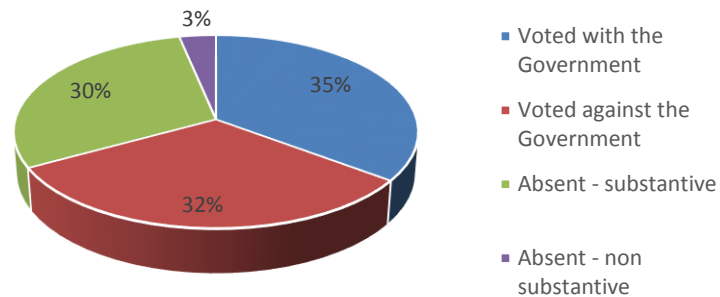
Crossbench voting record since 7 September 2014



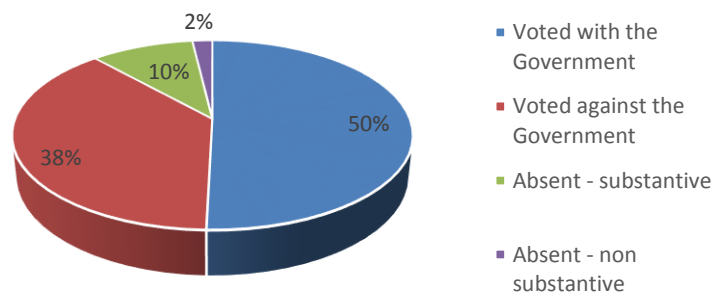
### Senator Xenophon



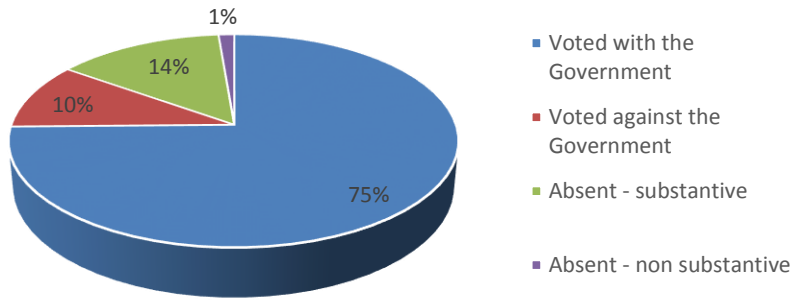
### Senator Madigan



### Australian Motoring Enthusiasts Party



### Family First



### Liberal Democratic Party

