

## Question Time

### Appropriate appropriations

#### Question

Why can't money bills be introduced in the Senate?

#### Answer

A bill for government spending is formally known as an appropriation bill.

Appropriation bills, when passed by both houses of parliament, allow the government to spend money it has gathered from the community through taxes and charges.

Any spending by the government must be authorised by legislation (section 83 of the Constitution), and this legislation must be introduced in the House of Representatives as stated in section 53 of the Constitution: "Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate..."

Section 53 maintains the financial initiative of the executive: only the government can request that an appropriation be made or increased, or propose to impose or increase taxation.

The Senate may not amend any appropriation bills to increase expenditure under the bill and instead must send a request to the House to make any amendments. Section 53 of the Constitution states: "The Senate may at any stage return to



BILLS ON BILLS: *The Constitution requires money bills to be introduced in the House. Photo: iStockphoto*

the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments, with or without modifications."

Additionally, the purpose of all appropriations have to first be recommended by the Governor-General (section 56 of the Constitution), who can act only on the advice of the government.

A recent example of the effect of section 53 on legislation was the introduction in the Senate of the Social Security Amendment (Income Support for Regional Students) Bill 2010.

The bill was viewed as being constitutionally contentious on the grounds that, if enacted, it would appropriate money. The Department of Employment, Education and Workplace Relations estimated the cost of the bill to be \$270 million over three years.

The bill was introduced in the Senate on 28 October last year by NSW Senator Fiona Nash, and aimed to include students from inner regional areas in independent youth allowance measures for students from outer regional and remote locations.

Senator Nash contended the bill did not itself appropriate money as the funding was to be drawn from a standing appropriation (under the Social Security (Administration) Act 1999).

House practice and standing orders consider bills that increase expenditure under a standing appropriation are themselves bills that appropriate revenue or money.

On 21 February 2011, when the bill was sent to the House, the Speaker made a statement about the constitutional provisions and the responsibilities of the House. The Leader of the House moved that the House affirm the constitutional position as stated and decline to consider the bill. After some debate this was agreed to by a majority. •

### Do you have a question?

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Climate change is not the only sticky issue facing Europe and Australia as both parliaments grapple with debates around immigration.

The federal government has decided to re-embrace multiculturalism at a time when some European countries are rejecting it.

The leaders of both Germany and the UK have branded the policy a failure because some immigrants are not integrating.

Ms Bizzotto said while multiculturalism has been largely successful in Australia, she is unsure whether this will continue.

"Religion has not been seen as a factor in the equation governing integration but I see that debate is now opening up and some people are asking whether you can keep the doors open to everyone regardless of religious background," she said. •