

How the Senate operates as a check on government (Handout)

The Senate fulfils its role as a check on government by scrutinising bills, delegated legislation, government administration, and government policy in general. It does this by way of procedures utilised in the Senate chamber itself and through the operation of the Senate committee system.

In 1948 the parliament adopted a system of proportional representation for Senate elections. This system helps to ensure that parties gain representation more nearly in proportion to their share of the vote, and allows smaller parties and independents to gain significant representation.

This means that the government frequently does not have a majority, or at best has a very small majority, in the Senate. Government legislation and other measures therefore do not always have easy passage in the Senate, but are subject to negotiation and consultation with minor parties and independents, and with the Opposition.

The Opposition party or coalition may have sufficient support to have the Senate reject or amend government bills, or undertake activities which do not have the support of the government: for example, to direct committees to inquire into particular government activities, legislation or policy. This political situation in the Senate, together with its democratic election process and its extensive constitutional powers, provides the foundation of the Senate's role as a check on government.

Source:

Senate Brief No 10 - March 2008

The Role of the Senate

<http://www.aph.gov.au/SENATE/pubs/briefs/brief10.htm>