

ELECTION OF SENATOR

THE PRESIDENT (Hon Alanna Clohesy) [11.01 am]: Honourable members, this joint sitting has been called to choose a person to hold the place in the Senate of the Commonwealth of Australia rendered vacant by the resignation of former Senator Ben Small, notification of which has been reported to this Parliament by His Excellency the Governor, Hon Kim Beazley, AC. I now call for nominations to fill the vacancy.

MR M. McGOWAN (Rockingham — Premier) [11.01 am]: I propose that Benjamin John Small of 72A Matheson Road, Applecross, Western Australia, being a person who is eligible to be chosen pursuant to section 15 of the Constitution of the Commonwealth of Australia, as amended, be chosen to hold the vacant place in the Senate of the Parliament of the Commonwealth created by the resignation of Senator Ben Small. I advise that I have Mr Small's assurance that if chosen, he is willing to act.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [11.02 am]: I rise on behalf of the opposition to second the nomination by the Premier to send Benjamin Small to the Senate in the commonwealth Parliament. I note that this is the second time Mr Small has been nominated to represent our state as he was previously in the role from November 2020, elected on a casual vacancy basis. Our 2.67 million Western Australians will look to Mr Small as one of those in the commonwealth Parliament to advocate for them as we face unprecedented challenges coming through the COVID-19 pandemic. Mr Small will have the opportunity to ensure that these challenges remain a focus in our federal Parliament on our state's behalf in a post-COVID era. It is a big responsibility and a demanding role, and I trust that he will continue to be a voice for all those who live, work and invest in Western Australia and call this state home. The opposition alliance wishes Mr Small well with his endeavours and welcomes and seconds the nomination.

MR M. McGOWAN (Rockingham — Premier) [11.03 am]: I start by thanking you, President and Madam Speaker, and the parliamentary staff for arranging the joint sitting of Parliament here today. This is the twenty-fourth time we have sat jointly to fill a casual vacancy, and my fifth or sixth. Notably, it is the second time we have gathered to appoint Benjamin John Small. It is the only occasion I am aware of that someone has been appointed to fill a casual vacancy they have created themselves. Mr Small had to resign due to section 44 of the Constitution and his New Zealand citizenship. For the benefit of *Hansard*, please take this as the correcting of the record of 25 November 2020 when I incorrectly told the joint sitting that he was eligible to be chosen for the vacant position. Mr Small has so far served on the Senate Select Committee on Job Security and the Senate Standing Committee on Education and Employment, as well as joint committees on human rights, public works, migration and road safety. I am also informed that Mr Small is the only WA senator who lists his tertiary education score and experience as a booth captain on his Senate biography.

This vacancy will last for only a matter of weeks with new senators to be elected on Saturday to take their position on 1 July. Mr Small is running in that election, so effectively we are here today to appoint Mr Small following the earlier appointment of Mr Small to fill a vacancy created by the resignation of Mr Small ahead of the potential re-election of Mr Small to a position earlier held by Mr Small. Mr Small is creating history here today—something that will be examined by constitutional scholars for decades to come, I am sure! The analysis will be up there with the events of 11 November 1975.

The Senate is the state's house. The Western Australian experience should always be high up on the national agenda, not just when marginal seats are under threat. Our economy drives the nation; our success is the nation's success. Our citizens deserve to have their voices heard loud and clear on the national stage. They do not deserve to be drowned out by east coast commentators and their own agendas. I imagine there are similar sentiments around the nation in Tasmania, South Australia and the like—despite the fact that they do not quite provide a contribution like ours—with their own issues, who do not want the affairs of the nation to revolve solely around the experiences of Sydney, Melbourne and Canberra. All Western Australian senators would do well to remember that beyond this Saturday for the good of the country.

Once again, we wish Mr Small all the best in his public service for the second time.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [11.06 am]: It may be unusual—indeed, unprecedented—to move for the reappointment of a former senator for Western Australia to fill the vacancy caused by a resignation under section 44(i) of the commonwealth Constitution. Nonetheless, it is with pride and satisfaction that the Liberal Party supports the nomination of Mr Ben Small to fill the unexpired part of his Senate term. Ben Small has served the state of Western Australia with distinction since 25 November 2020, when this Parliament approved his nomination to the vacancy caused by the resignation of Senator Mathias Cormann, and since entering the Senate on 30 November 2020. As the founder of a successful small business in Eaton, employing over 30 people, Ben Small as a senator has been a champion of Western Australian small business, arguing successfully for the fairer treatment of small business by the Australian Taxation Office, as legislated in the federal budget. In his first speech to the Senate on 3 February 2021, Mr Small stated —

Matters of employment are of great personal interest to me, not only as a compassionate person who believes in the dignity of meaningful work but also as a small business owner who has direct experience of hiring hardworking Australians and seeing firsthand the social and economic benefits that work can provide.

He has accordingly been a voice of reason regarding the Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery Bill) 2021 that will provide greater clarity, certainty and fairness for both small business owners and their employees. Ben has also strongly supported the federal government reforms for greater transparency and fairness for business franchisees. During his term as a senator for Western Australia, Ben Small has spoken 35 times in the Senate, consistently with reason and eloquence and without any of the personal invectives that detracts from Australian politics. Having spent his professional career in the energy industry, culminating as the marine manager for Woodside Energy, he brought to the Senate a valuable practical knowledge towards achieving the necessary balance between environmental protection and the provision of energy. As he stated in his first speech to Parliament —

Australia is blessed both with abundant reserves of cheap, efficient, low-emissions energy from conventional sources and the opportunity to diversify our economy to export new energies to the world. The economic imperative for cheap reliable energy to households and industry is timeless, but the way in which we meet that imperative is a live discussion.

Mr Small concluded —

Elected representatives often speak of the honour and privilege that comes with doing the people's work. I believe that, just as any freedom is accompanied with responsibility in equal measure, the privilege of representation comes with a duty to deliver outcomes.

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To represent Western Australia in this place is a deep honour. I hope always to do so in a way that embodies those characteristics for which Western Australians are best known: tenacity, practicality, ingenuity and, dare I say it, a slight irreverence.

In a little over 12 months since, Mr Small has gone a long way to fulfilling these aspirations. As soon as he became aware that he had a problem with dual citizenship, he did the right thing and resigned from the Senate, renouncing his New Zealand citizenship and continuing to seek re-election. The Liberal Party trusts that he will resume his valuable service to the people of Western Australia.

The PRESIDENT: Does any other member wish to speak to the nomination? Are there any further nominations? There being no other nominations, I declare Benjamin John Small of 72A Matheson Road, Applecross, Western Australia, the person chosen to hold the place vacated by the former Senator Ben Small. Members, please join me in congratulating Senator-elect Ben Small, who is present in the President's gallery today.

[Applause.]

The Joint Sitting concluded at 11.11 am
