

# Procedural Digest

No. 1

47<sup>th</sup> Parliament

26 July – 4 August 2022

July – August 2022				
M	T	W	T	F
25	26	27	28	29
1	2	3	4	5

## Opening of Parliament

### 1.01 Opening of 47<sup>th</sup> Parliament

Following a Welcome to Country ceremony on the Parliament House Forecourt, members assembled in the Chamber and the Clerk of the House read the Proclamation calling Parliament together. Members then proceeded to the Senate Chamber, where the Deputy of the Governor-General, the Honourable Susan Mary Kiefel AC, the Chief Justice of the High Court, declared the 47<sup>th</sup> Parliament open.

*Hansard: 26 July 2022, 1  
Votes and Proceedings: 2022/1-2*

**SO 4**

### 1.02 Returns to writs for general election and members sworn

Members returned to the Chamber and the Clerk presented the returns to writs for the general election held on 21 May 2022. A Deputy of the Governor-General, the Honourable Stephen John Gageler AC, Justice of the High Court, then administered the oath or affirmation of allegiance to all Members, except three who were not present (these members were sworn in by the Speaker the following Monday).

*Members choose whether to recite the oath or affirmation, with the key difference being that an affirmation makes no reference to religion. While not required to do so, members traditionally make the oath of allegiance on a Bible or other holy book.*

*Hansard: 26 July 2022, 1-4  
1 August 2022, 1  
Votes and Proceedings: 2022/2-6, 83*

**SO 4**

### 1.03 Election and presentation of Speaker

After members had been sworn in, the Clerk called for nominations for the office of Speaker. Government member Mr Milton Dick and opposition member and former Speaker Mr Andrew Wallace were both nominated. Mr Dick was elected 92 votes to 56 and was escorted to the Chair. He thanked the House for the honour before taking the Chair as the 32<sup>nd</sup> Speaker of the House of Representatives. A number of members, led by the Prime Minister and the Leader of the Opposition, made congratulatory remarks.

Later in the day the Speaker, accompanied by members, presented himself to the Governor-General in the Members' Hall. The Governor-General congratulated the Speaker and

presented him with an authority to administer to members the oath or affirmation of allegiance.

*Hansard: 26 July 2022, 4-12  
Votes and Proceedings: 2022/6-7*

**SOs 4, 10, 11, 12, 15**

## 1.04 Governor-General's speech

When members reassembled in the Chamber, the Usher of the Black Rod delivered a message inviting members to attend the Senate Chamber to hear the Governor-General's opening speech.

*In the 'opening speech', the Governor-General declares the causes of the calling together of the Parliament. National affairs are reviewed and a forecast given of the Government's proposed legislative program.*

*Hansard: 26 July 2022, 12  
Votes and Proceedings: 2022/7*

**SO 5**

## 1.05 Ministry and shadow ministry announced

When members returned from the Senate Chamber, the Prime Minister informed the House of the ministry and the appointment of government whips, and the Leader of the Opposition informed the House of the shadow ministry and the appointment of opposition whips. Hon David Littleproud announced his leadership of the Nationals and named the Nationals whips. Finally, Mr Adam Bandt announced that he had been elected as Leader of the Australian Greens.

*Hansard: 26 July 2022, 12-6  
Votes and Proceedings: 2022/7-9*

**SO 6**

## 1.06 Prime Minister presents 'formal' bill before Speaker reports Governor-General's speech

Prior to the Speaker reporting the Governor-General's speech to the House, the Prime Minister presented the Customs Amendment Bill 2022. The bill was read a first time and the second reading was made an order of the day for the next sitting.

*Before the Speaker reports the Governor-General's speech to the House, the House transacts some formal business, usually the introduction of a non-contentious bill. This bill is known as the 'formal' or 'privilege' bill. Its presentation is taken to express the House's independence from the Sovereign and Executive Government. The bill is placed on the Notice Paper and usually remains there throughout the session, lapsing at prorogation or dissolution.*

*Hansard: 26 July 2022, 17-25  
Votes and Proceedings: 2022/10*

**SOs 6, 141**

## 1.07 Address in Reply to Governor-General's speech

The Speaker reported that the House had attended the Governor-General in the Senate Chamber, where His Excellency made a speech to both Houses of Parliament.

The House then agreed that a committee consisting of the Prime Minister, Ms Sally Sitou and Ms Zaneta Mascarenhas be appointed to prepare an Address in Reply to the Governor-General's speech.

Later in the day, Ms Sitou presented the Address prepared by the committee and moved that it be agreed to. She then made her first speech. Ms Mascarenhas, having seconded the motion, made her first speech and debate ensued. The Address in Reply debate continued over the sitting fortnight.

*The Address in Reply is a short resolution expressing loyalty to the Queen and thanks to the Governor-General. The wide-ranging Address in Reply debate allows members to speak on any matter of their choosing and provides an opportunity for newly elected members to make their first speeches in the House.*

*Hansard: 26 July 2022, 17-25; 47  
Votes and Proceedings: 2022/10; 32*

**SOs 6, 76**

## 1.08 Election of Deputy Speaker and Second Deputy Speaker

Also on opening day, the House elected its Deputy Speaker and Second Deputy Speaker. Government member Ms Sharon Claydon and opposition member Mr Ian Goodenough were both nominated. The House proceeded to a ballot and Ms Claydon, having received 85 votes, was elected Deputy Speaker. Mr Goodenough, with 57 votes, was elected Second Deputy Speaker. The Prime Minister, Leader of the Opposition, Leader of the House and Manager of Opposition Business congratulated the members on their election.

*Hansard: 26 July 2022, 27-8  
Votes and Proceedings: 2022/10*

**SOs 11, 13, 14**

## Bills

### 1.09 Government bill introduced and passes all stages

On 27 July the Minister for Aged Care presented the Aged Care and Other Legislation Amendment (Royal Commission Response) Bill 2022. In her second reading speech the minister explained that aged care was an urgent priority for the government. Leave was granted for the second reading debate to continue immediately, and the Deputy Leader of the Opposition spoke to the bill. The bill then passed the remaining stages on the voices.

*In accordance with the standing orders, debate on a bill is usually adjourned to a future sitting following the minister's second reading speech to give members adequate opportunity to consider the bill before being asked to vote on it.*

*Hansard: 27 July 2022, 95-8  
Votes and Proceedings: 2022/65-6*

**SO 63, 142**

## 1.10 Private member's bill passes the House

During private members' business on Monday, 1 August, government backbencher Mr Luke Gosling presented the Restoring Territory Rights Bill 2022. The bill proposed to remove the restrictions preventing the Northern Territory and the Australian Capital Territory from passing legislation to allow for voluntary assisted dying. The Northern Territory member then moved the second reading and made his second reading speech. He finished his speech within the allocated speaking time to allow the seconder, Ms Alicia Payne (Member for Canberra), to speak within the remaining time.

Later, during government business time, the Leader of the House moved that standing orders be suspended to allow the bill to be brought on immediately for a debate of up to two hours, the bill to then be referred to the Federation Chamber where it would have priority over government business until no further members rose to speak and the bill to then be returned to the House for consideration of the remaining stages. The question was carried on the voices.

In accordance with the resolution, the bill was then debated in the House before being referred to the Federation Chamber, where it was debated the next day.

The bill was reported to the House on 3 August, during government business time. The question that the bill be read a second time was put immediately and was carried on the voices. The Manager of Opposition Business then noted that parties had agreed to allow a free vote (a conscience vote) on the bill, and certain members may have wished for their vote to be placed on the record, through a division. The third reading was then moved and a division called. The question that the bill be read a third time was carried 99 votes to 37, with members not voting along party lines.

*Hansard: 1 August 2022, 259-62; 307-8  
2 August 2022, 507-17  
3 August 2022, 536-7  
Votes and Proceedings: 2022/82, 84, 101, 105-6*

**SOs 41, 47, 183**

## 1.11 Bill passes all stages under new 'urgent bill' procedures

During the second reading debate on the Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022, on 2 August, the Leader of the House declared the bill urgent under the new procedures for urgent bills agreed the previous week (see 1.14). He explained that the bill needed to pass both Houses expeditiously in order to meet a deadline within the legislation.

Under SO 82, the Speaker put the question ‘that the bill be considered urgent’ and the question was carried on division. Debate on the bill then resumed, at 6pm, and continued until there were no further speakers, at 9.37pm. The House then adjourned.

In accordance with SO 85, consideration of the bill was the first item of business the next day. The question that the bill be read a second time was put immediately and carried on division. A message from the Governor-General recommending appropriation was announced and the question that the bill be read a third time was put and carried on division.

*Under the new procedures, if a bill is considered urgent, a second reading debate may take place that sitting from 7.30pm until 10pm, or earlier if no further member rises to speak. After prayers the next sitting, any questions necessary to complete the remaining stages of the bill are put without delay. (SO 85 also provides special procedures for the consideration in detail stage, if required.)*

Hansard: 2 August 2022, 465-7

3 August 2022, 527-8

Votes and Proceedings: 2022/98-9; 103-5

**SOs 82, 85, 142**

## 1.12 Programming motion for climate change bills

On Wednesday, 3 August, the House agreed to suspend standing orders to allow for the following to occur in relation to the Climate Change Bill 2022 and the Climate Change (Consequential Amendments) Bill 2022:

- there being a second reading debate on the bills together and, from after the MPI discussion, there being a reduced speech time limit of 10 minutes (five minutes from 9pm, if required by a minister);
- the second reading debate to continue until no further members rise to speak or a minister requires the debate to be adjourned at no earlier than 10pm;
- the following day, the bills being called on together and one question being put on any second reading amendments and one question on the second readings of the bills;
- the consideration in detail stages on the bills being taken together with one question being put on all government amendments, one question on all opposition amendments and separate questions on any sets of amendments moved by crossbench members; and
- one question being put on the third readings of the bills together.

The second reading debate then resumed on the bills together until members’ statements at 1.30pm. The debate continued from after the MPI until 9.27pm, with the Leader of the Australian Greens moving a second reading amendment. In total, 50 members participated in the debate, including the Prime Minister. The House then adjourned.

Consideration of the bills resumed the following day in accordance with the resolution. The second reading amendment was disagreed to on division and the question on the second reading was carried on division, with one government member ‘crossing the floor’ to vote in support of the bill. The bills were considered in detail together and several amendments

moved by crossbench members were agreed to. The bills, as amended, were agreed to and consideration in detail concluded. The bills were then read a third time.

*Hansard:* 3 August 2022, 542-71; 599-646

4 August 2022, 673-95

*Votes and Proceedings:* 2022/108; 110; 114-26

**SOs 47, 142, 148, 155**

### 1.13 Senate bill introduced and passes all stages

On the last sitting of the fortnight, the Public Sector Superannuation Salary Legislation Amendment Bill 2022 was received from the Senate and read a first time. After the Assistant Treasurer gave his second reading speech, leave was sought for debate to ensue. Leave was denied and the Leader of the Australian Greens stated that members had not been given adequate time to consider the bill.

The Leader of the House then moved that standing orders be suspended to allow the bill to pass through all stages. The question was carried on the voices and debate on the bill ensued.

During the debate, two independent members declared a potential conflict of interest regarding the legislation and, as such, indicated that they would absent themselves from any votes on the bill.

The question on the second reading was carried on division, with only five members voting in the minority. The bill was then read a third time.

*Hansard:* 4 August 2022, 669-73

*Votes and Proceedings:* 2022/113-4

**SOs 47, 63, 142, 166**

## Standing orders

### 1.14 Amendments to standing orders

On opening day, the House agreed to amend standing orders to appoint general purpose standing committees and to increase the membership of the Privileges and Members' Interests Committee and the Selection Committee (see Committees section).

The following day the Leader of the House moved several amendments to the standing orders—some of which, he said, would make the parliament a healthier and more family-friendly workplace and would increase opportunities for crossbench members to reflect the large number of independent and minor party members in the 47<sup>th</sup> Parliament. The proposed amendments included:

- Time limit for questions asked by crossbench members reduced to 30 seconds, consistent with time allowed to other members (SO 1)
- Earlier meeting time of 9am on Wednesdays and Thursdays (SO 29)

- If a suspension of standing orders is moved during question time, a minister may require that proceedings take place at a later hour (SO 47)
- Time for ministers to make statements on significant matters on Wednesday and Thursday mornings, if required (SO 50A)
- Divisions and quorums between 6.30pm and 7.30pm deferred until next sitting (SOs 55, 133)
- New procedures for the passage of bills considered urgent (SOs 82, 85)
- Specific opportunities for crossbench members to participate in question time, members' 90 second statements, members' constituency statements, grievance debate, adjournment debate in the House and Federation Chamber and the matter of public importance discussion (sessional order 65A).

The amendments were debated and an independent amendment to proposed SO 85 (proceedings on urgent bills) was carried. The question that the proposed amendments, as amended, be agreed to was carried on division.

On 2 August, the House agreed to amend the Federation Chamber order of business (SO 192) so that the Federation Chamber would meet earlier, at 9.30am, on Wednesdays and Thursdays, consistent with the earlier meeting times in the House.

*Hansard:* 26 July 2022, 28-30

27 July 2022, 71-83

2 August 2022, 412

*Votes and Proceedings:* 2022/11-2; 56-61; 93

**SOs 1, 3, 29, 34, 47, 50A, 55, 65A, 82, 85, 192**

## Condolence motions

### 1.15 Condolence motion on the death of Abe Shinzo

On opening day, the Prime Minister moved a condolence motion in relation to the assassination of Mr Abe Shinzo, former Prime Minister of Japan. The Prime Minister acknowledged Mr Abe's significant contribution to regional and global affairs and offered sympathy to his family in their bereavement. The Leader of the Opposition seconded the motion and all members present stood in silence as a mark of respect. The motion was then referred to the Federation Chamber for debate.

The condolence motion was debated in the Federation Chamber and was carried by the House on Wednesday, 3 August, with all members present again rising in their places.

*Hansard:* 26 July 2022, 45-7

3 August 2022, 577; 652-60

*Votes and Proceedings:* 2022/31, 109, 111

**SOs 49, 183**

## 1.16 Condolence motion on the death of Hon Bob Brown

On 3 August the Prime Minister moved another condolence motion, on the death of the Honourable Robert James (Bob) Brown AM, former Labor minister and member for the division of Hunter from 1980 to 1984 and the division of Charlton from 1984 to 1998. The Prime Minister placed on record the House's appreciation for Mr Brown's long and meritorious public service and offered sympathy to his family. The Leader of the Opposition seconded the motion and all members present stood in silence as a mark of respect. The motion was then referred to the Federation Chamber for debate.

*Hansard: 3 August 2022, 577-8*  
*Votes and Proceedings: 2022/109*

**SOs 49, 183**

## 1.17 Condolence motion on the death of Hon James Joseph Webster

The next day, the Prime Minister moved a condolence motion in relation to the death of the Honourable James Joseph Webster, a former minister and senator for Victoria from 1964 to 1980. The motion acknowledged Mr Webster's public service and offered deep sympathy to his family. The Leader of the Opposition seconded the motion and the Leader of the Nationals spoke in support. All members present then rose in silence as a mark of respect and the motion was referred to the Federation Chamber for further debate.

*Hansard: 4 August 2022, 710-1*  
*Votes and Proceedings: 2022/128-9*

**SOs 49, 183**

# Speaker

## 1.18 Appointment of Speaker's panel

Over the fortnight, the following members were appointed to the Speaker's panel:

Mr Andrew Buchholz  
Ms Lisa Chesters  
Mr Michael Freeland  
Mr Steven Georganas  
Ms Rebekha Sharkie

Mr James Stevens  
Ms Maria Vamvakinou  
Mr Ross Vasta  
Mr Andrew Wilkie  
Mr Terry Young



*At the commencement of the Parliament, the Speaker nominates a panel of members to assist the Chair. The role of Speaker's panel members is to take the Chair of the House or the Federation Chamber, as Deputy Speaker, when requested to do so.*

*Hansard: 27 July 2022, 71*

*28 July 2022, 175*

*1 August 2022, 256*

*2 August 2022, 413*

*Votes and Proceedings: 2022/55; 73; 81; 94*

**SO 17**

## Sittings

### 1.19 Program of sittings for 2022 agreed to

On the first day of the Parliament, the Leader of the House presented a proposed program of sittings for the remainder of 2022 and, by leave, moved that it be agreed to. The question was carried on the voices.

*Hansard: 26 July 2022, 28*

*Votes and Proceedings: 2022/10*

**SO 29**

## Members

### 1.20 Leave of absence

On the final sitting of the fortnight, the Prime Minister moved that leave of absence be given to Mr Sam Rae until 24 October for the birth of his child. He wished Mr Rae and his partner well and acknowledged that the parliament now recognised the rights of all members to spend time with their newborns. The question was carried.

The Leader of the House then moved that leave of absence be given to all members until the date of its next meeting and the question was carried.

*A Member with leave of absence is excused from the service of the House or any committee.*

*Hansard: 4 August 2022, 723*

*Votes and Proceedings: 2022/129*

**SO 26**

## Parliamentary administration

### 1.21 Appointment of Registrar of Members' Interests

On 28 July the Speaker informed the House that, in accordance with the resolution of the House relating to the registration of Members' interests, he had appointed the Deputy Clerk, Mr Peter Banson, as the Registrar of Members' Interests in the 47<sup>th</sup> Parliament.

*The Registrar of Members' Interests—normally the Deputy Clerk—maintains the Register of Members' Interests in accordance with procedures set out by the Committee of Privileges and Members' Interests.*

*Hansard: 28 July 2022, 175  
Votes and Proceedings: 2022/73*

**SO 216**

## Statements

### 1.22 Statements by indulgence of the Chair

Over the sitting fortnight, the Prime Minister and the Leader of the Opposition made statements by indulgence on the following matters:

- Birmingham Commonwealth Games (28 July and 4 August)
- Death of Mr Archie Roach AM (1 August)
- United States airstrike in Afghanistan (2 August)
- Retirement of ABC parliamentary bureau chief, Ms Louise Yaxley (4 August)

None of these statements were made in the newly allocated periods for statements on significant matters on Wednesday and Thursday mornings.

*Hansard: 28 July 2022, 234  
1 August 2022, 295; 318-20  
2 August 2022, 432  
4 August 2022, 722-3  
Votes and Proceedings: 2022/84; 85*

**SOs 50A, 65**

## Committees

### 1.23 House standing committees

On opening day, standing order 215 was amended to appoint the following general purpose standing committees:

- Standing Committee on Agriculture
- Standing Committee on Climate Change, Energy, Environment and Water
- Standing Committee on Communications and the Arts
- Standing Committee on Economics
- Standing Committee on Employment, Education and Training
- Standing Committee on Health, Aged Care and Sport
- Standing Committee on Industry, Science and Resources
- Standing Committee on Regional Development, Infrastructure and Transport
- Standing Committee on Social Policy and Legal Affairs

As a reflection of the increased crossbench in the 47th Parliament, the amendment explicitly provided for one crossbench member to sit on each of these committees. It also, for most of these committees, increased membership from eight to nine members.

Standing orders were also amended to increase membership of the Privileges and Members' Interests Committee and the Selection Committee, and to explicitly provide for crossbench members to sit on both committees.

*Hansard: 26 July 2022, 28-30  
Votes and Proceedings: 2022/11-3  
**SOs 215, 216, 222***

## 1.24 Joint committees

Also on opening day, the House resolved to establish the powers and proceedings of the following joint statutory committees:

- Australian Commission for Law Enforcement Integrity
- Corporations and Financial Services
- Human Rights
- Law Enforcement

The House also agreed to resolutions to appoint the following joint standing committees:

- Electoral Matters
- Foreign Affairs, Defence and Trade
- Implementation of the National Redress Scheme
- Migration
- National Capital and External Territories
- National Disability Insurance Scheme
- Parliamentary Library
- Trade and Investment Growth
- Treaties

Each resolution provided that a message be sent to the Senate requesting its concurrence.

The following day, the House agreed to a resolution to establish a new Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs and a message was sent to the Senate seeking its concurrence.

On 4 August the House concurred with a Senate resolution to establish a Joint Select Committee on Northern Australia.

*Statutory committees are established by Act of Parliament. Standing committees are appointed for the life of a parliament and are usually re-appointed in successive parliaments.*

*Hansard: 26 July 2022, 30-45  
27 July 2022, 84-5  
Votes and Proceedings: 2022/12-31; 61-3  
**SO 224***

## 1.25 Joint Select Committee on Parliamentary Standards

The House also agreed to a resolution re-establishing a Joint Select Committee on Parliamentary Standards to develop codes of conduct for parliamentarians, parliamentary staff and parliamentary workplaces to ensure safe and respectful behaviour. The resolution was sent to the Senate for concurrence.

*This resolution was made in accordance with a recommendation of the Jenkins review into Commonwealth parliamentary workplaces. The same select committee had been appointed late in the previous parliament but had not reported.*

*Hansard: 26 July 2022, 44-5  
Votes and Proceedings: 2022/29-31  
**SOs 223, 224***

## 1.26 House Select Committee on Employment Services

On 2 August, the House agreed to appoint a Select Committee on Workforce Australia Employment Services. The resolution provided that the committee would inquire into the implementation, performance and appropriateness of Workforce Australia Employment Services and would report by 29 September 2023.

*Hansard: 2 August 2022, 411-2  
Votes and Proceedings: 2022/91-2  
**SO 223***

## 1.27 Joint Select Committee on Northern Australia

On 4 August a Senate message was reported informing the House that the Senate had agreed to a resolution to appoint a Joint Select Committee on Northern Australia. The resolution provided that the committee would inquire into matters relating to the development of Northern Australia and would present its final report by the last sitting day in May 2025. The House concurred with the Senate resolution of appointment.

*Hansard: 4 August 2022, 696-7  
Votes and Proceedings: 2022/127-8  
**SOs 223, 224, 261***

## Offensive words<sup>#</sup>

Nil.

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<sup>#</sup> List of unparliamentary expressions recorded in *Hansard*.