

Procedural Digest

No. 7

47th Parliament

6 – 16 February 2023

February 2023				
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Members

7.01 Member for Aston announces resignation

Prior to question time on 9 February the Member for Aston, by indulgence, announced his intention to resign from parliament the following week. The former minister reflected on his parliamentary career and thanked colleagues, friends and family. By indulgence, the Prime Minister and the Leader of the Opposition both thanked the member for his service.

The Speaker received the member's letter of resignation on 17 February. A writ will be issued for the election of a new Member for Aston on 27 February and the by-election will be held on Saturday, 1 April.

Hansard: 9 February 2023, 542-4

Parliamentary standards

7.02 Parliamentary Leadership Taskforce annual report

On 8 February the Speaker presented the Parliamentary Leadership Taskforce annual report for 2022. The report provided an update on the implementation of the recommendations of the Sex Discrimination Commissioner's *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*. The Speaker made a statement in connection with the report, highlighting the ongoing work to promote safety and respect in Parliament House and other parliamentary workplaces.

Hansard: 8 February 2023, 306-7
Votes and Proceedings: 2023/466

SO 199

7.03 Codes of conduct for parliamentarians, parliamentarians' staff and parliamentary workplaces

One of the recommendations of the *Set the Standard* report was that a joint committee be appointed to develop draft codes of conduct for parliamentarians, their staff and parliamentary workplaces. Accordingly, the Joint Select Committee on Parliamentary Standards was appointed towards the end of the 46th Parliament and again at the beginning of the current parliament. In its final report, presented in November last year, the committee proposed a behaviour code for parliamentarians, a behaviour code for parliamentarians' staff and behaviour standards for Commonwealth parliamentary workplaces.

On 8 February, the Prime Minister moved that the House endorse the codes and standards, pending the establishment of the advisory and enforcement regime, and final adoption. The motion was debated and then referred to the Federation Chamber. The next day, the motion was debated in the Federation Chamber, returned to the House and agreed to on the voices.

Hansard: 8 February 2023, 307-13
9 February 2023, 508-9; 559-73
Votes and Proceedings: 2023/466, 475, 480-1

Privilege

7.04 Statement by Speaker on privilege matter

On the first day of the sitting fortnight, the Speaker made a statement in response to a privilege matter raised by the Leader of the Australian Greens on 1 December 2022 (see **6.04**). The matter concerned whether the Member for Cook had misled the House when, as Prime Minister, he had failed to disclose his appointment to multiple ministries.

In his statement, the Speaker referred to the report on the independent inquiry into the matter by Justice Virginia Bell AC and its finding that the actions of the former Prime Minister had not been consistent with the principle of responsible government and had undermined public confidence in government.

However, the Speaker advised that he did not see prima facie evidence that the Member for Cook had deliberately misled the House and therefore he could not grant precedence to a motion to refer the matter to the Committee of Privileges and Members' Interests. He added that the House had addressed the matter through its censure of the Member for Cook on 30 November last year (see **6.01**).

Hansard: 6 February 2023, 88-9
Votes and Proceedings: 2023/438-9

SO 51

Motions

7.05 Condolence motion for Senator Jim Molan AO DSC

Also on 6 February, the Prime Minister moved a condolence motion in relation to the death, on 16 January, of Senator Andrew James (Jim) Molan, Senator for New South Wales from 2017 and former Major General. The motion acknowledged Senator Molan's long and meritorious public service and offered sympathy to his family in their bereavement. The Leader of the Opposition seconded the motion and all members present rose in silence as a mark of respect. The motion was then referred to the Federation Chamber for debate.

The motion was debated in the Federation Chamber on 8 February and was agreed to in the House the following day, with all members again rising in silence.

Hansard: 6 February 2023, 72-5
8 February 2023, 436-44; 463-74
9 February 2023, 524
Votes and Proceedings: 2023/438; 472; 476

SOs 49, 183

7.06 Delegated legislation

After the matter of public importance discussion on 7 February, the House agreed to suspend standing orders to allow for consideration of both a government motion to approve an instrument made under the *Migration Act 1958* and a private member's motion to disallow regulations made under the *Superannuation Industry (Supervision) Act 1993*. The suspension motion limited debate on each item to one hour.

Accordingly, the Minister for Home Affairs then moved that, under section 198AB of the *Migration Act 1959*, the House approve the instrument of designation of the Republic of Nauru as a regional processing country. The motion was debated and agreed to on division.

The Shadow Assistant Treasurer then moved the disallowance motion standing in his name—That the Superannuation Industry (Supervision) Amendment (Annual Members' Meetings Notices) Regulations 2022 made under the *Superannuation Industry (Supervision) Act 1993* be disallowed and debate ensued. The question on the disallowance motion was put, a division was called, and the division was deferred in accordance with standing order 133. The motion was disagreed to the next morning.

Hansard: 7 February 2023, 195-99; 237-9
Votes and Proceedings: 2023/455; 457-61

SOs 35, 47, 133

Statements

7.07 Ministerial statements

On Thursday, 9 February, the Minister for Defence made a ministerial statement relating to securing Australia's sovereignty. The shadow minister then addressed the House in reply. On Monday the following week, the Leader of the House presented a copy of the minister's statement and moved that the House take note of the document. The take note motion was referred to the Federation Chamber, where it was debated the following day.

On 13 February, the Prime Minister made a ministerial statement on the 15th anniversary of the national apology to Australia's Indigenous Peoples and the Closing the Gap Implementation Plan. He then presented a copy of his statement and of the Closing the Gap Implementation Plan 2023. The Leader of the Opposition addressed the House in reply.

The Leader of the House then moved that the House take note of the Prime Minister's statement and debate ensued. The Minister for Indigenous Australians and the shadow minister both spoke before the motion was referred to the Federation Chamber for further debate. The motion was debated in the Federation Chamber over the week.

Hansard: 9 February 2023, 501-8
13 February 2023, 614-21
Votes and Proceedings: 2023/474; 485

SOs 63A, 183, 199, 202

7.08 Statements by indulgence of the Chair

Over the fortnight, the Speaker granted several members indulgence to make statements in the House:

- The Prime Minister updated the House on the Syria and Turkiye earthquake (9 February)
- The Member for Monash acknowledged the 40th anniversary of the Ash Wednesday fires (13 February)
- The Member for Kennedy spoke about two miners trapped underground at the Dugald River mine in his electorate. The Prime Minister and the Leader of the Opposition also spoke, and all members present stood in silence. (16 February)

Hansard: 9 February 2023, 541
13 February 2023, 649-50
16 February 2023, 1103
Votes and Proceedings: 2023/516

7.09 Speaker's statement on retirement of Mr Colin Christian

After question time on 16 February the Speaker informed the House that Mr Colin Christian was retiring from the Department of the House of Representatives after 43 years working for the parliament. The Speaker thanked Mr Christian for his service and wished him well in his retirement, and members applauded.

Hansard: 16 February 2023, 1102

Committees

7.10 Appointment of Joint Committee on the National Anti-Corruption Commission

In accordance with the *National Anti-Corruption Commission Act 2022*, the House agreed to matters relating to the powers and proceedings of the new Parliamentary Joint Committee on the National Anti-Corruption Commission, on 8 February. The Senate concurred with the resolution of the House the following day and members and senators were appointed to the committee.

Hansard: 8 February 2023, 377-8
Votes and Proceedings: 2023/468-9

Distinguished visitors

7.11 World leaders visit the House

Several world leaders were recognised in the Chamber over the sitting fortnight:

- The Prime Minister of New Zealand and the New Zealand High Commissioner to Australia (7 February)
- The Prime Minister of the Democratic Republic of Timor-Leste, the Minister of Foreign Affairs and Cooperation and the Ambassador of the Democratic Republic of Timor-Leste (8 February)
- The Prime Minister of Vanuatu (15 February)

In each case, the Prime Minister and the Leader of the Opposition made statements by indulgence to welcome the visitors, seated in the Distinguished Visitors' Gallery.

Hansard: 7 February 2023, 214
8 February 2023, 352
15 February 2023, 923

7.12 Sitting suspended for photograph with Ukraine ambassador

On the last sitting of the fortnight, proceedings were briefly suspended before question time to allow for members and senators to pose for a photograph on the floor of the House with the Ambassador of Ukraine.

Hansard: 16 February 2023, 1086
Votes and Proceedings: 2023/516

Offensive words[#]

	Hansard	
	<i>Date</i>	<i>Page</i>
'Sometimes I wonder if the Rhodes committee have asked for their money back!'	7 February 2023	222
'You're an idiot!'	9 February 2023	539
'Instead what we saw with the former Prime Minister in his contribution in defending his role in doing this was a conga line of so-called conservatives pretty much kissing his ring and saying, "Job well done, mate."'	13 February 2023	671
'By bringing on this debate ahead of the conclusion of a Senate inquiry process, the industry minister is sneakily avoiding any scrutiny of due process.'	13 February 2023	671
'WTF'	14 February 2023	759
'Yet he was shafting him from behind...'	14 February 2023	763
'You're such a moron.'	14 February 2023	796
'...you're really clueless.'	14 February 2023	801
'The biggest threat we've got happens in the coalition party room, which I'm genuinely concerned is a mass hypnosis event.'	16 February 2023	1089
'Calm down, Hairspray!'	16 February 2023	1105
'Nodding like goats, I see, or like some other animal perhaps—a lemming or something like that.'	16 February 2023	1109
'Sit down, sunshine.'	16 February 2023	1110
'Jimbonomics'	16 February 2023	1110

[#] List of unparliamentary expressions recorded in *Hansard*.