

# Procedural Digest

**No. 113***11–13 February 2014*

<i>February 2014</i>				
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## Bills

**113.01** *Fewer than five Members vote on one side*

On Wednesday 12 February, when the question on the second reading of the Migration Amendment Bill 2013 was put, a division was called. Three Members (non-aligned) voted on the side of the noes. There being fewer than five Members on one side, the Chair declared the question resolved in the affirmative without completing the count and the names of those in the minority were recorded in the Votes and Proceedings.

*Hansard: 12 February 2014, 170  
Votes and Proceedings: 2014/278*

**SOs 126, 127**

## Business

**113.02** *Condolence motion for former Senator*

Prior to question time on Tuesday 11 February, the Prime Minister moved a motion of condolence regarding the death of the Hon Arthur Thomas Gietzelt AO, a former Senator for NSW. The Leader of the Opposition addressed the House in support of the Prime Minister's motion. Members rose in silence as a mark of respect and debate was adjourned. The Leader of the House, by leave, moved that the resumption of debate on the condolence motion be referred to the Federation Chamber and the motion was agreed to.

The condolence motion was returned to the House on 12 February, and agreed to as all Members again rose in their places.

*Hansard: 11 February 2014, 27-8, 12 February 2014, 213  
Votes and Proceedings: 2014/260-1, 278-9*

**SOs 49, 183**

**113.03** *Statements by indulgence regarding death of former Member*

Prior to question time on Tuesday 11 February, the Speaker informed the House of the death of Mr Peter Hertford Drummond, a former Member of the House for the Division of Forrest. As a mark of respect all Members present rose and stood in silence.

Following question time, the Leader of the House, by leave, moved that statements by indulgence in relation to the death of the Member be permitted in the Federation Chamber.

*Hansard:* 11 February 2014, 27, 52-3  
*Votes and Proceedings:* 2014/260, 264

**SO 183**

**113.04** *Statements by indulgence on the death of Ariel Sharon*

Prior to question time, the Prime Minister, Leader of the Opposition and other Members, made statements by indulgence on the death of Mr Ariel Sharon. The Leader of the House, by leave, moved that statements by indulgence in relation to the death of Mr Sharon be permitted in the Federation Chamber. The question was agreed to.

*Hansard:* 11 February 2014, 28-30  
*Votes and Proceedings:* 2014/260-1

**SOs 65, 183**

**113.05** *Ministerial statement made during Government business time*

During government business time, debate on a bill was adjourned and the Prime Minister made, by leave, a ministerial statement relating to closing the gap between Indigenous and non-Indigenous people, and presented the 6<sup>th</sup> annual Closing the Gap statement. Standing orders were then suspended to allow the Leader of the Opposition to speak in reply, and he addressed the House.

The Leader of the House moved that the House take note of the document, and debate was adjourned. The Leader of the House then declared that the resumption of debate and the motion to take note of the *Closing the Gap Prime Minister's report 2014* was referred to the Federation Chamber.

*Note:* Pursuant to standing order 34, ministerial statements are usually made between the end of question time and the beginning or resumption of government business each sitting day.

*Hansard:* 12 February 2014, 156-64  
*Votes and Proceedings:* 2014/277-8

**SOs 34, 47, 63, 65, 199**

**113.06** *Attempted suspension of standing orders to enable censure motion*

During question time on 12 February, the Leader of the Opposition sought leave to move a motion of censure against the Prime Minister and Treasurer. Leave was not granted and the Leader of the Opposition then moved, without notice, that standing orders be suspended to enable him to move the censure motion. Both he and the seconder were closed on division. The Leader of the House rose to speak to the motion and the Manager of Opposition Business moved a closure of question, which was agreed to on the voices. The motion to suspend standing orders was negated on division and question time continued.

*Hansard*: 12 February 2014, 225-31  
*Votes and Proceedings*: 2014/279-82

**SOs 47, 70, 80, 81, 126**

**113.07** *MPI terminated by motion to call on the business of the day*

Following question time, the Speaker announced the matter of public importance. After the necessary support was indicated and the Member who proposed the MPI rose to speak, the Leader of the House sought the call and moved that the business of the day be called on. The motion was agreed to on division.

*Note*: Under standing order 46(e), at any time during the MPI discussion, any Member may move—‘that the business of the day be called on’. The question is required to be put immediately and decided without amendment or debate. If agreed to, the business of the day is proceeded with immediately.

*Hansard*: 12 February 2014, 238-40  
*Votes and Proceedings*: 2014/283-4

**SO 46**

**113.08** *Attempted suspension of standing orders to enable motion condemning the Leader of the House*

Immediately following the motion to call on the business of the day which terminated the MPI (*see* entry **113.07**), the Manager of Opposition Business sought leave to move a motion condemning the Leader of the House for shutting down debate on the MPI. Leave was not granted and the Opposition Leader then moved, without notice, that standing orders be suspended to enable him to move the motion condemning the Leader of the House. Both he and the seconder were closed on division. The Leader of the House rose to speak to the motion and the Manager of Opposition Business moved a closure of question, which was agreed to on the voices. The motion to suspend standing orders was negated on division.

*Hansard*: 12 February 2014, 240-46  
*Votes and Proceedings*: 2014/284-7

**SOs 47, 70, 80, 81, 126**

**113.09** *Attempted suspension of standing orders to enable motion condemning the Government*

At the conclusion of an Opposition Member's contribution to the debate on the Address in Reply on 12 February, the Member sought leave to move a motion condemning the Government. Leave was not granted and the Member then moved, without notice, that standing orders be suspended to enable him to move the motion condemning the Government in relation to jobs at Gove. Both he and the seconder were closed on division. The motion to suspend standing orders was negated on division.

*Hansard: 12 February 2014, 254-61  
Votes and Proceedings: 2014/287-90*

**SOs 47, 70, 80, 126**

**113.10** *Attempted closure of Member; extension of time agreed to*

During a Government Member's contribution to debate on the Address in Reply on 12 February, the Manager of Opposition Business moved a closure of member. The motion was negated on division and the Leader of the House then moved that the Member be granted an extension of time of 10 minutes. The motion was agreed to on the voices.

*Hansard: 12 February 2014, 269-71  
Votes and Proceedings: 2014/290-1*

**SOs 1, 80, 126**

**113.11** *Attempted closure of Member; extension of time agreed to*

During a Government Member's contribution to debate on the Address in Reply on 12 February, the Chief Opposition Whip moved a closure of member. The motion was negated on division and a Minister then moved that the Member be granted an extension of time not exceeding 7 and a half minutes. The motion was agreed to on division.

*Hansard: 12 February 2014, 277-81  
Votes and Proceedings: 2014/291-3*

**SOs 1, 80, 126**

**113.12** *Attempted adjournment of debate*

During debate on the Address in Reply on 12 February, the Manager of Opposition Business moved that debate be adjourned. The motion was negated on division and, it being after 7.30 p.m., the Deputy Speaker proposed the question 'that the House do now adjourn'.

*Hansard: 12 February 2014, 282-4  
Votes and Proceedings: 2014/293-4*

**SO 79**

**113.13** *Statements by indulgence regarding Corporal Cameron Baird VC MG*

During Government business time on Thursday 13 February, the Prime Minister and the Leader of the Opposition each made statements by indulgence regarding the posthumous awarding of the Victoria Cross to Corporal Cameron Stewart Baird VC MG. The Leader of the House, by leave, moved that further statements be permitted in the Federation Chamber, which was agreed to on the voices.

*Hansard:* 13 February 2014, 354-7  
*Votes and Proceedings:* 2014/301

**SOs 65, 183**

**113.14** *Statements by indulgence regarding the apology to Australia's Indigenous Peoples*

Immediately prior to question time on 13 February, the Prime Minister and the Leader of the Opposition each made statements by indulgence on the occasion of the six-year anniversary of the national apology to Australia's Indigenous peoples by then Prime Minister the Hon Kevin Rudd, which had been supported by then Opposition Leader the Hon Brendan Nelson.

*Hansard:* 13 February 2014, 394-5

**SOs 65**

## Committees

**113.15** *Inquiry referred by Senate to Joint Standing Committee*

On Tuesday 11 February, a message from the Senate was reported informing the House that the Senate had referred the Commonwealth Electoral Amendment (Above the Line Voting) Bill 2013 to the Joint Standing Committee on Electoral Matters. In addition, the Senate had resolved that the Committee have the power to consider and make use of any related evidence submitted to the Senate Finance and Public Administration Committee in relation to its inquiry into the same bill.

*Note:* The resolution of appointment of Joint Standing Committee on Electoral Matters requires that the Committee inquire into and report on 'such matters relating to electoral laws and practices and their administration as may be referred to it by either House of the Parliament or a Minister.'

*Votes and Proceedings:* 2014/259

**SOs 223, 224, 261**

## Federation Chamber

### *113.16 Federation Chamber suspended due to lack of quorum*

During debate on the Prime Minister's Closing the Gap Report 2014, the Chair noted that a quorum was not present, and suspended proceedings at approximately 11.03 a.m. A quorum being present at 11.27 a.m., the Chair was resumed and proceedings continued.

*Note:* The lapse in quorum occurred at the time Members were attending the Chamber to hear the Prime Minister's address in relation to the awarding of the 100<sup>th</sup> Victoria Cross to Corporal Cameron Baird (*see* entry **113.13**).

*Hansard:* 13 February 2014, 464  
*Votes and Proceedings:* 2014/304

**SOs 184, 190**

### *113.17 Member directed to leave Federation Chamber*

During the adjournment debate in the Federation Chamber on Thursday 13 February 2014, the Chair directed an Opposition Member to leave the room for 15 minutes for repeated interjections during another Member's contribution.

*Note:* This was the first occasion that a Member had been directed to leave the Federation Chamber in accordance with Standing Order 187(b).

*Hansard:* 13 February 2014, 483  
*Votes and Proceedings:* 2014/304

**SOs 187**

## Questions

### *113.18 Question without notice ruled out of order*

During question time on Wednesday 12 February, the Speaker ruled that the introduction to a question asked by the Leader of the Opposition was out of order and invited him to rephrase his question. He did not do so, and instead sought leave to move a motion of censure against the Prime Minister (*see* entry **113.06**).

*Hansard:* 12 February 2014, 225

**SOs 98, 100, 101**

### *113.19 Treasurer answers question directed to the Prime Minister*

During question time on 12 February, the Leader of the Opposition asked the Prime Minister a question regarding media reporting of a meeting between the Treasurer and Toyota. The Prime Minister invited the Treasurer to respond to the question.

*Hansard:* 12 February 2014, 221-3

**SOs 98**

## Standing orders

### 113.20 *Amendments to standing orders to extend provisions for Members' 90 second statements*

After acknowledgement of country and prayers on Thursday 13 February, the Leader of the House, pursuant to notice, moved amendments to standing orders 1, 34, 43 and 192. The amendments provided for a 30 minute period of Members' 90 second statements prior to question time each sitting of the House and for a 45 minute period of Members' 90 second statements in the Federation Chamber on Mondays at 4.00 p.m. The Manager of Opposition Business spoke briefly in support of the amendments, which were carried on the voices.

*Note:* Previously, the Order of Business provided for a 15 minute period of 90 second statements prior to question time in the House on Mondays, Wednesdays and Thursdays.

*Hansard:* 13 February 2014, 321-4  
*Votes and Proceedings:* 2014/297-9

**SO 111**

## Withdrawals

### 113.21 *Offensive words*

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'...I attach myself to the genuine and heartfelt remarks of...and the remarks made by...'	11 February 2014	30

**SOs 89, 90, 92**