

Procedural Digest

No. 114*24 February–6 March 2014*

<i>February–March 2014</i>				
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Bills

114.01 *Amendment moved to second reading amendment; fewer than five Members vote on one side*

On Wednesday 26 February, during resumption of debate on the Primary Industries (Excise) Levies Amendment (Dairy Produce) Bill 2014, a non-aligned Member moved an amendment to a second reading amendment which had been moved by an Opposition Member. When the question on the amendment to the second reading amendment was put, a division was called and the only Members on the side of the ayes were three non-aligned Members. There being fewer than five Members on one side, the Chair declared the question resolved in the negative without completing the count and the names of those in the minority were recorded in the Votes and Proceedings.

*Hansard: 26 February 2014, 899-904
Votes and Proceedings: 2014/324*

SOs 124, 126, 127

114.02 *Proceedings on the Qantas Sale Amendment Bill 2014*

During Government business time on Thursday 6 March, the Minister for Infrastructure and Regional Development, pursuant to notice, presented the Qantas Sale Amendment Bill 2014. The bill was read a first time and the Minister moved the second reading and made a second reading speech. The Speaker called on an Opposition Member to move that debate be adjourned. The Manager of Opposition Business then sought leave to move that the second reading debate proceed immediately. Leave was not granted.

The Manager of Opposition Business then moved to suspend standing orders to enable the second reading debate on the bill to proceed immediately and was closed on division. The Shadow Minister for Infrastructure and Regional Development seconded the motion and, while he was addressing the motion, the Leader of the House moved a closure of Member. A division was called, during which the Leader of the House indicated that the Government would support the suspension of standing orders and the withdrawal of the division. The division was not proceeded with and debate resumed on the suspension motion. The question on the suspension motion was put and carried on the voices.

Debate then resumed on the second reading of the bill and after a number of speakers, the Leader of the House moved a closure of question, which was agreed to on division. The second reading was then agreed to on division.

The Minister for Infrastructure and Regional Development sought leave to move the third reading immediately; leave was not granted. The bill was then considered in detail. Leave was granted for the bill to be considered as a whole and debate ensued on the question that the bill be agreed to. As the Shadow Minister for Infrastructure and Regional Development was speaking to the motion, the Leader of the House moved a closure of question, which was agreed to on division. The bill was then agreed to on division.

The Leader of the House sought leave to move the third reading immediately, which was not granted. He then, pursuant to contingent notice, moved that so much of standing orders be suspended as would enable the third reading to be moved immediately. Debate ensued and the Leader of the Opposition was closed on division. As the Shadow Minister for Infrastructure and Regional Development was speaking to the suspension motion, the Leader of the House moved that the question be put, which was agreed to on division. The question on the suspension motion was then agreed to on division.

The Minister for Infrastructure and Regional Development moved the third reading and debate ensued. The Leader of the House moved that the question be put which was agreed to on division. The question on the third reading was then agreed to on division and the bill was read a third time.

*Hansard: 6 March 2014, 1825-73
Votes and Proceedings: 2014/355-65*

SOs 47, 63, 66, 80, 81, 141, 142, 148, 149, 155

Business

114.03 *Petitions presented by leave during private Members' business*

During private Members' business on Monday 24 February, following the adjournment of debate on a private Member's bill, the Chair of the Standing Committee on Petitions presented a number of petitions, by leave, and made a statement to the House.

Note: The order of business (standing order 34) provides for the presentation of petitions/reports and associated statements by the Chair and one other member of the Standing Committee on Petitions from 10.00 a.m. to 10.10 a.m. on Monday mornings, immediately after the Acknowledgment of country and Prayers.

*Hansard: 24 February 2014, 493-6
Votes and Proceedings: 2014/307*

SOs 34, 63, 207

114.04 *Leader of the Opposition makes statement by indulgence to correct record*

During Government business time on Wednesday 26 February, the Leader of the Opposition made a statement, by indulgence, to correct the record regarding a remark he had attributed to a Minister earlier in the day, and to apologise to the Minister concerned.

Hansard: 26 February 2014, 958, 1022

114.05 *Updated list of shadow ministerial responsibilities presented, by leave*

Immediately prior to question time on Tuesday 4 March, the Leader of the Opposition presented a document, by leave, listing shadow ministerial responsibilities.

*Hansard: 4 March 2014, 1528-30
Votes and Proceedings: 2014/344*

SO 63

Federation Chamber

114.06 *Federation Chamber suspended due to a lack of a quorum*

During Government business time on Wednesday 26 February, the Chair noted that a quorum was not present, and suspended proceedings at approximately 11.14 a.m. A quorum being present at 11.16 a.m., the Chair was resumed and proceedings continued.

*Hansard: 26 February 2014, 1057
Votes and Proceedings: 2014/327*

SOs 184, 190

114.07 *Member makes condolence statement, by leave*

Prior to the adjournment of the Federation Chamber on 26 February, a Government Member was granted leave to make a statement of condolence on the death of Ms Allison Murphy.

Hansard: 26 February 2014, 1073-4

SO 63

114.08 *Member speaks twice to motion, by leave*

During debate on a private Member's motion in the Federation Chamber on Monday 3 March, the mover of the motion spoke, by leave, a second time without closing the debate.

*Hansard: 3 March 2014, 1461-2
Votes and Proceedings: 2014/341*

SOs 41, 63, 69

114.09 *Members' constituency statements*

On Wednesday 5 March, after Members' constituency statements in the Federation Chamber had proceeded for thirty minutes in accordance with standing order 193, the Deputy Speaker advised that, if no Member objected, the time for constituency statements would be extended by thirty minutes. No Member objected and, as the statements were the only item of business, they continued until 10.34 a.m. at which time the Federation Chamber adjourned.

Note: The Federation Chamber usually meets from 9.30 a.m. until 1.00 p.m. on Wednesdays.

Hansard: 5 March 2014, 1809-17
Votes and Proceedings: 2014/354

SOs 192, 193

Members

114.10 *Return to writ – Division of Griffith; new Member sworn*

Before question time on Monday 24 February, the Speaker announced that she had received the writ for the election of a Member to serve for the electoral division of Griffith in Queensland, to fill the vacancy caused by the resignation of the Hon Kevin Rudd (*see* entry **112.22**). By the endorsement on the writ, it was certified that Ms Terri Megan Butler had been elected. Ms Butler made and subscribed the affirmation of allegiance required by law.

Hansard: 24 February 2014, 546
Votes and Proceedings: 2014/310

114.11 *Member makes statement in Auslan*

During Members' 90 second statements on Tuesday 25 February, a Member made a statement in relation to an event that had occurred in her electorate and also delivered the statement using Auslan.

Hansard: 25 February 2014, 752

SO 43

114.12 *Member refuses to withdraw remark*

During debate on a matter of public importance on Thursday 27 February, following a point of order raised by a Government Member, the Deputy Speaker asked a Shadow Minister to withdraw a remark. The Member refused and the Deputy Speaker directed the Member to leave the Chamber under standing order 94(a) for defying the Chair.

Hansard: 27 February 2014, 1181-2
Votes and Proceedings: 2014/332

SOs 91, 92, 94

114.13 *Member refuses to withdraw remark*

During question time on Thursday 6 March, the Speaker asked an Opposition Member to withdraw an interjection. The Member refused and the Speaker directed the Member to leave the Chamber under standing order 94(a) for defying the Chair.

*Hansard: 6 March 2014, 1898
Votes and Proceedings: 2014/367*

SOs 91, 92, 94

Motions**114.14** *Motion in relation to the statement made on 21 May 2012 by the former Member for Dobell moved, and agreed to*

During Government business time on Tuesday 25 February, the Leader of the House, pursuant to notice, moved a motion in relation to the statement made on 21 May 2012 by the former Member for Dobell. The motion was agreed to on the voices.

*Hansard: 25 February 2014, 795-811
Votes and Proceedings: 2014/320*

SOs 106, 111, 117, 125

114.15 *Motion to admonish Senator moved, by leave, and agreed to*

During question time on Wednesday 26 February, a non-aligned Member, by leave, moved a motion that an Opposition Senator be admonished. The motion was seconded by a Minister, and debate ensued. The Manager of Opposition Business moved an amendment to the motion which was ruled out of order by the Speaker on the grounds that it was not relevant to the substance of the motion. The question on the motion was then put and carried on the voices.

*Hansard: 26 February 2014, 953-64
Votes and Proceedings: 2014/325*

SOs 63, 111, 116, 117, 121, 125

Parliamentary administration**114.16** *Appointment of Deputy Clerk and Registrar of Members' Interests*

Following question time on Monday 24 February, the Speaker announced that Ms Claressa Surtees had been appointed Deputy Clerk of the House. The Speaker informed the House that in accordance with resolution (3) of the House of Representatives she had appointed Ms Surtees as Registrar of Members' Interests.

*Hansard: 24 February 2014, 565
Votes and Proceedings: 2014/310*

Petitions

114.17 Record petition presented

During the period for Members' 90 second statements, a Government Member presented a petition (found to be in order by the Standing Committee on Petitions) regarding funding support for community pharmacies. The petition's 1,210,471 signatures made it the largest on record since signatures were first recorded in 1988.

*Hansard: 26 February 2014, 935-6
Votes and Proceedings: 2014/325*

SOs 43, 207

Privilege

114.18 Member raises matter of privilege; Speaker grants precedence for matter to be referred to Privileges Committee

Following private Members' business on Monday 24 February, a Government Member raised, as a matter of privilege, whether the former Member for Dobell had misled the House in a statement to the House on 21 May 2012 (*see entry 99.14*). The Member presented documents in relation to the matter. The Speaker stated that she would consider the matter and report back to the House expeditiously.

Later that day, following question time, the Speaker made a statement to the House granting precedence for the matter raised by the Government Member to be referred to the Standing Committee of Privileges and Members' Interests. The Leader of the House then moved that the matter of whether ... the former Member for Dobell had deliberately misled the House be referred to the Committee of Privileges and Members' Interests. The Manager of Opposition Business spoke in support of the motion, which was agreed to on the voices.

*Hansard: 24 February 2014, 515-6; 566
Votes and Proceedings: 2014/309; 311*

SOs 51, 65, 199, 216

Questions

114.19 Prime Minister adds to answer given during question time

After question time on 25 February, the Prime Minister, by leave of the House, added to an answer he had given earlier in question time.

Hansard: 25 February 2014, 777

SO 63

114.20 *Leader of the Opposition makes statement, by indulgence*

On Monday 3 March, after the Prime Minister had responded to a question without notice by the Leader of the Opposition regarding the situation in Ukraine, the Leader of the Opposition, by indulgence, made a brief statement to associate the Opposition with the Prime Minister's remarks.

Hansard: 3 March 2014, 1314

SO 65

114.21 *Deputy Leader of the Opposition makes statement, by indulgence*

On 3 March, after the Minister for Foreign Affairs had responded to a question without notice by a Government Member regarding the situation in Ukraine, the Deputy Leader of the Opposition, by indulgence, made a brief statement to associate herself with the Minister's remarks and the earlier remarks of the Prime Minister (*see entry 114.20*).

Hansard: 3 March 2014, 1316-7

SO 65

114.22 *Deputy Leader of the Opposition makes statement, by indulgence*

On 4 March, after the Minister for Foreign Affairs had responded to a question without notice by a Government Member regarding the situation in Ukraine, the Deputy Leader of the Opposition, by indulgence, made a brief statement to associate herself with the Minister's remarks.

Hansard: 5 March 2014, 1725-6

SO 65

114.23 *Treasurer adds to answer given during question time*

After question time on 5 March, the Treasurer, by indulgence, added to an answer he had given earlier in question time.

Hansard: 5 March 2014, 1729-30

SO 65

114.24 *Member asked not to use props*

During question time on Thursday 6 March, the Speaker asked a non-aligned Member to refrain from using props while asking his question. The Member did so and asked a question.

Hansard: 6 March 2014, 1900-1

Speaker

114.25 *Speaker presents delegation report*

On Wednesday 26 February, the Speaker presented the report of the Australian Parliamentary Delegation to the 22nd annual meeting of the Asia Pacific Parliamentary Forum, in Puerto Vallarta, Mexico and Mexico City, in January 2014, and made a statement in connection with the report. An Opposition Member also made a statement in connection with the report.

Hansard: 26 February 2014, 867-9
Votes and Proceedings: 2014/323

SO 39

114.26 *Appointment of Members to Speaker's panel*

After the acknowledgement of country and prayers on Tuesday 4 March the Speaker presented a warrant appointing Mrs Andrews (McPherson), Mr Hawke (Mitchell), Mr Jones (Herbert) and Mr Randall (Canning) to the Speaker's panel.

Hansard: 4 March 2014, 1501
Votes and Proceedings: 2014/343

SO 17

114.27 *Speaker presents report on access to committee documents*

Following question time on Thursday 6 March, the Speaker presented two documents, each entitled *House of Representatives and joint committees—Access to committee documents—Report by the Speaker*.

Note: Under a resolution of the House adopted in 1984, the Speaker is authorised to permit any person access to particular historic records of committees. The Speaker is required to report to the House the details of any such disclosures.

Hansard: 6 March 2014, 1918
Votes and Proceedings: 2013/368

SO 199

Withdrawals

114.28 *Offensive words*

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'You're joking!'	24 February 2014	50
'...socialist...'	26 February 2014	37-8
'You're a puddle of grubs.'	26 February 2014	54
'Madam Asbestos'	26 February 2014	60
'So the princess from Adelaide says, 'Grow up!'	26 February 2014	60-1

'Just let me clarify this: there are no rules on answers under your Speakership—not a rule at all.'	27 February 2014	1157
'Madam Speaker...we have and you don't.'	27 February 2014	1162
<i>unrecorded</i>	27 February 2014	1163
'...hypocrite...'	27 February 2014	1169
'What emerged further last night was just how close this cosy little relationship was between the Prime Minister, the assistant health minister's former chief of staff and the announcement of \$16 million for Cadbury.'	27 February 2014	1181-2
'Rumpole'	27 February 2014	1182-3
'All it took was one person, one lobbyist, to sit down next to the Prime Minister and have a quick word in his ear. We now know that he was given as a reward a promotion to sit in the Assistant Minister for Health's office, to whisper in her ear, to get more deals done.'	27 February 2014	1184-5
'lies'	27 February 2014	1185
'Racist'	27 February 2014	1187-8
'What about China Southern?'	6 March 2014	1898

SOs 89, 90, 92