

Procedural Digest

No. 21

45th Parliament

18 – 28 June 2018

June 2018				
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Selected entries contain links to video footage via *Parlview*. Please note that the first time you click a [\[Watch\]](#) link, you may need to refresh the page (ctrl+F5) for the correct starting point.

Bills

21.01 Government takes carriage of private Senators' bills

During government business time on 18 June the Treasury Laws Amendment (Axe the Tampon Tax) Bill 2018, a private Senator's bill, was transmitted from the Senate and read a first time. The Leader of the House moved that the second reading be made an order of the day for the next sitting. A non-aligned Member moved an amendment to allow the second reading to be debated immediately and began to address the House. The Leader of the House immediately moved that the question be now put, which was agreed to on division. The original question that the second reading be made an order of the day for the next sitting was accordingly put, and carried on the voices. [\[Watch\]](#)

During Government business time on 26 June, a message from the Senate was received transmitting the Taxation Administration Amendment (Corporate Tax Entity Information) Bill 2018, a private Senators' bill, for concurrence. The bill was read a first time and the Minister for Law Enforcement and Cyber Security moved that the second reading be made an order of the day for the next sitting. The Deputy Manager of Opposition Business began to move an amendment to the motion, however the Minister immediately moved that the question be now put, which was carried on division. The original motion was then accordingly put and carried on the voices. [\[Watch\]](#)

When a private Senator's bill is transmitted from the Senate, a private Member may move that the second reading be made an order of the day for the next sitting. The bill is then listed on the Notice Paper as an item of private Members' business. If a Minister moves the motion the bill is listed as government business, but does not necessarily indicate Government support for the further passage of the bill.

Hansard: 18 June 2018, 5322-4; 26 June 2018, 6433-5
 Votes and Proceedings: 2018/1596-7, 1659-60

SOs 66, 81, 121, 141, 166, 261

21.02 Consideration of Senate message relating to the Treasury Laws Amendment (Personal Income Tax Plan) Bill 2018

During government business time on 21 June, the Speaker reported a message from the Senate returning the Treasury Laws Amendment (Personal Income Tax Plan) Bill 2018 with amendments. The Treasurer moved that the amendments be considered immediately and the Manager of Opposition Business began to speak to the motion. The Treasurer immediately moved a motion to put the question which was carried on division. The question that the amendments be considered immediately was accordingly put and carried on division.

The Speaker stated that he understood that it was the wish of the House that the amendments be considered together, and the Treasurer subsequently moved that the amendments be disagreed to. That question was stated to the House by the Speaker. The Manager of Opposition Business raised a point of order, contesting that there was not agreement for the amendments to be considered together. The Speaker stated that as the question had been stated from the Chair it was now not possible to consider the amendments separately. The Treasurer moved a motion to put the question, which was carried on division. The question that the amendments be disagreed to was accordingly put and carried on division. The Treasurer presented the reasons for the House disagreeing to the Senate amendments and moved that the reasons be adopted. The Manager of Opposition Business began to move an amendment to the motion and the Treasurer moved that the question be put which was carried on division. The question that the reasons be adopted was then put and carried on division. [[Watch](#)]

The motion 'That the question be now put' can only be moved once the terms of the motion have been proposed from the Chair, but can be moved while another Member is speaking to the motion or even in the process of moving an amendment.

Hansard: 21 May 2018, 5939-53
Votes and Proceedings: 2018/1627-33

SOs 66, 81, 158, 161, 261

21.03 Appropriation Bills returned to the House and agreed to

On 21 June during government business time, the Deputy Speaker reported to the House that the Appropriation Bill (No. 1) 2018-2019, Appropriation Bill (No. 2) 2018-2019, Appropriation (Parliamentary Departments) Bill (No. 1) 2018-2019, Appropriation Bill (No. 5) 2018-2019, Appropriation Bill (No. 6) 2018-2019 had been fully considered by the Federation Chamber and returned without amendment. Consecutive motions for the third reading of each bill were then agreed to without further debate.

Hansard: 21 June 2018, 6039
Votes and Proceedings: 2018/1638

SOs 152, 155

21.04 Discharge of order of the day

During Government business time on 26 June the Attorney-General, by leave, moved that the government business order of the day relating to the resumption of the second reading debate on the Foreign Influence Transparency Scheme (Charges Imposition) Bill 2017 be discharged. The motion was put and was carried on the voices.

Hansard: 26 June 2018, 6433
Votes and Proceedings: 2018/1659

SO 37

Business

21.05 Standing orders 31 and 33 suspended

Following question time on 28 June, the Leader of the House, by leave, moved a suspension of standing orders 31 (automatic adjournment of the House) and 33 (limit on business after normal time of adjournment) for the remainder of the sitting. The motion was carried on the voices. The House adjourned at 5.01 pm.

Hansard: 28 June 2018, 6836
Votes and Proceedings: 2018/1679

SOs 31, 33, 47

Committees

21.06 Report of the Select Committee on Regional Development and Decentralisation presented

During government business time on 28 June, the Chair of the Select Committee on Regional Development and Decentralisation presented the Committee's report. The Chair and other Members of the committee made statements, by leave, in connection with the report. [\[Watch\]](#)

Hansard: 28 June 2018, 6760-7
Votes and Proceedings: 2018/1677

SO 63, 223, 247

Debate

21.07 Members decline to withdraw remarks

During the discussion on the matter of public importance on 21 June, an Opposition Member used the following words "Malcolm Turnbull, the Prime Minister of Australia, used the phrase 'university educated' as an insult this week. You know who else uses that sort of language as an insult? You know who else went after the intelligentsia? Pol Pot. General Franco. That's what happens when that sort of language is used..." A Government Member requested that the Member withdraw. The Chair then asked the Member to withdraw and the Member refused, stating that the Speaker had not ruled her to withdraw. The Chair allowed the Member to continue her speech. [\[Watch\]](#)

Later, during the same discussion, a Government Member used the following words “The member for Griffith, in her Academy Award winning speech—...likened the Prime Minister to...Pol Pot”. An Opposition Member requested that the Member withdraw. The Chair asked the Member to withdraw and the Member refused, stating that the Speaker had not ruled him to withdraw. The Chair allowed the Member to continue his speech. [\[Watch\]](#)

Hansard: 21 June 2018, 6029-30, 6035-6

SOs 66, 86, 89, 90, 92

21.08 Member given call after duty Minister sums up debate

After the duty Minister summed up the second reading debate on the Treasury Laws Amendment (2018 Measures No. 4) Bill 2018 on 25 June, a Government Member rose to speak on the bill. The Deputy Speaker advised the House that as the duty Minister did not move the motion the debate had not concluded and the Member was entitled to be given the call to speak. At the conclusion of the Member’s speech, the question on the second reading was then put and passed on the voices. The duty Minister then, by leave, moved that the bill be read a third time which was carried on the voices.

Only the mover of a motion closes the debate when they speak again in reply. The speech of a Minister acting on behalf of the mover of the original motion does not close the debate.

Hansard: 25 June 2018, 6179-80

SO 71

21.09 Minister granted extension of time to continue second reading speech

During the second reading debate on the National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2018 on 26 June, the Attorney-General's time expired while he was closing the debate. The Attorney-General moved that time for his speech be extended, which was carried on the voices.

A Member may be granted an extension of time for one period up to 10 minutes, but no extension may exceed half of the original period allotted.

Hansard: 26 June 2018, 6399

Votes and Proceedings: 2018/1658

SO 1

21.10 Assistant Minister speaks during adjournment debate

During the adjournment debate on 26 June, an Assistant Minister sought and was given the call, and was the last speaker on the question that the House do now adjourn.

Usually members of the Executive do not participate in the adjournment debate and will only be given the call if no other Member is seeking the call.

Hansard: 26 June 2018, 6477-9

SO 31

Members

21.11 Issue of Writs for multiple by-elections

Following acknowledgement of country and Prayers on 18 June, the Speaker informed the House that, on 15 June 2018, multiple writs had been issued in connection with the by-elections for the divisions of Braddon, Fremantle, Longman, Mayo, and Perth to fill the vacancies caused by the resignations of Justine Keay, Joshua Wilson, Susan Lamb, Rebekha Sharkie and Timothy Hammond.

*Hansard: 18 June 2018, 5253
Votes and Proceedings: 2018/1593*

Motions

21.12 Condolence motion for former Member Hon. Joseph Max Berinson

Prior to question time on 25 June, the Prime Minister moved a condolence motion in relation to the death of the Honourable Joseph Max Berinson, a former Member and Minister of this House for the Division of Perth from 1969 to 1975. The Leader of the Opposition seconded the motion and also addressed the House. All Members present rose in silence as a mark of respect. [\[Watch\]](#)

*Hansard: 25 June 2018, 6156-7
Votes and Proceedings: 2018/1646*

SO 49

21.13 Opposition motions to suspend standing orders negatived

Following Private Members business on 18 June, the Deputy Manager of Opposition Business moved a suspension of standing orders regarding the ABC. The motion was seconded and the question was put without debate and negatived on division. [\[Watch\]](#)

During Government business time on 21 June, the Manager of Opposition Business moved a suspension of standing orders to enable him to move a motion condemning the Government. Debate ensued and the motion was seconded by an opposition Member. When the time allotted for the debate expired, the question that standing orders be suspended was put and negatived on division. [\[Watch\]](#)

*Hansard: 18 June 2018, 5310-2; 21 June 2018, 5953-60
Votes and Proceedings: 2018/1594-5, 1633-4*

SO 47

Private Members' business

21.14 Minister speaks on private Member's motion

During private Members' business, the Minister for Aged Care addressed the House on a motion moved by a private Member regarding home care packages.

Ministers are permitted to participate in debate on items of private Members' business, although it is uncommon for them to do so.

*Hansard: 18 June 2018, 5291-2
Votes and Proceedings: 2018/1594*

SOs 41

Questions

21.15 Opposition support for answers to questions

During question time on 18 June, after the Prime Minister responded to a question regarding the prevention of violence against women, the Leader of the Opposition, by indulgence, associated the opposition with the Prime Minister's remarks. [\[Watch\]](#)

During question time on 19 June, after the Minister for Social Services had responded to a question regarding the National Redress Scheme, the Shadow Minister for Families and Social Services, on indulgence, made a brief statement to associate the Opposition with the Minister's remarks. [\[Watch\]](#)

Hansard: 18 June 2018, 5343-4; 19 June 2018, 5575-6

SOs 98, 100

21.16 Closure of Member moved during question time

During question time on 21 June, a Government Member asked the Minister for Health a question regarding health care. During the Minister's answer, the Manager of Opposition Business moved a motion that the Member be no longer heard. The question was put immediately and negatived on division. The Minister for Health then concluded his remarks.

[\[Watch\]](#)

*Hansard: 21 June 2018, 6021-2
Votes and Proceedings: 2018/1636-7*

SOs 66, 80, 104

Offensive words[#]

	Hansard	
	<i>Date</i>	<i>Page</i>
'Shifty Shorten's...'	18 June 2018	5337
'Not by lying!'	19 June 2018	5540
'You can't allow for certain levels of stupidity, can you, member for Parramatta?'	19 June 2018	5609-1
'We know that the Labor Party have become morally bankrupt, because they deploy a strategy where on the one hand they lie and on the other hand they tax. Lie, tax, lie, tax—that's their game.'	21 June 2018	6007
'Minister, you arrogant, out-of-touch—'	21 June 2018	6062
'The snake charmer over there...'	26 June 2018	6375
'I hear an interjection from the African Queen of—'	26 June 2018	6377
'...Crankymite.'	27 June 2018	6623

SOs 89, 90, 92

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