

Procedural Digest

No. 18

47th Parliament

6 – 15 February 2024

February 2024				
M	T	W	T	F
5	6	7	8	9
12	13	14	15	16

Distinguished visitors

18.01 Prime Minister of Papua New Guinea addresses parliament

On Wednesday, 7 February, the Leader of the House, pursuant to notice, moved a motion to make arrangements for the Prime Minister of Papua New Guinea, the Hon James Marape MP, to attend and address the House the next day. The motion, which was agreed to on the voices, provided for:

- the time for the House to meet being no earlier than 9.45 am
- the order of proceedings to be welcoming remarks by the Prime Minister and the Leader of the Opposition and an address by the Prime Minister of Papua New Guinea, followed by a suspension of the House until the ringing of the bells
- a message to be sent to the Senate inviting senators to attend the House as guests for the occasion, and the standing orders relating to good order to apply during their visit in the Chamber and the galleries, and
- the Federation Chamber not meeting.

On Thursday, 8 February, in accordance with the resolution, the House met at 9.46 am. Following the acknowledgment of country and prayers, the Speaker extended a welcome to the President of the Senate and senators as guests. The Prime Minister of Papua New Guinea was then announced and escorted into the Chamber, where he was welcomed by the Speaker. Welcoming remarks were then made by the Prime Minister and the Leader of the Opposition before the Speaker invited Mr Marape to address the House. After the address, members and senators rose in their place and applauded, and the Speaker thanked Mr Marape on behalf of the House. The Speaker also thanked the President of the Senate and senators for their attendance before inviting the Prime Minister to escort Mr Marape from the Chamber. The sitting of the House was then suspended from 10.49 am to 12.20 pm.

Standing order 257 relates to the admission of visitors and, among other provisions, gives the Speaker the privilege of admitting distinguished visitors to have a seat on the floor of the Chamber. It also provides that Senators, when present in the Chamber or galleries, must observe the Speaker's instructions regarding good order.

Hansard: 7 February 2024, 126-7

8 February 2024, 305-12

Votes and Proceedings: 2022-23-24, 1281; 1299

SO 257

Bills

18.02 Debate management motions for tax bills

On Tuesday, 6 February, the Treasurer introduced the Treasury Laws Amendment (Cost of Living Tax Cuts) Bill 2024 (Tax Cuts bill) and the Treasury Laws Amendment (Cost of Living—Medicare Levy) Bill 2024 (Medicare Levy bill).

On Wednesday, 7 February, the Leader of the House, pursuant to notice, moved a motion to suspend standing and sessional orders relating to the consideration of these bills. This debate management motion set out arrangements for cognate debate on the bills and proposed extended hours of sitting to continue the second reading debate, following the adjournment debate, without interruption until no further members rose to speak or 10 pm, at which time the House would immediately adjourn. The motion was agreed to on the voices. That evening, in accordance with the resolution, debate on the bills recommenced at 8 pm following the adjournment debate and continued until the House adjourned at 10 pm.

On Monday, 12 February, pursuant to notice, the Leader of the House moved another debate management motion relating to the cognate second reading debate on the bills. This motion, which passed on the voices, also suspended standing and sessional orders to extend sitting hours for the second reading debate after the adjournment debate. That evening, in accordance with the resolution, debate on the bills again continued until the House adjourned at 10 pm.

On Tuesday, 13 February, the Leader of the House moved another debate management motion pursuant to notice, this time suspending standing and sessional orders to facilitate the conclusion of proceedings on the remaining stages of the bills by the end of the week. The motion, which was passed on the voices following a brief debate, provided that:

- sitting hours would again be extended after the adjournment debate on 13 February, until no further members rose to speak or 10 pm, and 14 February until no further members rose to speak
- on 15 February, when the order of the day relating to the second reading of Tax Cuts bill was brought on:
 - questions on any amendments would be put immediately
 - if a consideration in detail stage required, no later than 1pm any remaining questions on that stage would be put with no further debate
 - the question on third reading would be put immediately after the bill agreed to, and
- following conclusion of proceedings on the Tax Cuts bill, the Medicare Levy bill would be immediately called on and any questions necessary to complete the remaining stages of the bill being put without amendment or debate.

In accordance with the resolution, the House sat until 10 pm on 13 February and until 8.14 pm on 14 February to facilitate the conclusion of the second reading debate.

On the morning of 15 February, the Tax Cuts bill was brought on and questions on two second reading amendments put and negatived on division. The question that the bill be read a second time was then put and passed on the voices and the bill was read a second time. The bill was then considered in detail, with three Opposition members moving amendments to the title of the bill, each of which was also negatived on division. Once the bill had been agreed to, the question that the bill be read a third time was also passed on the voices and the bill read a

third time. The Medicare Levy bill was then brought on for consideration, and the second reading and third reading questions were both put and passed on the voices.

Hansard: 6 February 2024, 1–5
7 February 2024, 127; 214-49
12 February 2024, 555; 560-615
13 February 2024, 725-48
14 February 2024, 923
15 February 2024, 993-1003

Votes and Proceedings: 2022-23-24, 1259; 1282; 1293; 1311; 1325-7; 1337; 1343-7

SOs 31, 141, 142, 148, 155

18.03 Workplace relations bill returned to the House

On Monday, 12 February, a message was reported from the Senate returning the Fair Work Legislation Amendment (Closing Loopholes No. 2) Bill 2023 with amendments; this bill was the second returned to the House following the division of the Fair Work Legislation Amendment (Closing Loopholes) Bill 2023 into two in December 2023 (see Digest 17.03).

When the Leader of the House moved that the message be considered immediately, the Manager of Opposition Business moved an amendment to the motion to substitute the words 'at the next sitting'. After the Leader of the House spoke in reply, the Deputy Speaker (Mr Vasta) gave the call to the Member for Nicholls, who ceded the call to the Leader of the Australian Greens; the Leader of the House then alerted the Deputy Speaker that his reply should have closed debate in accordance with standing order 71 and the question on the amendment to the motion was immediately put and negatived on the voices. The original question was put and passed on division.

The Leader of the House then moved that the Senate amendments be agreed to. During debate, the Manager of Opposition Business, by leave, moved a set of four amendments to the Senate amendments together and indicated that he intended to move other consequential amendments to the bill after the Senate amendments had been agreed by the House, in accordance with standing order 160. The opposition amendments were negatived on division, and the Leader of the House moved closure of debate which was agreed to on division. The House then agreed to the Senate amendments, also on division.

The Manager of Opposition business then sought and was denied leave to move the consequential amendments to the bill together; he then moved that so much of the standing and sessional orders be suspended as would prevent him from moving those amendments. Before the motion could be seconded, debate was interrupted at 1.30 pm in accordance with standing order 43. Later, after Question Time, the Manager of Opposition Business moved a similar motion to suspend standing orders to allow him to move the amendments to the bill, and this was negatived on division following debate.

Standing Order 160 provides that the House may only amend a House bill returned from the Senate if the further amendment is relevant to or consequent on the Senate amendments or requests for amendments.

Hansard: 12 February 2024, 467-536; 555-60
Votes and Proceedings: 2022-23-24, 1305-12; 1311-2

SOs 71, 158, 160

Members

18.04 Writ issued for Dunkley by-election

On Tuesday, 6 February, the Speaker informed the House that he had issued a writ on 29 January 2024 for the election of a member to fill the vacancy in the electoral division of Dunkley, following the death of Ms Peta Murphy in December 2023. He announced that the dates for the by-election had been fixed as follows:

Close of roll	Monday, 5 February
Close of nominations	Thursday, 8 February
Date of polling	Saturday, 2 March
Return of writ	On or before Wednesday, 8 May

*Hansard: 6 February 2024, 1
Votes and Proceedings: 2022-23-24, 1259*

Motions

18.05 Crossbench motions to suspend standing orders

On Tuesday, 6 February, the Member for Clark moved to suspend standing and sessional orders to allow him to move a motion relating to live animal exports; following debate, this motion was negated on division.

On Wednesday, 7 February, the Leader of the Australian Greens moved to suspend standing and sessional orders to allow him to move a motion concerning Israel and Gaza, which was negated on division following debate. Shortly afterwards, the Member for Kennedy sought to suspend standing orders to allow debate on that matter to continue and the Speaker ruled the motion out of order as a copy was not available in writing. Later, after the matter of public importance debate, the Member for Kennedy again sought to suspend standing orders, this time to move a new motion relating to Israel and Gaza, and the question was agreed to; the Member for Kennedy then moved his motion, which was agreed to following debate.

On Wednesday, 14 February, the Member for Clark moved to suspend standing and sessional orders to allow him to move a motion relating to Mr Julian Assange, and the question was agreed to; the Member for Clark then moved his motion, which was agreed to on division following debate.

*Hansard: 6 February 2024, 36-41
7 February 2024, 138-43; 199-206
14 February 2024, 892-7*

Votes and Proceedings: 2022-23-24, 1263-4; 1284-8; 1289-90; 1334-6

Parliamentary administration

18.06 Speaker's statement on Set the Standard

On Wednesday, 7 February, the Speaker presented the Parliamentary Leadership Taskforce's annual report for 2023: *Update on the implementation of recommendations from the Set the Standard report* and made a statement in connection with the report. In his statement, the

Speaker recommitted the parliament to positive change and acknowledged achievements to dates, including the establishment of the Parliamentary Workplace Support Service as a statutory body, and noted that “While significant progress has been made, the journey towards truly respectful and inclusive parliamentary workplaces is ongoing”.

The Prime Minister, Leader of the Opposition, Leader of the Nationals, Leader of the Australian Greens and a crossbench member of the taskforce (Ms Steggall), by indulgence, also made statements in connection with the report.

Hansard: 7 February 2024, 122-6
Votes and Proceedings: 2022-23-24, 1281

Speaker

18.07 Unparliamentary language

Throughout the sitting fortnight, several members were asked to withdraw offensive and unparliamentary expressions which referred to another member as a ‘liar’ (see Offensive words listed at the end of the Digest). On Thursday, 15 February, during Question Time, the Speaker reminded all members that the practice of the House since 1906 has been to consider the term ‘liar’ unparliamentary, noting rulings of former speakers on this matter, and asked members to make sure that term is not being used in the House.

Hansard: 15 February 2024, 1041
SOs 89, 90, 91, 92

Statements

18.08 Closing the Gap address

On Tuesday, 13 February, the Prime Minister made a ministerial statement relating to the sixteenth anniversary of the National Apology to Australia’s Indigenous Peoples and the Closing the Gap Implementation Plan. The Leader of the Opposition addressed the House in reply. The Prime Minister then presented copies of his ministerial statement and related reports, and the Leader of the House moved that the House take note of the documents.

The Minister of Indigenous Australians and the Deputy Leader of the Opposition then spoke to the take note motion, before debate was adjourned and resumption of debate referred to the Federation Chamber.

Hansard: 13 February 2024, 677-85
Votes and Proceedings: 2022-23-24, 1323
SOs 45, 63A

18.09 Statements on indulgence

On Tuesday, 6 February, immediately following prayers and acknowledgment of country, the Prime Minister made a statement on indulgence of the Chair in relation to news that His Majesty King Charles III had been diagnosed with cancer and wishing the King a speedy recovery. The Leader of the Opposition made a statement associating the opposition with the Prime Minister’s remarks.

After Question Time on Monday, 12 February, the Prime Minister made a statement on indulgence relating to Australia's hosting of the ASEAN-Australia Special Summit on 5 and 6 March and bilateral official visits to be held. The Prime Minister announced that he had invited the President of the Philippines, President Marcos, to address parliament on 29 February, and would be hosting other official visits with the prime ministers of Malaysia and Vietnam.

On Wednesday, 14 February, the Minister for Home Affairs and Minister for Cyber Security made a statement by indulgence, following her contribution to the second reading debate on a bill, relating to the impact of recent natural disasters on her electorate of Hotham and across Victoria. Later, before Question Time, the Prime Minister and Leader of the Opposition also made statements on indulgence about the natural disasters.

Prior to Question Time on Thursday, 15 February, the Prime Minister and Leader of the Opposition both made statements on indulgence recognising the anniversary of Russia's illegal invasion of Ukraine in 2022. The Leader of the Opposition also made a short statement to congratulate the Prime Minister on the news of his engagement.

Hansard: 6 February 2024, 1
12 February 2024, 554-5
14 February 2024, 834; 857-8
15 February 2024, 1030-1

18.10 Condolences

On Tuesday, 6 February, the Prime Minister moved a motion of condolence for Dr Lowitja O'Donoghue AC CBE. After the Leader of the Opposition seconded the motion and the Minister for Indigenous Affairs and the Leader of the Nationals had spoken, all Members present rose in silence. Debate was adjourned and the order of the day was referred to the Federation Chamber for further debate.

Also on 6 February, the Speaker informed the House of the death of Mr Barry Wakelin OAM, a Member for Grey from 1993 to 2003 and, on 8 February, the Speaker informed the House of the death of Philip Ross Lightfoot, a Senator for Western Australia from 1997 to 2008. Following each announcement, all Members present rose in silence as a mark of respect to the memory of the deceased.

Hansard: 6 February 2024, 22–5
8 February 2024, 329
Votes and Proceedings: 2022-23-24, 1262; 1300
SO 49

Offensive words[#]

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'...liars. They lied about ...'	6 February 2024	18
'... some little twerp from England.'	6 February 2024	106

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

'...repeatedly lied...'	7 February 2024	186
'There is a liar in the Lodge...'	7 February 2024	238
'...this Prime Minister and Labor government lied their way to the Lodge...'	8 February 2024	326
'The Prime Minister has lied...'*	8 February 2024	334
'We know the Prime Minister's a liar...'	8 February 2024	342
'As to the morons on my right here...'	12 February 2024	573
'What will the next lie lead to?'	13 February 2024	692
'The Prime Minister has shown he has no integrity whatsoever.'	13 February 2024	761
'One of the favourite lies that the Liberal and National parties love to tell...'	13 February 2024	785
'And 100 lies!'	15 February 2024	1033
'Liar!'	15 February 2024	1041

SOs 88, 89, 90, 92

* This comment was not withdrawn before the member was directed to leave the Chamber for disorderly behaviour under Standing Order 94(a).