

Procedural Digest

No. 28

47th Parliament

18 – 28 November 2024

November 2024				
M	T	W	T	F
18	19	20	21	22
25	26	27	28	29

Sittings

28.01 Extended sitting hours

On Tuesday, 19 November, the House resolved to suspend standing order 31 (automatic adjournment of the House) to allow for the second reading debate on the National Broadband Network Companies Amendment (Commitment to Public Ownership) Bill 2024 to continue after the usual time for adjournment, until no further members rose to speak; 10 pm; or a later time if specified by a Minister (see Digest 28.03 below). The motion also provided for government business to continue in the Federation Chamber until 9:30 pm, following the conclusion of the grievance debate. In accordance with the resolution, the House adjourned at 9:25 pm and the Federation Chamber at 9:13 pm.

On Monday, 25 November, the House resolved to suspend standing order 33 (limit on business after normal time of adjournment) and so much of standing order 31 to extend the sittings on Monday 25 and Tuesday 26 November 2024. The motion provided that on each day, the adjournment debate would be interrupted at 8 pm, and government business would then continue until business concluded, 10 pm, or a later time specified by a Minister, at which point debate was to adjourn and the House immediately adjourn until the next day. The motion also provided for the Federation Chamber to continue with government business and adjourn no later than 9:30 pm each day. In accordance with the resolution, on Monday the House adjourned at 8:14 pm and the Federation Chamber at 7:57 pm, and on Tuesday the House adjourned at 9:47 pm and the Federation Chamber at 7:09 pm.

Hansard: 19 November 2024, 7959

25 November 2024, 8393-4

Votes and Proceedings: 2022-23-24/2020; 2054-5

SOs 31, 33, 47

28.02 Final sitting day held over two calendar days

On Thursday, 28 November, the Leader of the House moved, pursuant to notice, to suspend standing orders 31 and 33. This question was put and passed on the voices and was moved to facilitate the House's consideration of messages from the Senate on several bills before the end of the year.

Pursuant to the resolution, the House sat until 7:01 pm on Thursday evening before suspending and returning at 7:01 am on Friday morning. Following the resumption of the sitting, the House considered 11 messages from the Senate returning bills with amendments (to which the House agreed), and a further 21 messages from the Senate reporting bills without amendments or requests, before adjourning at 7:43 am. This is counted as a single sitting day in the Votes and Proceedings.

Hansard: 28 November 2024, 8791; 8904-34

Votes and Proceedings: 2022-23-24/2106

SOs 31, 33, 47, 158, 161

Bills

28.03 Consideration of NBN bill in accordance with resolution

On the evening of Tuesday, 19 November, debate on the second reading of the National Broadband Network Companies Amendment (Commitment to Public Ownership) Bill was interrupted at 7:30 pm for the adjournment debate. At 8 pm, in accordance with the resolution agreed by the House earlier that day (see Digest 28.01 above) the adjournment debate was then interrupted and the second reading debate on the bill resumed. At the conclusion of the debate the question on the second reading was put by the Speaker at 9:24 pm. A division was called for and deferred in accordance with standing order 133. The House then adjourned at 9:25 pm.

On Wednesday, 20 November, following statements on significant matters, the question on the deferred division was put and resolved in the affirmative and further consideration made an order of the day for a later hour. Later, the consideration in detail stage commenced and detail amendments moved by a member of the crossbench were negated on division. The bill was then agreed to and read a third time, by leave.

Hansard: 19 November 2024, 8003-24; 8029-43

20 November 2024, 8104; 8122-7

Votes and Proceedings: 2022-23-24/2022-3; 2027-8; 2030-1

SO 133

28.04 Passage of the Fairer for Families and Farmers bill

On 28 November, government business intervening before the order of the day for the second reading debate on the Treasury Laws Amendment (Fairer for Families and Farmers and Other Measures) Bill 2024 was postponed. Before the bill was called on, the Manager of Opposition Business moved to suspend standing and sessional orders in order to move a motion that the House disapprove of the Government's actions in bringing on the bill for debate. The Leader of the House moved that the member no longer be heard, which was agreed on division. The Member for Hume then seconded the suspension motion and was also closed on division. The suspension motion was then negated on division.

The second reading debate on the bill was then called on and the Manager of Opposition Business immediately sought to move another motion to suspend standing and sessional orders, this time to move a motion to make the bill an order of the day for the next sitting. The Speaker ruled that the proposed motion was out of order.

The second reading debate on the bill then resumed. A second reading amendment was moved by a shadow minister, however debate was closed on division during the seconder's speech and before the question on the amendment was stated, so it was not put to the House. The question was then put on the second reading, which was agreed on division.

Leave was not granted to move the third reading immediately, so the Leader of the House moved, pursuant to contingent notice, to suspend the standing orders to move the third reading without delay. This motion was agreed to on division, and the question on the third reading then agreed to on division. The bill was read a third time.

Hansard: 28 November 2024, 8817-30
Votes and Proceedings: 2022-23-24/2113-7
SOs 80, 81, 116, 117, 142, 145, 148, 155

28.05 Senate amendments to Buy Now Pay Later bill

When the 28 November sitting resumed on Friday 29 November (see Digest 28.02 above), the House considered a message from the Senate returning the Treasury Laws Amendment (Responsible Buy Now Pay Later and Other Measures) Bill 2024 with amendments. The Speaker informed the House that some of the Senate's amendments to the bill were contrary to the requirements of section 53 of the Constitution and should have been made to the House as requested amendments. The Leader of the House then moved a motion that the House endorse the Speaker's statement and, having regard to the public interest in the early enactment of the bill, that the House refrain from the determination of the constitutional rights in respect of the matter and consider the amendments immediately. The motion was agreed on the voices and the amendments were considered immediately and agreed on the voices.

Section 53 of the Constitution limits the power of the Senate to amend proposed legislation which imposes taxation, appropriates money for the ordinary annual services of the government or increases any proposed charge or burden on the people. The Senate can instead request that the House make such amendments. If the Senate makes an amendment to a bill which, in the view of the House, should have been made as a request, it is practice for the Speaker to make a statement drawing the House's attention to the purported amendments and for the House to then agree to a motion stating its view to the matter. For other examples of such motions, see Chapter 12 of House of Representatives Practice, 7th Edition.

Hansard: 28 November 2024, 8904-33
Votes and Proceedings: 2022-23-24/2124-5
SOs 158, 165

Motions

28.06 Attempted suspensions of standing orders

During the last sitting week, private members moved to suspend standing and sessional orders to:

- call on and immediately consider a bill introduced by the member earlier that day (Member for Calare, 25 November, negated on division)
- move a motion relating to supermarket dominance and present and debate a bill on the same topic (Member for Kennedy, 27 November, negated on division)
- move a motion relating to gambling advertising (Member for Mayo, 28 November, debate adjourned on division)
- move a motion relating to gambling advertising (Member for Clark, 28 November, debate adjourned on division)

- move a motion regarding the Fairer for Families and Farmers bill (Manager of Opposition Business, 28 November, negatived on division; see Digest 28.04 above)
- move a motion to postpone consideration of the Fairer for Families bill (Manager of Opposition Business, 28 November, ruled out of order; see Digest 28.04 above)

Hansard: 25 November 2024, 8404-8

27 November, 8739-43

28 November, 8798-801; 8801-4; 8813-7

Votes and Proceedings: 2022-23-24/2055-6; 2096-7; 2105-6; 2107; 2110-3

SO 47

28.07 Leave of absence for all members

On the final sitting day of the year, the Leader of the House moved, and the House agreed, to a leave of absence for all members from the termination of the sitting of the House until the date of its next sitting.

Hansard: 28 November 2024, 8863

Votes and Proceedings: 2022-23-24/2119

SO 26

Privilege

28.08 Privilege matter raised by a Minister

On Wednesday 20 November, the Minister for Infrastructure, Transport, Regional Development and Local Government raised a matter of privilege with the Speaker. The Minister raised concerns about the Member for Barker and one of his staff members filming in the minister's office and ministerial corridor without permission.

On Monday 25 November, the Speaker informed the House that he had considered the matter, and that he did not find a prima facie case of a breach of parliamentary privilege and accordingly, the matter was not referred to the Standing Committee of Privileges and Members' Interests. In his statement, the Speaker reminded all members of their responsibilities under the [rules for media related activity in Parliament House and its precincts](#), and their responsibilities under the Behaviour Code for Australian Parliamentarians (see [Digest 26.02](#)). Following the Speaker's statement, the Member for Barker and the Minister each spoke on indulgence.

Hansard: 20 November 2024, 8191-2

25 November 2024, 8428-9

Votes and Proceedings: 2022-23-24/2039; 2056-7

SOs 51, 216

28.09 Committee report regarding right of reply

On Monday 25 November, the Standing Committee on Privileges and Members' Interests tabled a report concerning an application from Ms Teresa Harding, Mayor of the City of Ipswich, for the publication of a response to a reference made about her by a Member in the Federation Chamber on 12 August 2024. In its report the committee found a response was not warranted and recommended no further action taken by the House or committee in relation to Ms Harding's submission.

A resolution of the House provides for a right of reply for a person referred to by name or in such a way that they are readily identifiable in the House. This right of reply extends to statements made in the Federation Chamber.

*Hansard: 25 November 2024, 8454
Votes and Proceedings: 2022-23-24/2058*

28.10 Memorandum of understanding with the NACC

On 28 November, the Speaker made a statement relating to National Anti-Corruption Commission (NACC) investigations where parliamentary privilege may apply and presented a copy of a memorandum of understanding between the NACC, the Attorney-General, the Presiding Officers.

*Hansard: 28 November 2024, 8791
Votes and Proceedings: 2022-23-24/2105*

SO 199

Questions

28.11 Question without notice addressed to a private member

During Question Time on 18 November, the Member for Indi asked the Member for Kooyong a question about a private member's bill appearing on the Notice Paper in the Member for Kooyong's name, the Lobbying (Improving Government Honesty and Trust) Bill 2024. During the response the Speaker directed the member to confine their remarks to matters of timing and procedure, rather than commentary on the principles of the bill.

During Question Time, an oral question may be asked of a private member. The question must relate to a bill, motion or other business of the House or of a committee for which the member is responsible. While not specified in the standing order, practice determines that such questions should be tightly confined to matters of timing and procedure.

Hansard: 18 November 2024, 7837-8

SO 99

Committees

28.12 Procedure Committee report

On Monday 18 November, the Standing Committee on Procedure tabled its report *Maintenance of the standing and sessional orders*. The committee made five recommendations, including recommending adopting sessional order 65A as a standing order, having fewer committees, amending the procedure for counting divisions with four or fewer members and minor cosmetic changes to the Federation Chamber, as well as issues relating to Question Time considered in a previous Procedure Committee report. The Chair made a short statement in relation to the report.

*Hansard: 18 November 2024, 7793
Votes and Proceedings: 2022-23-24/2003*

SOs 39, 221, 247

Statements

28.13 Condolences

Following Question Time on 21 November, the Prime Minister, Member for Goldstein and the Leader of the Opposition each made statements on indulgence on the death of Bianca Jones. On 25 November, the Prime Minister made remarks about the death of Holly Bowles in response to a question without notice from the Member for Goldstein.

On 26 November, the Prime Minister moved a condolence motion on the death of the Hon John Charles Hodges, Member for Petrie from 1974 to 1983 and 1984 to 1987, and a former Minister. The Leader of the Opposition seconded the motion, and the current Member for Petrie also contributed to the debate. Members then rose in their places as a mark of respect. Debate was adjourned and the motion referred to the Federation Chamber for further debate. The Speaker presented the report from the Federation Chamber on the motion on 28 November, and members again rose in their places.

On 28 November, the Prime Minister and Leader of the Opposition spoke on indulgence on the death of the Hon Thomas Eyre Forrest Hughes AO KC, former Member for Parkes and Berowra from 1963 to 1972, and former Attorney-General. Members then rose in their places.

Condolence motions are usually moved following the death of a Governor-General, a sitting member or senator, or former members or senators who held certain offices. From time to time, condolence motions may also be moved following the death of a distinguished Australian or a foreign Head of State or Government. In most circumstances, the death of a former senator or member, or of a notable Australian, is marked with a statement by the Speaker without a motion being moved, or in other statements by members.

Hansard: 21 November 2024, 8324-5

25 November 2024, 8424-5

26 November 2024, 8556-8

28 November 2024, 8839; 8856-7

Votes and Proceedings: 2022-23-24/2068; 2118

SO 49

28.14 Statements on significant matters

During the period for statements on significant matters (Wednesdays and Thursdays immediately after Prayers), statements were made relating to:

- Fifteenth anniversary of the national apology to forgotten Australians and former child migrants (20 November)
- Australian consular and crisis support 2023-24 (20 November)
- International Day for the Elimination of Violence Against Women (27 November)
- International environmental leadership (28 November)
- Strengthening Medicare and mental health (28 November)

In each case, a shadow minister spoke in reply and the House agreed to the Minister's motion to permit further statements in the Federation Chamber.

Hansard: 20 November 2024, 8097-104
27 November 2024, 8659-62
28 November 2024, 8791-8

Votes and Proceedings: 2022-23-24/2027; 2079; 2105

SO 50A

28.15 Ministerial statements

Three ministerial statements were made during the sitting fortnight:

- Developing Northern Australia (19 November)
- Economy (20 November)
- Annual Climate Change Statement 2024 (28 November)

In each instance, the relevant Minister made a statement by leave and presented a copy of the statement, and associated documents for the Annual Climate Change Statement. The relevant Shadow Minister addressed the House in reply, before the Minister moved a motion that the House take note of the documents and further debate be referred to the Federation Chamber.

Hansard: 19 November 2024, 7953-9
20 November 2024, 8134-40
28 November 2024, 8876-85

Votes and Proceedings: 2022-23-24/2019; 2032; 2121

SOs 63, 63A, 199, 202

28.16 Statements in lieu of adjournment debate

On the morning of 28 November, the Leader of the House made a statement explaining the arrangements for the day (see Digest 28.02 above) and that, in lieu of an adjournment debate that day, it was expected some similar debate would occur. At 6:46 pm, the Assistant Minister for Climate Change and Energy moved to suspend so much of the standing orders to allow no more than three members to immediately make statements of no more than five minutes each. The suspension motion passed on the voices and one crossbench member, and two opposition members made their statements before the Speaker suspended proceedings.

Hansard: 28 November 2024, 8791; 8801-4
Votes and Proceedings: 2022-23-24/2124

SO 47

28.17 Valedictory speeches

During the sitting fortnight several members not contesting the next election made valedictory speeches, reflecting on their parliamentary careers:

- Dr Michelle Ananda-Rajah MP, Member for Higgins (18 November)
- Hon Nola Marino MP, Member for Forrest (18 November)
- Hon Mark Coulton MP, Member for Parkes (18 November)
- Mr Rowan Ramsey MP, Member for Grey (18 November)
- Hon Bill Shorten MP, Member for Maribyrnong (21 November)
- Mr Brian Mitchell MP, Member for Lyons (25 November)
- Hon Karen Andrews MP, Member for McPherson (25 November)
- Mr Gavin Pearce MP, Member for Braddon (25 November)

- Hon Dr David Gillespie MP, Member for Lyne (25 November)
- Hon Warren Entsch MP, Member for Leichhardt (25 November)

On Thursday 28 November, the Prime Minister, Leader of the Opposition and the Speaker all made end of year valedictory remarks reflecting on the work of 2024 and thanking staff of the parliamentary departments for their service.

Hansard: 18 November 2024, 7848-70

21 November 2024, 8325-32

25 November, 8429-54

28 November 2024, 8852-5; 8893

Votes and Proceedings: 2022-23-24/2047; 2057

Offensive words[#]

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
"all the confidence of a lost dog ..."	21 November 2024	8319
"But the biggest hypocrites of all are the Greens."	25 November 2024	8417

SOs 89, 90, 92

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