

# Procedural Digest

No. 20

47<sup>th</sup> Parliament

18 – 27 March 2024

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## Members

### 20.01 New member sworn and makes first speech

Prior to Question Time on Monday, 18 March, the Speaker announced that, following the return to the writ for a by-election in the division of Dunkley, Ms Jodie Anne Belyea had been elected. Ms Belyea was admitted to the Chamber where she made and subscribed the affirmation of allegiance required by law. The Prime Minister, on indulgence, made a statement to welcome Ms Belyea to the parliament.

On Wednesday, 27 March, following the matter of public importance discussion, the Leader of the House moved, pursuant to notice, a suspension of standing and sessional orders to enable Ms Belyea to deliver her first speech without a limitation of time.

*Hansard:* 18 March 2024, P73-4  
27 March 2024, P79-82

*Votes and Proceedings:* 2022-23-24/1399-1400; 1495

**SO 47**

### 20.02 Writ issued for Cook by-election

On Monday, 18 March, the Speaker informed the House that he had issued a writ on 11 March for the election of a member to fill the vacancy in the electoral division of Cook, following the resignation of the Hon Scott Morrison MP in February. He announced that the dates for the by-election had been fixed as follows:

Close of roll	Monday, 18 March
Close of nominations	Thursday, 21 March
Date of polling	Saturday, 13 April
Return of writ	On or before Wednesday, 19 June

*Hansard:* 18 March 2024, P42

*Votes and Proceedings:* 2022-23-24/1394

### 20.03 Revised shadow ministry list presented

On Monday, 18 March, prior to the commencement of Question Time, the Leader of the Opposition tabled a revised shadow ministry list reflecting changes announced on 5 March.

*Hansard:* 18 March 2024, P79-80

*Votes and Proceedings:* 2022-23-24/1400

## Bills

### 20.04 Unresolved questions reported from Federation Chamber

On 18 March, the Treasury Laws Amendment (Tax Accountability and Fairness) Bill 2023 was returned with an unresolved question on a proposed amendment to a second reading amendment, 'That the amendment moved by Dr Haines to the amendment proposed by Ms Steggall be agreed to'. This question had not been able to be resolved in the Federation Chamber on 7 December 2023. The unresolved question was put and negatived on division.

The next week, on 27 March, the Agriculture (Biosecurity Protection) Charges Bill 2024 was returned after the Federation Chamber had been unable to agree on the question 'That the bill be reported to the House without amendment'. The Speaker made a statement indicating that the process of reporting this question to the House resolved the matter and referred to precedents for not proceeding to deal with unresolved questions that had become redundant. The question 'That the bill be agreed to' was then put and carried on division.

*Decisions in the Federation Chamber can only be made on the voices. If a single member dissents, the matter for decision becomes an unresolved question which is reported back to the House for resolution. Although it is common for the unresolved question to be reported in the House on the same or next sitting day, there is no time limit for reporting.*

Hansard: 18 March 2024, P50-8

27 March 2024, P31

Votes and Proceedings: 2022-23-24/1395-99; 1486-7

**SOs 152, 197, 198**

### 20.05 Suspension and closure motions during bill consideration

On Monday, 25 March, debate resumed on the second reading of the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024. During debate, the Member for Ryan moved a second reading amendment. The Leader of the Australian Greens seconded this amendment and, without commencing a second reading speech, immediately moved a suspension of standing and sessional orders seeking to move a motion to prevent the question on the second reading being put until an environmental reform package had passed both houses. Following debate, the suspension motion was negatived on division. Debate on the bill then continued until it was interrupted at 1.30 pm for Members' statements.

Following Question Time and debate on a motion from the Member for Kennedy (see 20.08 below), debate resumed on the second reading of the bill and the amendment moved by the Member for Ryan. At 5.45 pm, the Leader of the Australian Greens moved another suspension motion to move a motion to prevent the question on the second reading being put, this time until Government amendments to the bill had been considered by a Senate inquiry. Following a brief debate, the Leader of the House moved closure of question, which was carried on division, and the suspension motion was then defeated on division.

The Leader of the House then moved closure of the question on the second reading, which was agreed to on division. The question on the Member for Ryan's amendment was then put and negatived on division, and the second reading of the bill was agreed to on division. Following two statements on indulgence, consideration in detail then commenced. The

Member for Warringah moved two detail amendments and, after some debate, the Minister for Resources moved closure of question at 7.23 pm and more than one voice called for a division. The Chair announced that, it being after 6.30 pm, the division would be deferred until the first opportunity the following day, in accordance with standing order 133.

On Tuesday, 26 March, the Speaker made a statement informing the House that standing order 133(d) does not permit a motion for closure of question (standing order 81) to be moved during a period of deferred divisions. Consequently, the division that was called for and deferred did not take place.

Debate then resumed on the question 'That the amendments moved by the Member for Warringah be agreed to' and shortly thereafter the Minister for Resources again moved closure of question, which was agreed to on division. The question was then put on the Member for Warringah's amendments, which were defeated on division. By leave, the minister moved three Government amendments together, which were agreed to on division after the question was closed on motion by the minister. The Member for Wentworth then moved an amendment and the minister again moved closure of question. After this was carried on division, the House divided again and the amendment moved by the Member for Wentworth was defeated. Two further divisions were held, in which the House agreed to the bill as amended and to the question on the third reading. The bill was then read a third time.

*Hansard:* 25 March 2024, P28-37; 73-95  
26 March 2024, P52-62

*Votes and Proceedings:* 2022-23-24/1446; 1448-52; 1469-74

**SOs 47, 81, 133, 142, 148, 150, 155**

## 20.06 Passage of migration legislation in a day

On Tuesday, 26 March, the Minister for Immigration presented the Migration Amendment (Removal and Other Measures) Bill 2024 and moved the second reading. When debate was adjourned at the conclusion of his second reading speech in accordance with standing order 142, the Leader of the House moved a contingent motion to enable the immediate resumption of debate, limit the second reading debate to an hour and allow the passage of the bill through all stages without delay.

The Deputy Leader of the House then moved to amend the terms of the motion to further limit the second reading debate to 40 minutes and to provide for a consideration in detail stage, with all Government amendments to be moved together, all Opposition amendments to be moved together and any crossbench amendments to be moved as one set per member, with one question to be put on each set of amendments after no more than five minutes of debate on each set. The amendment also provided that, if debate had not concluded before 1.40 pm, the question would be put on any remaining questions necessary to complete the bill, and automatic interruptions to business and deferral of divisions would not apply during proceedings on the bill. To this, the Leader of the Australian Greens moved an amendment to delay resumption of debate until the next day of sitting, which was defeated on division. The House then agreed to the amendment moved by the Deputy Leader of the House and to the Leader of the House's original motion, as amended.

Debate on the second reading resumed. A second reading amendment was moved and was negatived on division after the time allotted for debate had expired. The second reading was then agreed to on division. At 1.45 pm, consideration in detail commenced and an Opposition member moved an amendment, which was defeated on division. The Speaker

then put the question that the bill be agreed to, which was carried on division. During the division on the third reading, the Member for Curtin sought to amend the motion 'That the bill be now read a third time' to omit 'now' and insert 'not'; the Speaker explained this was not in order as the question had already been put and the division was underway. The question on the third reading was carried and the bill read a third time at 1.58 pm.

Crossbench members took a series of points of order during divisions on the bill at the conclusion of consideration in detail as no question had been put on amendments that had been circulated but not moved by the Member for Warringah. Following the bill's third reading, the Leader of the Australian Greens asked the Speaker why the Opposition amendment had been moved after 1.40 pm but the Member for Warringah had been unable to move her amendments, as circulated. The Speaker stated that the time had not been pointed out when the Opposition amendment was moved.

Later, after Question Time, the Leader of the Australian Greens moved a suspension of standing and sessional orders so he could move a motion to rescind the resolutions 'That the bill be agreed to' and 'That the bill be now read a third time' and allow the Member for Warringah to move the amendments which had been circulated in her name. The suspension motion was seconded by the Member for Warringah before the question was put and negated on division.

*Hansard: 26 March 2024, P1-22; 39-42  
Votes and Proceedings: 2022-23-24/1461-9*

**SOs 47, 142, 150, 155**

## Business

### 20.07 Rearrangements of business and alteration to sitting calendar

During Government Business on Monday, 18 March, the Leader of the House, by leave, moved a motion to suspend standing and sessional orders to rearrange business for the day, including to provide for later times for Members' statements at 3.00 pm and Question Time at 3.30 pm, so that members could attend the funeral of Lance Corporal Jack Patrick Fitzgibbon (see 20.09 below). This motion also varied the sitting calendar to remove Thursday, 28 March, in order to allow members sufficient time to travel to their electorates for events and services on Good Friday. The motion passed on the voices.

On Wednesday, 27 March, following the Member for Dunkley's first speech, the Leader of the House, pursuant to notice, moved the following motions, which were agreed to:

- to suspend standing orders 31 (automatic adjournment) and 33 (limit on business) to allow for the presentation of the 2024-25 Budget on 14 May and the Budget reply speech on 16 May; and
- to suspend standing orders 31, 33 and 133 (deferred divisions) for the current sitting, to facilitate consideration of Senate messages if required.

At 7.32 pm that evening, debate on a bill was adjourned to enable consideration of a Senate message returning the Treasury Laws Amendment (Making Multinationals Pay Their Fair Share—Integrity and Transparency) Bill 2023 with amendments. The Senate amendments were considered immediately and agreed to on the voices. The Leader of the House then moved the adjournment at 7.36 pm. Following debate, the House adjourned at 7.56 pm.

*Standing Order 31 requires that the question on the adjournment of the House be proposed by the Speaker at 7.30 pm on Monday, Tuesday and Wednesday and 4.30 pm on Thursday.*

*Hansard: 18 March 2024, P43*

*27 March 2024, 82-3*

*Votes and Proceedings: 2022-23-24/1393; 1495*

**SOs 31, 33, 34, 43, 97**

## Motions

### 20.08 Crossbench motions to suspend standing orders

Throughout the sitting period, several crossbench members moved to suspend standing and sessional orders in order to move motions relating to:

- Israel and Gaza (18 March, Leader of the Australian Greens)
- income support payments (21 March, Member for North Sydney)
- the second reading of a bill under consideration (25 March, Leader of the Australian Greens; two motions, see 20.05)
- trade of military equipment with Israel (25 March, Member for Griffith)
- market power of major supermarkets (25 March, Member for Kennedy)
- passage of a bill earlier that day, seeking to rescind resolutions and allow a member to move an amendment to the bill (26 March, Leader of the Australian Greens; see 20.06)
- tabling documents relating to the Australian Football League (27 March, Member for Clark).

In each instance, the motion was negated on division.

*Hansard: 18 March 2024, P43-7*

*21 March 2024, P46-51*

*25 March 2024, P24-8; 32-6; 60-5; 80-6*

*26 March 2024, P39-42*

*27 March 2024, P40-4*

*Votes and Proceedings: 2022-23-24/1393-4; 1436; 1447-52; 1468-9; 1490-1*

### 20.09 Condolence motions

On Monday, 18 March, the Prime Minister moved a condolence motion for Senator Linda White, a Senator for Victoria since 2022, who had died in office on 29 February. The Leader of the Opposition seconded the motion, and contributions were also made by the Deputy Prime Minister, the Minister for Immigration, Citizenship and Multicultural Affairs, the Leader of the Nationals, and the Deputy Leader of the Opposition. As a mark of respect, members rose in their places before debate was adjourned and the resumption of debate declared referred to the Federation Chamber. At the end of the sitting fortnight, following further contributions in the Federation Chamber, the motion was returned from the Federation Chamber and members again stood as a sign of respect; the motion was then agreed to.

On Thursday, 21 March, the Prime Minister moved a condolence motion for Lance Corporal Jack Patrick Fitzgibbon, the son of the former Member for Hunter, who had been killed in an Australian Army training exercise on 7 March. The motion was seconded by the Leader of the Opposition, and further contributions were made by the Deputy Prime Minister and the

Shadow Minister for Defence. As a mark of respect, members rose in their places before debate was adjourned and referred to the Federation Chamber.

*Hansard:* 18 March 2024, P74-9

21 March 2024, P63-6

27 March 2024, P56

*Votes and Proceedings:* 2022-23-24/1400; 1440; 1494

**SO 49**

## 20.10 Proposed reference to committee

On Wednesday, 27 March, the Shadow Minister for Climate Change and Energy moved that the New Vehicle Efficiency Standard Bill 2024 and the New Vehicle Efficiency Standard (Consequential Amendments) Bill 2024, which had been introduced earlier in the day, be referred to the Standing Committee on Regional Development, Infrastructure and Transport for consideration and an advisory report by 3 May 2024.

Following a brief debate, which was subject to a closure motion, the motion to refer the bills was negated on division.

*Hansard:* 27 March 2024, P34-40

*Votes and Proceedings:* 2022-23-24/1489-90

**SOs 143, 215**

# Speaker

## 20.11 Changes to Speaker's panel

During the sitting fortnight, the Speaker presented warrants pursuant to Standing Order 17:

- revoking the nomination of Mr James Stevens as a member of the Speaker's Panel (21 March), and
- nominating Ms Marion Scrymgour to be a member of the panel to assist the Chair when requested to do so by the Speaker or Deputy Speaker (27 March).

*It is usual that members of the Speaker's Panel are not ministers or part of the opposition executive; Mr Stevens was appointed to the shadow ministry in March.*

*Hansard:* 21 March 2024, P74

27 March 2024, P1

*Votes and Proceedings:* 2022-23-24/1440; 1483

**SO 17**

## 20.12 Statement on the retirement of Mr James Catchpole

On Monday, 25 March, following Question Time, the Speaker made a statement to inform members about the retirement of Mr James Catchpole, Clerk Assistant (Table), after 33 years with the Department of the House of Representatives. Following this statement, members stood and gave a round of applause in recognition of Mr Catchpole's service.

*Hansard:* 25 March 2024, P59

## Offensive words<sup>#</sup>

	<b>Hansard</b>	
	<i>Date</i>	<i>Page</i>
"...deliberately mislead... deliberately not tell the truth..."	20 March 2024	P69
"Have you eaten another Shmackos?"	20 March 2024	P83
"...Oscar the Grouch..."	20 March 2024	P84
"The people who were appointed to these jobs were not put there on merit; they were put there because of their mateship with the Liberal Party. It was so stacked even the member ... would have blushed, maybe."	20 March 2024	P94

**SOs 89, 90, 92**

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<sup>#</sup> List of unparliamentary expressions recorded in *Hansard*.