

Procedural Digest

No. 108*14–16 May 2013*

<i>May 2013</i>				
M	T	W	T	F
13	14	15	16	17
20	21	22	23	24

Bills

108.01 *Presentation of 2013-2014 Budget*

On Tuesday 14 May, after a suspension of sitting, the Treasurer presented Appropriation Bill (No. 1) 2013-2014, moved the second reading and delivered the budget speech. The Treasurer then presented related documents. The Assistant Treasurer presented Appropriation Bill (No. 2) 2013-2014, Appropriation (Parliamentary Departments) Bill (No. 1) 2013-2014 and ministerial statements, before the House adjourned at 8.08 pm.

*Hansard: 14 May 2013, 3132-43**Votes and Proceedings: 2010-11-12-13/2222-3***SOs 141, 147, 178, 180, 182**

108.02 *Prime Minister introduces bill; bills introduced and passed in one sitting*

After prayers on Wednesday 15 May, the Prime Minister introduced the Medicare Levy Amendment (DisabilityCare Australia) Bill 2013, presented an explanatory memorandum to the bill and to related bills, and made a second reading speech. Twelve related bills were then introduced by other Ministers.

Later in the day, standing orders were suspended to allow resumption of debate on the bills. Each of the bills was then called on and passed by the House.

Note: While allowed by the standing orders, it is rare for a Prime Minister to introduce a bill (*see* entry **83.01** for a previous occurrence). It is also unusual for a bill to be introduced and passed in the one sitting.

*Hansard: 15 May 2013, 3181-95, 3326-34**Votes and Proceedings: 2010-11-12-13/2231-3, 2244-6***SOs 47, 141, 142**

108.03 *Bills passed by House before committee report; statement by Speaker and motion by Leader of the House*

On Thursday 16 May, the Australia Council Bill 2013 and the Australia Council (Consequential and Transitional Provisions) Bill 2013 were called on and debated in cognate. (Both bills had been referred to the Standing Committee on Climate Change, Environment and the Arts, and the committee had not yet reported to the House.) The first bill was read a second time and considered in detail. After government amendments were made, the bill was read a third time. The second bill was then read a second time and passed by the House. After some intervening business, the Chair of the Climate Change, Environment and the Arts Committee made a statement discharging the committee's requirement to provide an advisory report on the bills.

Later that sitting, the Speaker made a statement advising that the bills had proceeded through the consideration in detail and third reading stage prior to the committee report being made, contrary to standing order 148. She noted however, that the oral report was given soon after the passage of the bills. The Leader of the House then moved, by leave, that the House affirm its actions in the passage of the bills and authorise the Speaker to transmit the bills to the Senate. The question was agreed to on the voices.

Hansard: 16 May 2013, 3459-71, 3476-7, 3519
Votes and Proceedings: 2010-11-12-13/2260-1, 2265

SOs 142, 143, 144, 148, 155

Business

108.04 *Condolence motion for former Member*

Prior to question time on Tuesday 14 May, the Prime Minister moved a motion of condolence regarding the death of the Honourable Ian Bonython Cameron Wilson AM, a former Minister and Member for the electoral division of Sturt. The Leader of the Opposition addressed the House in support of the Prime Minister's motion. Members rose in silence as a mark of respect and debate was adjourned. On a motion by the Leader of the House, resumption of debate on the condolence motion was referred to the Federation Chamber.

The condolence motion was returned to the House on Thursday 16 May, and agreed to as all Members again rose in their places.

Hansard: 14 May 2013, 3069-71; 16 May 2013, 3500
Votes and Proceedings: 2010-11-12-13/2213; 2264

SOs 49, 65, 183, 197

108.05 *Statements by indulgence on death of Baroness Margaret Thatcher*

Prior to question time, the Leader of the Opposition made a statement by indulgence on the death of the Right Honourable the Baroness Margaret Thatcher LG OM. The Prime Minister, by indulgence, also made a statement on the matter.

The Leader of the House then moved, by leave, that further statements by indulgence be permitted in the Federation Chamber. The question was agreed to.

Hansard: 14 May 2013, 3070-1

Votes and Proceedings: 2010-11-12-13/2213

SOs 65, 183

108.06 *Updated ministry list presented*

The Prime Minister presented a revised ministry list dated 25 March 2013. The document was incorporated into *Hansard*.

Hansard: 14 May 2013, 3071-4

Votes and Proceedings: 2010-11-12-13/2213

SO 199

108.07 *Suspension of standing order 31 for budget reply speech*

On Thursday 16 May the Leader of the House, by leave, moved that standing order 31 (automatic adjournment of the House) be suspended for the sitting, and that the House automatically adjourn following the budget reply speech by the Leader of the Opposition. The motion was agreed to on the voices.

Hansard: 16 May 2013, 3521-2

Votes and Proceedings: 2010-11-12-13/2265

SOs 31, 47

108.08 *Appropriation bill called on prior to suspension of sitting for budget reply speech*

After intervening business had been postponed, the second reading debate on Appropriation Bill (No. 1) 2013-2014 was called on in preparation for the budget reply speech. The sitting was then immediately suspended, at 6.22 pm. When the sitting was resumed at 7.31 pm, the second reading debate was resumed by the Leader of the Opposition in giving his budget reply speech.

The House adjourned at 8.01 pm.

Hansard: 16 May 2013, 3568-75

Votes and Proceedings: 2010-11-12-13/2267

SO 142

Committees

108.09 *Statement by Chair of Joint Committee of Public Accounts and Audit on draft budget estimates for the ANAO and PBO*

On Tuesday 14 May, the Chair of the Joint Committee of Public Accounts and Audit made a statement, by leave, regarding the draft budget estimates for the Australian National Audit Office and the Parliamentary Budget Office. He then, by leave, presented a copy of the statement.

Note: It is normal practice for the Public Accounts and Audit Committee to review the draft budget estimates for the ANAO each year and to report on them to the House on budget day. This was, however, the first time that the Committee also reviewed and reported on the draft estimates for the PBO, in accordance with the *Parliamentary Service Act 1999*, as amended.

Hansard: 14 May 2013, 3115-7

Votes and Proceedings: 2010-11-12-13/2217

SO 63

108.10 *Appropriations and Administration Committee report*

On Wednesday 15 May, a Member of the Standing Committee on Appropriations and Administration presented the Committee's report on the 2013-2014 budget estimates for the Department of the House of Representatives.

Hansard: 15 May 2013, 3321

Votes and Proceedings: 2010-11-12-13/2243-4

SOs 222A, 247

108.11 *Committee report on unauthorised disclosure*

The Chair of the Standing Committee on Regional Australia presented the Committee's report on the possible unauthorised disclosure of a confidential committee document. The Committee's investigation into the matter followed the publication of a newspaper article containing details of a report which had been adopted by the Committee but not yet presented.

The Committee reported that a Committee member had consulted with a third party in the preparation of a dissenting report and had apologised for his actions. The report found that the unauthorised disclosure had the potential to interfere with the future work of the Committee and recommended that the matter be referred to the Committee of Privileges and Members' Interests.

Hansard: 16 May 2013, 3457-8

Votes and Proceedings: 2010-11-12-13/2259

SOs 216, 242, 247

Divisions

108.12 Division repeated on Opposition amendments

During consideration in detail of the Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Bill 2012, the question was put on Opposition amendments to the bill. The House divided and the amendments were agreed to. The Leader of the House then sought leave of the House to move a motion to suspend standing orders to enable the House to divide again on the Opposition amendments. Leave was not granted and the debate was adjourned.

Later, consideration in detail of the bill resumed, and the Leader of the House again sought leave to move that the House divide again on the Opposition amendments. Leave was not granted. The Leader of the House then moved, in accordance with standing order 132 (new division in case of confusion, error or misadventure), that standing orders be suspended to enable the House to divide again and debate ensued. The suspension motion was agreed to, with the required absolute majority. The House accordingly divided again on the Opposition amendments and the amendments were negatived. Consideration in detail concluded and the bill was passed by the House.

Note: Motions to suspend standing orders moved without notice require the support of an absolute majority of Members (at least 76 Members), unless moved by leave of the House.

Hansard: 15 May 2013, 3236-8, 3314-21

Votes and Proceedings: 2010-11-12-13/2235-6, 2242-3

SOs 47, 63, 132, 148, 150

Order of business

108.13 House meets early; divisions and quorums deferred

In accordance with notification given to Members by the Speaker, the House met early, at 12 noon on Tuesday 14 May. Following prayers, the Leader of the House moved to suspend standing orders to defer divisions or quorums called between 12 noon and 2 pm until after the matter of public importance discussion. The motion was agreed to on the voices.

Hansard: 14 May 2013, 3039

Votes and Proceedings: 2010-11-12-13/2211

SOs 29, 30, 34, 47, 55

Private Members' business

108.14 *Two private Members' bills negatived at second reading stage*

During government business time, standing orders were suspended to allow three items of private Members' business to be called on and considered. The question was put on the first, a non-aligned Member's motion, and agreed on the voices. The House then divided on the second reading of the Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012. There being fewer than five Members on the side of the 'ayes', the Speaker declared the question resolved in the negative. The House then divided on the third item, the second reading of the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013, and the question was negatived.

Note: Where four or fewer Members are on one side of the House after the doors are locked for a division, the Chair may declare the decision of the House immediately, without completing the count. The names of those in the minority are recorded in the *Votes and Proceedings*.

Hansard: 16 May 2013, 3493-4

Votes and Proceedings: 2010-11-12-13/2262-3

SOs 35, 41, 47, 127

Privilege

108.15 *Request for right of reply granted*

The Chair of the Privileges and Members' Interests Committee presented a report concerning an application from a private individual for the publication of a response to references made about him in the House of Representatives. The report recommended to the House that the response be incorporated into *Hansard*. On the motion of the Chair, by leave, the report was agreed to.

Note: In accordance with a resolution of the House adopted on 27 August 1997, and amended on 13 February 2008, the Privileges and Members' Interests Committee does not consider or judge the truth of statements made in the House or of citizens' responses when considering requests for a right of reply.

Hansard: 16 May 2013, 3458

Votes and Proceedings: 2010-11-12-13/2259

SO 216

Speaker

108.16 *House informed of death of former Member*

Prior to question time on Tuesday 14 May, the Speaker informed the House of the death of Maxwell Wilkinson Oldmeadow, a Member for the electoral division of Holt from 1972 to 1975. As a mark of respect, all Members present stood in silence.

Hansard: 14 May 2013, 3069
Votes and Proceedings: 2010-11-12-13/2213

108.17 *Statement on arrangements for budget and budget reply nights*

Prior to question time, the Speaker made some remarks concerning Chamber arrangements for budget night and budget reply night. She asked Members to ensure that guests arrived in the galleries in a timely way, and warned that she would be upholding the principle that a Member with the call is entitled to speak without interruption. Accordingly, offending Members would be directed by her to leave the Chamber under standing order 94(a), by written note.

Hansard: 14 May 2013, 3071
SOs 91, 92, 94

108.18 *Speaker's panel membership changes*

The Speaker presented a warrant revoking the appointment of two Members to the Speaker's panel. Both Members had recently been appointed Parliamentary Secretaries.

Hansard: 14 May 2013, 3090
Votes and Proceedings: 2010-11-12-13/2215
SO 17

108.19 *Speaker presents notes on the financial initiative*

The Speaker presented a document entitled 'The law making powers of the Houses—Three aspects of the financial initiative: Updated notes for Members'.

Hansard: 14 May 2013, 3091
Votes and Proceedings: 2010-11-12-13/2215
SO 199

108.20 *Speaker presents government report*

The Speaker presented a document entitled 'Government report to Parliament in response to the motion regarding Heavily Indebted Poor Countries judgement creditor legislation'. The report was prepared in response to a private Member's motion agreed by the House on 11 October 2012.

Hansard: 16 May 2013, 3519-20
Votes and Proceedings: 2010-11-12-13/2265

SO 199**Withdrawals****108.21** *Offensive words*

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'Those over there are the best friends people smugglers ever had...'	15 May 2013	3278
'...lies...'	15 May 2013	3278
'...idiot!'	16 May 2013	3437-8
<i>unrecorded</i>	16 May 2013	3502
'...the best friend that people smugglers have ever had...'	16 May 2013	3504
'...rotten...'	16 May 2013	3589

SOs 89, 90, 92