

# Procedural Digest

**No. 65***23–26 February 2009*

<i>February 2009</i>				
<b>M</b>	<b>T</b>	<b>W</b>	<b>T</b>	<b>F</b>
16	17	18	19	20
23	24	25	26	27

## Business

### **65.01** *Condolence motion returned from Main Committee—Suspension of standing orders to debate motion at 2 p.m.—Motion passed*

On a motion by the Leader of the House, the condolence motion on the Victorian bushfires was returned to the House from the Main Committee for further consideration. The Leader of the House then moved, by leave, a suspension of standing orders to allow the condolence motion to be called on at 2 p.m. prior to Question Time. The motion was agreed to on the voices.

At 2 p.m. the condolence motion was called on and one Member (whose electorate had been severely affected by the bushfires and had been absent the previous week as a result) spoke on the motion. The question was then agreed to with all Members rising in their places, and Question Time began.

*Hansard: 23 February 2009, 1363, 1388-92*  
*Votes and Proceedings: 2009/881, 882*

**SOs 34, 47, 49**

### **65.02** *Changes to Shadow Ministry*

Prior to Question Time on 23 February, the Leader of the Opposition, by leave, presented a revised Shadow Ministry list.

*Hansard: 23 February 2009, 1392-4*  
*Votes and Proceedings: 2009/882*

### **65.03** *Statement on indulgence following answer to question*

Following an answer to a question during Question Time by the Prime Minister relating to the Victorian bushfires, the Leader of the Opposition, on indulgence, made some remarks supporting the Prime Minister's answer.

*Hansard: 23 February 2009, 1394-8*

**SOs 65, 98**

### **65.04** *Statements on indulgence on Heath Ledger's Oscar*

Following Question Time on 23 February the Minister for the Environment, Heritage and the Arts and the Shadow Minister both made statements on

indulgence regarding the posthumous awarding of an Oscar for best supporting actor to the late Heath Ledger.

*Hansard*: 23 February 2009, 1421-2

**SO 65**

### **65.05** *Proposed MPI not supported*

When the proposed matter of public importance was called on for discussion, the proposer (an Opposition Member) was not present and the matter lapsed.

*Note*: The House had debated a censure motion during Question Time, and Opposition Members may have believed that the Government was not going to allow the MPI to proceed.

*Hansard*: 25 February 2009, 1820-1

*Votes and Proceedings*: 2009/899

**SO 46**

### **65.06** *Updated Ministry presented*

Following Question Time on 26 February, the Prime Minister informed the House of changes to the Ministry relating to the resignation of a Parliamentary Secretary, and presented a copy of the Rudd Ministry as at 25 February 2009.

*Hansard*: 26 February 2009, 2022-5

*Votes and Proceedings*: 2009/911

### **65.07** *Adjournment negated during Ministerial Statement*

At 4.30 p.m. on 26 February (during a Ministerial Statement by the Prime Minister), the Chair proposed 'That the House do now adjourn'. The question was negated on the voices and the Prime Minister continued his statement. Standing orders were then suspended to allow the Leader of the Opposition to respond. Following the response the House adjourned without debate at approximately 5 p.m. on the motion of the Leader of the House.

*Hansard*: 26 February 2009, 2031-8

*Votes and Proceedings*: 2009/912

**SOs 29, 31, 32**

## **Parliamentary administration**

### **65.08** *Hansard record to be corrected*

Following Question Time, a Member asked the Speaker if he would correct the *Hansard* record of the previous day which contained a warning from the Speaker

which had not been given. The Speaker advised that the correction would be made.

*Hansard: 24 February 2009, 1594*

**SO 63**

## Privilege

### **65.09** *Alleged interference with ability to perform duties*

On 24 February, a Member raised as a matter of privilege a letter from the Minister for Education relating to infrastructure projects in schools. The Member stated that the letter interfered with another Member's ability to perform his duties as a Member of Parliament.

The Speaker stated that he would investigate the matter and report back to the House on whether any precedence should be given to the matter being referred to the Committee of Privileges and Members' Interests.

*Hansard: 24 February 2009, 1593-4*  
*Votes and Proceedings: 2009/893-4*

**SO 51**

### **65.10** *Speaker's statement on privilege matter – Suspension of standing orders moved*

The Speaker made a statement about a matter of privilege raised at an earlier sitting by the Manager of Opposition Business (*see* entry **65.09**) regarding arrangements for the participation of Members in school infrastructure programs.

The Speaker stated that an action obstructing or impeding Members in the performance of their duties can be regarded as contempt, and that this extends to electorate responsibilities. He noted, however, that he had not seen sufficient evidence to indicate a *prima facie* case of contempt, and he was therefore of the opinion that precedence should not be given to a motion for referral to the Committee of Privileges and Members' Interests.

The Manager of Opposition Business then moved, by leave, a suspension of standing orders to allow him to move a motion referring the matter to the Committee of Privileges and Members' Interests. Following debate, the motion was negated on division.

*Hansard: 26 February 2009, 1934-45*  
*Votes and Proceedings: 2009/908-9*

**SOs 47, 51, 216**

## Questions

### 65.11 *Debate adjourned for Minister to add to an answer*

During the second reading debate on a bill, the Member speaking was granted leave to continue his remarks and debate was adjourned to a later hour. The Minister for Defence, by leave, added to an answer he had given during Question Time the previous day. Debate on the bill was then resumed, and the Member continued his speech.

*Hansard*: 26 February 2009, 1992-3  
*Votes and Proceedings*: 2009/910

**SOs 63, 104**

## Speaker

### 65.12 *Indonesian journalist recognised as distinguished visitor*

During Question Time on 23 February, the Speaker noted the presence in the press gallery of Miss Kartika Sari, the Indonesian winner of the 2008 Elizabeth O'Neill Journalism Award.

*Hansard*: 23 February 2007, 1401-2

## Withdrawals

### 65.13 *Offensive words*

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'...as an afterthought, the Minister added, 'Of course, the Government would also need to be convinced that the risk to the safety of our troops...is an acceptable one.'	23 February 2009	1432-3
'As an afterthought, the Government said, 'Of course, the Government also needs to be convinced that the risk to the safety of our troops...is an acceptable one.'	23 February 2009	1433
<i>unrecorded</i>	24 February 2009	1582-3
'gutless'	24 February 2009	1585
<i>unrecorded</i>	25 February 2009	1799

**SOs 89, 90, 92**