

# Procedural Digest

No. 11

46<sup>th</sup> Parliament

10-18 June 2020

June 2020				
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## Bills

### 11.01 Consideration of Senate amendments to Treasury Laws Amendment (2019 Measures No. 3) Bill 2019

During government business time on 15 June, the Speaker reported a message from the Senate returning the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019 with amendments. An Assistant Minister moved that the amendments be disagreed to. Following debate the question was put and carried on division. The Assistant Minister subsequently presented the reasons of the House for disagreeing to the amendments of the Senate, and these were adopted by the House.

On 16 June, the Speaker reported a message from the Senate informing the House that the Senate insisted on the amendments disagreed to on 15 June. An Assistant Minister moved that the House insist on disagreeing to the amendments insisted on by the Senate. Following debate, the House divided and subsequently agreed to the motion moved by the Assistant Minister.

On 17 June, the Speaker reported a message from the Senate returning the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019 and informing the House that the Senate did not again insist on its amendments disagreed to by the House of Representatives.

*Hansard*: 15 June 2020, 4334-42

16 June 2020, 4621-8

17 June 2020, 4816

*Votes and Proceedings*: 2020/947-8; 972-3; 1000

**SOs 158, 161, 162, 261**

### 11.02 Consideration of Senate amendments to Crimes Legislation Amendment (Sexual Crimes against Children and Community Protection Measures) Bill 2019

As the first item of business on 16 June, the Speaker reported a message from the Senate returning the Crimes Legislation Amendment (Sexual Crimes against Children and Community Protection Measures) Bill 2019 with amendments. Amendments (1) and (3) were agreed to after debate and amendment (2) was disagreed to.

The Leader of the House subsequently presented the reasons of the House for disagreeing to the amendment of the Senate, and these were adopted by the House.

*Hansard: 16 June 2020, 4551-4*  
*Votes and Proceedings: 2020/965*

**SOs 158, 161, 261**

### 11.03 Senate resolution relating to the National Integrity Commission Bill 2018 (No. 2)

On 16 June, the Speaker reported a message from the Senate, communicating that the Senate had agreed to a resolution calling on the Government to bring on the National Integrity Commission Bill 2018 (No. 2) (a private Senator's bill) in the House for a vote in the June 2020 sittings and requesting the concurrence of the House. The Leader of the House moved that the message be considered at the next sitting. The Leader of the Australian Greens moved, as an amendment, that the message be considered immediately. Before the amendment could be seconded, the Leader of the House moved that the question be put, which was agreed to on division. The question that the Senate message be considered at the next sitting was accordingly put and carried on division.

*Hansard: 16 June 2020, 4554-8*  
*Votes and Proceedings: 2020/965-8*

**SOs 81, 261**

### 11.04 Consideration of Senate amendments to Treasury Laws Amendment (2020 Measures No. 2) Bill 2020

During government business time on 17 June, the Deputy Speaker reported a message from the Senate returning the Treasury Laws Amendment (2020 Measures No. 2) Bill 2020 with amendments. An Assistant Minister moved that the amendments be disagreed to. Following debate the question was put and carried on division. The Assistant Minister subsequently presented the reasons of the House for disagreeing to the amendments of the Senate, and these were adopted by the House following a division.

On 18 June, the Deputy Speaker reported a message from the Senate informing the House that the Senate insisted on the amendments disagreed to on 17 June. An Assistant Minister moved that the House insist on disagreeing to the amendments insisted on by the Senate and the question was agreed to following a division.

*Hansard: 17 June 2020, 4816-23*  
*18 June 2020, 4920-2*  
*Votes and Proceedings: 2020/1000-2; 1019-20*

**SOs 158, 161, 162, 261**

## Business

### 11.05 Special arrangements for sitting – COVID-19

Similar to the previous sittings, due the COVID-19 pandemic, special arrangements were adopted in the Chamber to ensure Members were able to participate in proceedings while still complying with social distancing requirements. At least 80 Members were paired for each division in the first week and 40 Members in the second week. Arrangements also included rotating seating plans to provide all Members who attended the sittings with a seat

in the Chamber for at least a couple of days of the sitting fortnight. Two lecterns were put in place at the rear of the Chamber, allowing Members with seats outside the normal horseshoe seating or no seat at all to speak.

### 11.06 Suspension of standing orders – Order of business for 10, 11 and 12 June

In a typical sitting week, the House sits from Monday to Thursday. However, in the first week of the sitting fortnight, the House sat on Wednesday, Thursday and Friday. On Wednesday morning, the Leader of the House moved to suspend standing orders to set the order of business for each day. The motion provided for committee and delegation business and private Members' business, as determined by the Selection Committee, to be considered on Wednesday morning (private Members' business usually occurs on Monday mornings).

The motion also provided that for Thursday, 11 June the standing orders would apply to the necessary extent as if it was a Wednesday and for Friday, 12 June the standing orders would apply as if it was a Thursday. The motion was debated and carried, in accordance with standing order 47(c)(ii).

*Hansard: 10 June 2020, 3603-4  
Votes and Proceedings: 2020/902*

**SOs 34, 35, 47, 192**

### 11.07 Statements on indulgence – William Callaghan

Following question time on 10 June, the Leader of the Opposition and the Minister for Health each made statements by indulgence regarding the rescue of William Callaghan, who had been lost in Victorian bushland for two days. Special thanks were given to Ben Gibbs, an experienced bushman, who found William. The Minister for Health also thanked the searchers, emergency workers, police and everybody involved in the search.

*Hansard: 10 June 2020, 3689*

### 11.08 Motion to rearrange government business

On 16 June, an Assistant Minister moved to postpone two items of government business, including a notice of motion to bring on a disallowance motion sponsored by the Leader of the Opposition, to a later hour. The Manager of Opposition Business moved, as an amendment, that the items of business be postponed until 7.00 pm that day. The Speaker ruled the amendment out of order and explained that a private Member cannot move an amendment to a postponement motion which would have the effect of varying the order of government business. The Assistant Minister then moved that the question be put, which was agreed to on division. The postponement of business motion was also agreed to on division.

*Hansard: 16 June 2020, 4645-53; 4659  
Votes and Proceedings: 2020/975-7; 981-2*

**SOs 37(b), 81, 112**

### 11.09 Senate resolution relating to COVID-19 recovery package for the arts and entertainment industry

On 18 June, the Deputy Speaker reported a message from the Senate, communicating that the Senate had agreed to a resolution calling on the Government to detail and deliver a recovery package for the arts and entertainment industry, which has been affected by COVID-19. The Senate requested the agreement of the House with this resolution. The Minister for Population, Cities and Urban Infrastructure moved that the message be considered at the next sitting. The Leader of the Australian Greens moved, as an amendment, that the message be considered immediately. He was then closed on division. An independent Member seconded the amendment and was also closed on division. Before the amendment was proposed by the Chair, the Leader of the House moved that the question be put, which was agreed to on division. The amendment was therefore superseded and the question that the Senate message be considered at a later sitting was accordingly put and carried on division.

*Hansard: 18 June 2020, 4905-11*  
*Votes and Proceedings: 2020/1011-4*

**SOs 80, 81, 261**

## Committees

### 11.10 Message from the Senate – Reference to Joint Committee

On 12 June, the Deputy Speaker reported a message from the Senate informing the House that the Senate had agreed to refer a matter to the Joint Standing Committee on Northern Australia. The referral was to inquire into a number of matters relating to the destruction of 46,000-year-old caves at the Juukan Gorge in the Pilbara region of Western Australia. The referral required that the Committee report by 30 September 2020.

*Hansard: 12 June 2020, 4069-70*  
*Votes and Proceedings: 2020/939*

**SO 261**

### 11.11 Procedure Committee – Statement on inquiry

On 15 June, the Chair of the Standing Committee on Procedure made a statement updating the House on the Committee's inquiry into the practices and procedures relating to question time.

*Hansard: 15 June 2020, 4305*  
*Votes and Proceedings: 2020/945*

**SO 39**

## 11.12 Regional Australia Select Committee – Extension of reporting date

An Assistant Minister, on behalf of the Deputy Prime Minister, pursuant to notice, moved that the resolution of appointment of the House Select Committee on Regional Australia be amended to extend the final reporting date to 31 March 2021.

*Hansard: 15 June 2020, 4334  
Votes and Proceedings: 2020/947*

**SO 223**

## 11.13 Speaker presents schedule of outstanding government responses to committee reports

On 18 June, the Speaker presented a document entitled 'Speaker's schedule of the status of Government responses to committee reports (as at 17 June 2020)'. A copy of the document is available on the Parliament's [website](#).

*Hansard: 18 June 2020, 4891-900  
Votes and Proceedings: 2020/1011*

**SO 199**

# Members

## 11.14 Issue of writ for Eden-Monaro electoral division

During the May sittings, the Speaker announced that he had received a letter from the Hon. Dr Michael Joseph Kelly resigning his seat as the Member for Eden-Monaro and advised that possible dates for the by-election were being considered (**see entry 10.14**).

On Wednesday, 10 June, the Speaker announced that on Thursday, 28 May he had issued a writ for the election of a Member to serve for the electoral division of Eden-Monaro, to fill the vacancy. [\[watch\]](#)

The dates in connection with the by-election are as follows:

Close of rolls	Thursday, 4 June 2020
Close of nominations	Tuesday, 9 June 2020
Date of polling	Saturday, 4 July 2020
Return of writ	On or before Saturday, 5 September 2020

*Hansard: 10 June 2020, 3603  
Votes and Proceedings: 2020/901*

## 11.15 Leave of absence granted to all Members

On 18 June, the Leader of the House moved that leave of absence be given to all Members from the determination of the sitting until the date of the next sitting of the House. The question was carried on the voices.

*Hansard: 18 June 2020, 4982  
Votes and Proceedings: 2020/1022*

**SO 26**

## Motions

### 11.16 Motion to suspend standing orders – National Integrity Commission Bill 2018 (No. 2)

On 11 June, the Leader of the Australian Greens moved to suspend standing orders to allow him to move that the House immediately call on the National Integrity Commission Bill 2018 (No. 2) (a private Senator's bill) for consideration in the House. The mover and seconder were closed on division and the suspension motion was disagreed to on division.

*Hansard:* 11 June 2020, 3853-9  
*Votes and Proceedings:* 2020/919-23

**SOs 47, 80, 116, 126, 129, 130**

### 11.17 Motion to suspend standing orders – Disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020

On 12, 15, 16 and 18 June, the Leader of the Opposition moved to suspend standing orders to allow the private Members' business notice standing in his name relating to the disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 to be called on for final determination of the House. In each case, the mover and the seconder were closed on division and the suspension motion was disagreed to on division.

On 17 June, the Leader of the Opposition moved to suspend standing orders to call on government business notice No. 2 standing in the name of the Minister for Communications. The notice of motion provided for the suspension of standing orders to call on the Leader of the Opposition's disallowance motion. The mover, the seconder and the next Member speaking were each closed on division. The Leader of the House then moved that the question be put, and the closure motion was agreed to on division. The suspension motion was subsequently disagreed to on division.

*Hansard:* 12 June 2020, 4053-60  
15 June 2020, 4387-93  
16 June 2020, 4653-9  
17 June 2020, 4718-28  
18 June 2020, 4911-9

*Votes and Proceedings:* 2020/933; 949-54; 977-80; 989-94; 1015-9

**SOs 47, 80, 81, 108, 111, 112, 116, 126, 129, 130**

### 11.18 Motion to suspend standing orders – Live animal exports

On 16 June, the Member for Clark (Mr Wilkie) moved to suspend standing orders to allow him to move a motion which, among other things, called on the Government to immediately prevent the Al Kuwait from departing Australia with its cargo of live sheep, develop a plan to shut down the live animal export industry, and establish an Independent Office of Animal Welfare. The mover and seconder were closed on division. The question that the suspension motion be disagreed to was carried, with fewer than five members voting on the side of the noes.

*Hansard: 16 June 2020, 4601-6  
Votes and Proceedings: 2020/969-71*

**SOs 47, 80, 116, 126, 127, 129**

### 11.19 Motion to suspend standing orders – Fair Work Amendment (One in, All in) Bill 2020

On 17 June, the Leader of the Australian Greens moved to suspend standing orders to allow him to move a motion to allow private Members' business order of the day No. 29, Fair Work Amendment (One in, All in) Bill 2020 to be called on immediately and for passage of the bill through all stages to be given priority over all other business during periods of government business until its completion. The mover and seconder were closed on division and the question that the suspension motion be disagreed to was carried on division.

*Hansard: 17 June 2020, 4795-801  
Votes and Proceedings: 2020/997-1000*

**SOs 47, 80, 116, 126, 129, 130**

### 11.20 Motion to suspend standing orders – Australian car manufacturing industry

As the first item of business on 18 June, the Member for Kennedy (Mr Katter) moved to suspend standing orders to allow him to move a motion which, among other things, called on the Government to support the re-establishment of an Australian car manufacturing industry with a majority Australian shareholding, and ensure cars purchased by the Federal Government are made in Australia. The mover and seconder were closed on division and the question that the suspension motion be disagreed to was carried on division.

*Hansard: 18 June 2020, 4885-91  
Votes and Proceedings: 2020/1007-10*

**SOs 47, 80, 116, 126, 129, 130**

## Questions

### 11.21 Accuracy of remarks made during question time

During question time on 16 June, the Manager of Opposition Business, on a point of order, argued that remarks made by the Minister for Home Affairs, suggesting that the Opposition had opposed a child protection bill, were inaccurate and should be withdrawn. In response, the Minister argued that those remarks by the Manager of Opposition Business were inaccurate and should be withdrawn.

The Speaker reminded the House that the Chair does not have the capacity to judge the accuracy of questions and answers. He also reminded the House that personal explanations could be made at the end of question time and provided an opportunity to correct the record.

Prior to the matter of public importance, the Manager of Opposition Business made a personal explanation, stating that his remarks had been accurate in relation to the Opposition's support for the passage of the legislation.

*Hansard: 16 June 2020, 4594-5; 4606*

**SOs 68, 86**

## 11.22 Question to the Leader of the Opposition

During question time on 18 June, the Member for Chifley (Mr Husic) asked the Leader of the Opposition why a notice of motion standing in his name relating to the disallowance of Australia Post regulations was urgent (refer to entry 11.17). In response, the Leader of the Opposition noted the importance of scrutiny of regulation through disallowance motions. [\[Watch\]](#)

*Under standing order 99, a Member may ask a question of a Member who is not a Minister. The question must relate to a bill, motion, or other business of the House or of a committee, for which the Member asked is responsible.*

*Hansard: 18 June 2020, 4969*

**SO 99**

## Speaker

### 11.23 Question to the Speaker and personal explanation – Persons referred to in the House

Following question time on 17 June, the Shadow Minister for Health asked the Speaker a question regarding the citizen's right of reply. The shadow minister noted that, in accordance with a resolution of the House adopted on 27 August 1997, persons offended by remarks made about them in the House, under certain circumstances, may ask for a response to be published in *Hansard*.

The shadow minister asked the Speaker if the citizen's right of reply extended to organisations. Specifically, he asked if the Speaker would accept a submission for a right of reply from pharmaceutical company Eli Lilly or Migraine Australia in response to remarks made about those organisations by the Minister for Health earlier in the day. The Speaker said that he would report back to the House.

The Minister for Health then made a brief personal explanation in response.

On 18 June, the Speaker responded by directing Members to information about the right of reply procedure, available in an Infosheet and on the [parliamentary website](#).

*Hansard: 17 June 2020, 4794-5*

*18 June 2020, 4982-3*

**SOs 68, 103**

## 11.24 Statement by Speaker – Electronic Access Control System Code of Practice

On 18 June, the Speaker noted that over the past two years, the House of Representatives had been installing the Electronic Access Control System. The Speaker informed the House that agreement had been reached over the Electronic Access Control System Code of Practice, which provides a framework for the management of the system's data. The Speaker concluded by thanking the House Standing Committee on Appropriations and Administration, as well as the Chief Government and Chief Opposition Whips, for their consideration of the Code of Practice.

*Hansard*: 18 June 2020, 4997  
*Votes and Proceedings*: 2020/ 1022

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

	<b>Hansard</b>	
	<i>Date</i>	<i>Page</i>
'...either because they're on the take from the nuclear power and fossil fuel advocates or because their long-term goal is to make Australia the nuclear waste dump of the world.'	11 June 2020	3894
'...led by this callous and cowardly Prime Minister—'	11 June 2020	3951-2
'...this bloody government's ideology—'	15 June 2020	4536
'These people stood up for paedophiles over our Aussie kids and should be deeply ashamed.'	16 June 2020	4580
'The member for Mackellar, not usually one for bright ideas...'	16 June 2020	4617
'This Leader of the Opposition, in the midst of a debacle and corruption scandal that he has overseen...'	18 June 2020	4965
'They are the defenders over there of bikies, who are involved with the CFMMEU.'	18 June 2020	4973

**SOs 89, 90, 92**

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