

# Procedural Digest

**No. 67***12 –14 May 2009*

<i>May 2009</i>				
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## Bills

**67.01** *Two bills introduced and pass all stages*

The Excise Tariff Validation Bill 2009, and a companion bill, the Customs Tariff Validation Bill 2009, were introduced pursuant to notice on 12 May and in each case debate on the second reading was adjourned to a later hour. Debate resumed immediately after the bills' introduction, both bills being debated cognately. Each bill was then read a second time, and a third time by leave.

*Hansard: 12 May 2009, 3448-65**Votes and Proceedings: 2008-09/989-90***SOs 141, 142, 155****67.02** *Presentation of Budget and additional appropriation bills, including explanatory memoranda*

On 12 May, the Treasurer presented Appropriation Bill (No. 1) 2009-2010, moved the second reading and delivered the budget speech. After the Treasurer had presented associated documents and statements, the Minister for Finance and Deregulation presented Appropriation Bill (No. 2) 2009-2010 and Appropriation (Parliamentary Departments) Bill (No. 1) 2009-2010. An explanatory memorandum was presented with the first two bills.

The Speaker announced receipt of a message from the Governor-General recommending appropriation before each bill was presented.

*Note:* Explanatory memoranda are not required for budget bills under the standing orders.

*Hansard: 12 May 2009, 3531-41**Votes and Proceedings: 2008-09/994-5***SOs 141, 147, 178, 180**

## Business

**67.03** *House meets at 12 p.m. on a Tuesday*

The sitting on Tuesday, 12 May commenced at 12 p.m. rather than 2 p.m. following advice circulated by the Speaker prior to the sitting. On a motion by the

Leader of the House, by leave, Government business was given precedence prior to 2 p.m. for the sitting.

*Hansard: 12 May 2009, 3445*  
*Votes and Proceedings: 2008-09/989*

**SOs 29, 30, 34, 35**

**67.04**     *Suspension of standing order 31 for Budget reply speech*

The Leader of the House, pursuant to notice, moved that standing order 31 (automatic adjournment of the House) be suspended for the sitting on Thursday, 14 May 2009, 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: 13 May 2009, 3609*  
*Votes and Proceedings: 2008-09/1009*

**SOs 31, 47**

**67.05**     *Different treatment of condolence motions*

Two separate condolence motions regarding the deaths of Corporal Mathew Ricky Andrew Hopkins and Sergeant Brett Till were considered in the Main Committee. One was the resumption of debate on a motion of condolence moved by the Prime Minister.

The other was treated as the resumption of debate on a motion of the Leader of the House, that the House take note of the document (being a copy of the Prime Minister's condolence motion). This was because the condolence motion had been put and passed in the House so, in order for it to be referred to the Main Committee for further debate, a motion to take note of the motion of condolence presented by the Prime Minister was required.

In both cases Members stood in silence as a mark of respect and the motions were returned to the House where they were passed, with all Members again rising in silence.

*Hansard: 13 May 2009, 3712-3, 3766-86*  
*Votes and Proceedings: 2008-09/1012, 1015*

**SOs 49, 202**

**67.06**     *Motion to suspend standing orders to condemn a backbencher*

Following prayers, the Manager of Opposition Business sought leave to move a motion condemning a backbencher. Leave was not granted and the Manager of Opposition Business then moved to suspend standing and sessional orders to allow a motion to be moved condemning a backbench Government Member in

relation to comments he had made the previous day, and inviting the Member to attend the House immediately and apologise.

After the motion had been outlined to the House, a Minister moved that the Member be no longer heard, which was carried on division. As an Opposition Member seconded and began to speak to the motion, he was also closed on division. The motion for the suspension of standing orders was then negatived on a further division.

Later in the sitting, the Member referred to in the motion sought the call on indulgence and made a brief statement regarding the matter, stating that he regretted any offence caused by his comments.

*Hansard: 14 May 2009, 3851-5, 3891*  
*Votes and Proceedings: 2008-09/1017-20*

**SOs 47, 65, 80**

## Chamber

### **67.07** *Speaker asked about broadcasting lights and policy*

During Question Time, a Shadow Minister asked the Speaker why the broadcasting indication lights had been turned off. The Speaker responded that he would endeavour to find out why the lights were flashing on and off, but noted that Senate Question Time was being broadcast that day, and that points of order would not be included in the House re-broadcast.

Following Question Time, the Speaker was asked why the ABC does not provide a complete replay of the Chamber not directly broadcast. The Speaker noted that the Joint Committee on the Broadcasting of Parliamentary Proceedings was responsible for decisions regarding the broadcasting of proceedings, and added that the broadcasting lights should not have been switched on and off earlier during Question Time.

*Hansard: 13 May 2009, 3681, 3698-9*

**SO 103**

## Committees

### **67.08** *Committee reports no longer requiring a response*

Following prayers, the Speaker presented a document entitled: *Committee reports no longer requiring a response, May 2009* and made a statement regarding the document.

*Hansard: 13 May 2009, 3607*  
*Votes and Proceedings: 2008-09/1009*

## Documents

### **67.09**     *Additional document presented during introduction of bill*

After presenting a bill, the Parliamentary Secretary for Climate Change presented an explanatory memorandum and a regulation impact statement.

*Note:* Ministers do not require leave to present documents which are connected to a bill before the House.

*Hansard:* 14 May 2009, 3861  
*Votes and Proceedings:* 2008-09/1021

**SO 63, 141, 199**

## Parliamentary administration

### **67.10**     *Hansard record queried*

Following Question Time, a Member asked the Speaker if he would investigate why the *Hansard* record of the previous day did not contain in its entirety a point of order he had made. The Speaker advised that he had probably asked the Member to resume his seat as he was entering into things outside the point of order, and his words would not have been recorded after that. He added that he would get back to the Member if this was not the case.

*Hansard:* 14 May 2009, 3946

**SO 103**

## Quorums

### **67.11**     *Quorum call withdrawn by leave*

Following a Member's second reading speech, another Member drew the Deputy Speaker's attention to the state of the House. The Deputy Speaker, noting that some Members had just entered the House, asked whether the quorum could be called off. The Member then withdrew the quorum call by leave.

*Note:* It appears that the purpose of the quorum call was to allow certain Members to be present in the Chamber for the subsequent proceedings.

*Hansard:* 13 May 2009, 3742

**SOs 55, 56, 63**

## Withdrawals

### 67.12 *Offensive words*

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
<i>unrecorded</i>	12 May 2009	3478
'I am firmly against illicit drugs, unlike the Minister for Health and those on the other side.'	12 May 2009	3499
<i>unrecorded</i>	12 May 2009	3500
'That's been used before, you goose!'	13 May 2009	3694
'\$107 million, you goose!'	14 May 2009	3929
'The Member for Paterson, known as "Paterson's curse" ...'	14 May 2009	3929-30
<i>unrecorded</i>	14 May 2009	3930
<i>unrecorded</i>	14 May 2009	3933
'...the Member for xenophobia over there...'	14 May 2009	3934
'...the spirit of Hansonism alive and well on the benches of those opposite.'	14 May 2009	3934

**SOs 89, 90, 92**