

Procedural Digest

No. 69

15–25 June 2009

June 2009				
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15	16	17	18	19
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Bills

69.01 *Two bills introduced and pass all stages*

The Excise Tariff Amendment (2009 Measures No.1) Bill 2009 [No.2], and a companion bill, the Customs Tariff Amendment (2009 Measures No.1) Bill 2009 [No.2], were introduced pursuant to notice on 22 June and in each case debate on the second reading was adjourned, by leave, to a later hour. Debate resumed later in the sitting, both bills being debated cognately. Divisions called for on the second reading of each bill were deferred until 8 p.m., when the questions were carried and each bill read a second time, and a third time by leave. (*see entry 69.13.*)

Hansard: 22 June 2009, 6727-32, 6742-52, 6767-9

Votes and Proceedings: 2008-09/1154-7

SOs 133, 141, 142, 155

Business

69.02 *Updated Ministry presented*

Prior to Question Time on 15 June, the Prime Minister presented a copy of the Rudd Ministry as at 9 June 2009. The appointment of new Members of the Executive followed recent resignations from the Ministry.

Hansard: 15 June 2009, 5877-9

Votes and Proceedings: 2008-09/1116

69.03 *Member's retirement announced by indulgence*

Prior to Question Time on 15 June the Leader of the Opposition, by indulgence, advised that the Member for Higgins (former Treasurer Hon. Peter Costello) had announced that he would not be seeking re-election as the Member for Higgins at the next election, and congratulated him on his achievements. The Prime Minister, by indulgence, also congratulated the Member on his career, and the Member made some remarks in response, also by indulgence.

Hansard: 15 June 2009, 5879-82

SO 65

69.04 *Indulgence granted during break in proceedings to recognise former Speaker*

Following the conclusion of proceedings on a bill at 1.59 p.m., a shadow Minister sought indulgence and made some comments welcoming former Speaker Stephen Martin to the gallery. The Speaker then welcomed Mr Martin to the House on behalf of Members, and Question Time began at 2 p.m.

Hansard: 17 June 2009, 6308-9

SO 65

69.05 *Motion requiring action by Treasurer amended and passed; Question Time delayed*

Following prayers on 22 June, the Leader of the Opposition obtained leave to move a motion requiring the Treasurer to attend the House and explain his involvement in an alleged scandal regarding a car dealer financing scheme. The Prime Minister moved an amendment to the motion to omit certain words with a view to substituting other words. Following the expiry of the Prime Minister's time, the Leader of the House moved that he be granted an extension of time. A division was called but was not proceeded with by leave, following an explanation by the Leader of the House. The extension was granted and the Prime Minister continued.

Debate continued until 2 p.m. when the Speaker interrupted debate and advised that as it was the wish of the House that the debate continue he would allow leave for that to occur. Debate continued until 3.13 p.m., when the question that the amendment be agreed to was carried on division, and the question that the motion as amended be agreed to was also carried on division. The House then proceeded with Question Time, at approximately 3.20 p.m.

A suspension of standing orders regarding the same matter was moved immediately following Question Time by the Leader of the Opposition and was debated and negatived.

Hansard: 22 June 2009, 6661-6704, 6720-6

Votes and Proceedings: 2008-09/1149-51, 1152-3

SOs 1, 63, 111, 121, 122

69.06 *Statements by indulgence regarding swine flu death*

Following Question Time on 23 June the Minister for Health and Ageing and the Shadow Minister both made statements on indulgence regarding the death of a man in Victoria from H1N1 influenza (swine flu), the second recorded death in Australia of a person with the condition.

Hansard: 23 June 2009, 6865-6

SO 65

69.07 *Question and answer by indulgence following summing up of bill*

Following the summing up of a bill by the Minister for Agriculture, Fisheries and Forestry, an Opposition Member sought indulgence and asked a question of the Minister. The Minister, by indulgence, responded to the Member's question, after which the second and third readings of the bill were passed on the voices.

Hansard: 23 June 2009, 6923-4

SO 65

69.08 *Motion to suspend standing orders ruled out of order*

During Question Time, the Leader of the Opposition moved to suspend standing and sessional orders. After he had outlined his motion to the House, the Leader of the House moved that the Member be no longer heard, and a division was called. Following points of order during the division, the Speaker ruled that the proposed motion was out of order as it was the same in substance as a question already resolved earlier in the day (which had been moved by the Leader of the Opposition following prayers). The division was not proceeded with and Question Time continued.

Hansard: 24 June 2009, 7034-5

Votes and Proceedings: 2008-09/1184

SOs 47, 80, 114

69.09 *Comments by indulgence regarding State of Origin football*

Following Question Time on 24 June the Prime Minister and the Minister for Agriculture, Fisheries and Forestry both made brief remarks by indulgence regarding the second State of Origin rugby league game that evening.

Hansard: 24 June 2009, 7040

SO 65

69.10 *Two MPIs proposed—Matter proposed by Opposition Member discussed*

Two matters were proposed for discussion on 24 June, one by the Leader of the Opposition and the other by an Independent Member. The Speaker gave priority to the matter proposed by the Leader of the Opposition on the basis that, in his opinion, it was the most urgent and important.

Hansard: 24 June 2009, 7048
Votes and Proceedings: 2008-09/1185

SO 46

69.11 *Statement on indulgence following answer to question*

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

Hansard: 25 June 2009, 7227

SOs 65, 98

69.12 *Statements by indulgence on retirement of Ron Silderberg*

Following Question Time on 25 June the Minister for Housing and the Shadow Minister both made statements on indulgence noting the retirement of Dr Ron Silberberg, Managing Director of HIA.

Hansard: 25 June 2009, 7240

SO 65

Divisions

69.13 *Minimum number of Members on one side in divisions*

Five Members voted on the side of the Noes in divisions on the second readings of the Excise Tariff Amendment (2009 Measures No.1) Bill 2009 [No.2] and the Customs Tariff Amendment (2009 Measures No.1) Bill 2009 [No.2], the minimum number of Members required on each side for a division to proceed. (And see entry **69.01**.)

Hansard: 22 June 2009, 6768-9
Votes and Proceedings: 2008-09/1156-7

SOs 126, 127

Main Committee

69.14 *Closure of question during examination of portfolios in Main Committee*

On two days during consideration in detail of Appropriation Bill (No. 1) 2008-2009 in the Main Committee (during which each portfolio is examined separately according to an unofficial agreed timetable), a Member moved that the question be now put. On each occasion the question was put and passed, and the original question before the Chair, that the proposed expenditure (for the portfolio under consideration at the time) be agreed to, was put and passed. Consideration then proceeded on the next scheduled portfolio.

Note: According to the unofficial timetable, time had expired for consideration of the particular portfolio.

Hansard: 16 June 2009, 6213; 17 June 2009, 6416
Votes and Proceedings: 2008-09/1130, 1136

SOs 81, 149

Members

69.15 *Member 'sin-binned' for displaying unparliamentary word*

During Question Time, the Speaker directed a Member to leave the Chamber for 1 hour for displaying a sign containing an unparliamentary word. The Member was then named by the Speaker for defying the Chair's ruling and, on a motion by the Leader of the House carried on division, was suspended from the service of the House for 24 hours.

Hansard: 18 June 2009, 6582-3
Votes and Proceedings: 2008-09/1142-3

SOs 91, 92, 94

Private Members' business

69.16 *Presentation of Private Members' Bill interrupted; Bill not read 1st time*

Having presented a bill, an Independent Member was interrupted prior to making a statement in support of the bill by the automatic adjournment of the

House. The bill was not read a first time, but was listed on the *Notice Paper* as an order of the day, Private Members' Business.

Hansard: 22 June 2009, 6789-90
Votes and Proceedings: 2008-09/1159
Notice Paper: 103 (23 June 2009) 30

SOs 31, 41

Questions

69.17 Question regarding parliamentary standards permitted

During Question Time, a Government Member asked the Minister representing the Special Minister of State a question relating to the behaviour of the Parliament and its elected representatives. The question was answered by the Minister.

Hansard: 22 June 2009, 6707-8

SOs 98, 100, 101

69.18 Three closure motions moved on Ministers during answers to questions

On three separate occasions over two days while a question without notice was being answered by a Minister, the Acting Manager of Opposition Business moved that the Minister be no longer heard. In each case the question was negated on division and the Minister completed his answer.

Hansard: 24 June 2009, 7030-1, 7033-4; 25 June 2009, 7238
Votes and Proceedings: 2008-09/1182-4, 1193

SO 80

Withdrawals

69.19 Offensive words

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'...standover tactics that used to be used...'	16 June 2009	6081
'...some sort of delusion...'	16 June 2009	6158
'The Member...has repeated her claim, which you asked her to withdraw.'	16 June 2009	6158
'...what a fraud this is...'	16 June 2009	6193
'Go back, attack chihuahua!'	17 June 2009	6320
'...get the wax out of your ears so you can hear the	17 June 2009	6439

question. Sit down.'		
<i>unrecorded</i>	18 June 2009	6578
<i>unrecorded</i>	18 June 2009	6584
<i>unrecorded</i>	18 June 2009	6584
'...the Treasurer is not only lying to the Australian people...'	22 June 2009	6723
'...you moron.'	23 June 2009	6849
<i>unrecorded</i>	23 June 2009	6855
'The reason he does not believe that that is corruption is that he actually did it, and he did it with real public money...'	23 June 2009	6855
'...which does raise the interesting possibility that he was on both sides of the transaction...'	23 June 2009	6857
'You are a moron!'	24 June 2009	7033
'...lied to the Australian people...'	24 June 2009	7056
'I do put the Leader of the Opposition on notice: if anything happens to Jasper the cat, questions will be asked.'	25 June 2009	7239
<i>unrecorded</i>	25 June 2009	7239

SOs 89, 90, 92