

# Procedural Digest

**No. 70***11–20 August 2009*

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## Bills

### **70.01** *Two sets of Government amendments and two supplementary explanatory memoranda*

During consideration in detail of the Renewable Energy (Electricity) Amendment Bill 2009, the Minister Assisting the Minister for Climate Change moved two separate sets of Government amendments and presented two supplementary explanatory memoranda. Both sets of amendments were agreed to on the voices and the bill was read a third time.

*Hansard: 17 August 2009, 8062-71*  
*Votes and Proceedings: 2008-09/1236-7*

**SOs 141, 150**

## Business

### **70.02** *Condolence motion for victims of bombings in Jakarta*

Prior to Question Time on 11 August, the Prime Minister moved a motion of condolence regarding the deaths of Mr Nathan Verity, Mr Garth McEvoy and Mr Craig Spencer resulting from the bombings in Jakarta, Indonesia on 17 July 2009.

The Leader of the Opposition addressed the House in support of the Prime Minister's motion. Members rose as a mark of respect and the debate was adjourned on a motion by the Leader of the House.

On a later motion by the Leader of the House, resumption of debate on the condolence motion was referred to the Main Committee.

*Hansard: 11 August 2009, 7316-9*  
*Votes and Proceedings: 2008-09/1199*

**SO 49**

### **70.03** *Statements by indulgence on death of Ted Kenna VC – Members rise in their places*

Prior to Question Time on 11 August, the Prime Minister and the Leader of the Opposition both made statements by indulgence regarding the death of Private Edward (Ted) Kenna VC Mr John (Jack) Ross, who was Australia's last surviving

Victoria Cross recipient from the Second World War. The Speaker invited all Members to rise in their places as a mark of respect to the deceased.

On a motion by the Leader of the House, further statements on indulgence were referred to the Main Committee.

*Hansard:* 11 August 2009, 7319-21  
*Votes and Proceedings:* 2008-09/1199

**SO 65**

#### **70.04**     *Statements by indulgence regarding death of Anne Wexler*

Following Question Time on 11 August, the Prime Minister and the Leader of the Opposition both made statements by indulgence regarding the death of Ms Anne Wexler, a key person in relation to the America-Australia Free Trade Agreement Coalition and the American Australian Leadership Dialogue.

*Hansard:* 11 August 2009, 7345-6

**SO 65**

#### **70.05**     *Statements by indulgence regarding missing aircraft*

Following Question Time on 11 August, the Minister for Foreign Affairs made a statement by indulgence regarding the failure of an aircraft flying from Port Moresby to land at its destination of Kokoda. The Minister expressed concerns that Australians may have been on board.

Later in the evening, the Minister made a further statement by indulgence in relation to the matter, advising that 9 of the 13 people on board the plane are Australians, and outlining search and rescue efforts being undertaken by both the Papua New Guinean and Australian Governments.

The following morning, another statement by indulgence was made by the Minister, advising that the aircraft had crashed and the crash site had been located. The Shadow Minister also made a statement by indulgence regarding the matter.

*Hansard:* 11 August 2009, 7346-7, 7401-3; 12 August 2009, 7523-4  
*Votes and Proceedings:* 2008-09/1202, 1218

**SO 65**

#### **70.06**     *Statements by indulgence on location of the remains of Vietnam servicemen*

Prior to Question Time the Prime Minister and the Leader of the Opposition both made statements on indulgence regarding the location of the remains of Flying

Officer Michael Herbert and Pilot Officer Robert Carver, the last two members of the Australian Defence Force missing from the Vietnam war. On a motion by the Leader of the House, further statements on the matter were referred to the Main Committee.

*Hansard:* 13 August 2009, 7831-2  
*Votes and Proceedings:* 2008-09/1227

**SO 65**

**70.07**     *Passage of Renewable Energy Bills — Changes to meeting times and order of business*

Early in the sitting on 17 August 2009, the Leader of the House moved a motion by leave setting the commencement of the sitting the following day at 12 p.m. with Government business to take priority until 2 p.m. He explained that the Government intended to allow speeches on the renewable energy package of bills to continue throughout the evening, so that the legislation could be voted on at the commencement of the sitting the next day. Following debate, the question was agreed to on the voices.

The Leader of the House moved a further motion by leave following Question Time, suspending standing orders 31 (automatic adjournment of the House) and 33 (limit on new business after 10 p.m.) for this sitting, suspending standing orders as to allow Government business to have precedence from 8.30 p.m. this sitting, and allowing the presentation of petitions and committee and delegation reports and private Members' business to have precedence the following day from the commencement of the sitting until 1 p.m. The Leader of the House explained that the motion would enable proceedings on the renewable energy bills to be completed that evening, with the usual business scheduled that evening being deferred until the following day. The motion was carried on the voices.

Debate on the bills continued through the evening and the House adjourned following their passage at 9.53 p.m.

*Hansard:* 17 August 2009, 7937-9, 7988  
*Votes and Proceedings:* 2008-09/1234, 5, 7

**SOs 29, 31, 33, 47, 63**

**70.08**     *Statement by indulgence regarding aircraft crash*

Following Question Time on 17 August, the Minister for Foreign Affairs made a statement by indulgence updating the House on events related to the plane crash in Papua New Guinea (*And see* entries **70.05** and **70.19**).

*Hansard:* 17 August 2009, 7987-8

**SO 65**

**70.09** *Speaker wished a happy birthday by indulgence*

Following prayers on 18 August, a Member sought indulgence and wished the Speaker a happy birthday.

*Hansard:* 18 August 2009, 8119

**SO 65**

**70.10** *House meets early — Petitions and private Members' business given priority*

In accordance with two motions agreed to at the previous sitting (See entry **70.07**), the House met at 12 p.m. on Tuesday 18 August and priority was given to petitions, committee and delegation reports and private Members' business until 1 p.m. The House then proceeded with Government business until Question Time was called on at 2 p.m.

*Hansard:* 18 August 2009, 8119-64

*Votes and Proceedings:* 2008-09/1243-5

**SOs 29, 34, 35**

**70.11** *Statements by indulgence on Vietnam Veterans Day*

Prior to Question Time the Prime Minister and the Leader of the Opposition both made statements on indulgence marking Vietnam Veterans Day.

*Hansard:* 18 August 2009, 8163-4

**SO 65**

**70.12** *Statements by indulgence regarding World Humanitarian Day*

Following Question Time on 18 August, the Minister for Foreign Affairs and the Shadow Minister both made statements by indulgence marking the inaugural World Humanitarian Day.

*Hansard:* 19 August 2009, 8362-3

**SO 65**

**70.13** *Early adjournment*

Following a Government Member's second reading speech on a bill, during which a quorum was called by an Opposition Member, the Leader of the House moved

'That the House do now adjourn'. The question was put and passed without debate, and the House adjourned at 4.26 p.m.

*Note:* The House usually sits until 5 p.m. on Thursdays.

*Hansard:* 20 August 2009, 8568  
*Votes and Proceedings:* 2008-09/1270

**SOs 29, 32**

## Chamber

### **70.14**     *Chamber blackout*

The lights in the Chamber went out briefly during Question Time on 11 August. The Prime Minister, who had been answering a question, noted that there was a storm outside and continued his answer.

*Note:* The lighting was gradually restored to full strength following the blackout.

*Hansard:* 11 August 2009, 7329

### **70.15**     *Speaker asked about blackout*

Following Question Time, a Member asked the Speaker a question about the conduct of Members while the Speaker was on his feet after the lights went out during Question Time the previous day (*See entry 70.14*). The Speaker responded by first giving some advice regarding the blackout, which was caused by a large voltage dip as a result of heavy storm activity in the Canberra area. He then confirmed that in normal circumstances, when the Speaker was on his feet Members would be expected to quieten down and sit in silence.

*Hansard:* 12 August 2009, 7592-3

**SO 103**

## Debate

### **70.16**     *Leave granted to continue speech on grievance debate*

During a Member's speech on the grievance debate in the Main Committee, the bells were rung for a division in the House. Debate was adjourned, and the Member was granted leave to continue his speech when debate is resumed. The meeting of the Main Committee was then adjourned.

*Note:* Proceedings of the Main Committee are usually suspended during divisions in the House, but several votes were expected on a particular package of legislation, after which the House was expected to adjourn.

*Hansard:* 17 August 2009, 8110  
*Votes and Proceedings:* 2008-09/1241

**SOs 190, 192**

## Private Members' business

### **70.17** *Private Members' motion returned to House for consideration*

Following prayers on 12 August, the House agreed to a motion by the Chief Government Whip to return a private Members' business order of the day relating to a motion on the Australian Defence Industry Manufacturers from the Main Committee to the House for consideration. The motion had been presented and referred to the Main Committee by the Speaker at an earlier sitting, but had not been debated. The resumption of debate on the motion was made an order of the day.

During private Members' business on 18 August, the motion was called on and debated, although the Member sponsoring the motion was not available to speak to it.

*Hansard:* 12 August 2009, 7493; 18 August 2009, 8147-50  
*Votes and Proceedings:* 2008-09/1217, 1244-5

**SOs 41, 197**

### **70.18** *Interrupted private Members' Bill read a first time; Statement made by indulgence*

A private Members' bill which had been presented at a previous sitting, but not spoken to or read a first time (*See* entry **69.16**), was called on as an order of the day, private Members' business. The Member sponsoring the bill not being present to make a statement, the bill was read a first time. The Member subsequently arrived and was granted indulgence to speak to the bill. The second reading was then made an order of the day for the next sitting.

*Hansard:* 18 August 2009, 8136-7  
*Votes and Proceedings:* 2008-09/1243

**SOs 41, 141**

## Questions

### **70.19** *First two questions from Leader of the Opposition – Update sought on plane crash*

To begin Question Time, the Leader of the Opposition asked the Prime Minister to update the House in relation to the aircraft crash in New Guinea (*And see* entry **70.05**). The Prime Minister responded, advising that there were no survivors among the passengers (of which nine were Australians), after which all Members rose in their places as a mark of respect and the Leader of the Opposition supported the Prime Minister's remarks on indulgence. The Leader of the

Opposition then received the call again and asked the Prime Minister a question regarding the Government's emissions trading scheme.

*Hansard:* 12 August 2009, 7572

**SOs 98, 101**

**70.20** *Closure motion moved on Minister during answer to question — MPI lost by motion to call on business of the day*

During Question Time while a question without notice was being answered by a Minister, the Manager of Opposition Business moved that the Minister be no longer heard. The question was negatived on division and the Minister completed his answer.

Later, when the discussion of a matter of public importance was called on, the Leader of the House moved that the business of the day be called on. The motion was agreed to on division.

*Hansard:* 20 August 2009, 8560-1

*Votes and Proceedings:* 2008-09/1267-8, 1269-70

**SOs 46, 80**

## Speaker

**70.21** *Speaker asked about Parliament House water features*

Following Question Time, a Member asked the Speaker whether there was a stage in Canberra's water storages at which the water features on the Parliamentary grounds would be restored to working condition. The Speaker responded that such a trigger did exist but he was unsure of the exact figure and would ensure that it was circulated. He also noted that Canberra's water storage levels could be monitored through the ACTEW website.

*Hansard:* 19 August 2009, 8361-2

**SO 103**

## Standing orders

**70.22** *Standing orders amended*

The Leader of the House, pursuant to notice, moved a motion which proposed amendments to the standing orders. The motion made amendments to standing orders 192 and 193, changing the meeting time of the Main Committee on Mondays from 6.40 p.m. to 4 p.m., and providing for a period of Members'

constituency statements as the first item of business on any day on which the Main Committee meets (previously only provided for on Tuesdays, Wednesdays and Thursdays). The House agreed to the motion following debate.

*Hansard*: 17 August 2009, 7933-7  
*Votes and Proceedings*: 2008-09/1233-4

**SOs 192, 193**

## Withdrawals

### 70.23 *Offensive words*

|   | <i>Hansard</i> |             |
|---|----------------|-------------|
|   | <i>Date</i>    | <i>Page</i> |
| '...you idiot!'                         | 13 August 2009 | 7858        |
| 'He is a disgrace...'                   | 13 August 2009 | 7861        |
| '...absolutely misleading the House...' | 13 August 2009 | 7864-5      |
| <i>unrecorded</i>                       | 18 August 2009 | 8169        |
| '...Sloppy Joe.'                        | 18 August 2009 | 8172        |
| <i>unrecorded</i>                       | 19 August 2009 | 8338        |
| '...Sloppy Joe...'                      | 19 August 2009 | 8341        |
| <i>unrecorded</i>                       | 20 August 2009 | 8511        |
| <i>unrecorded</i>                       | 20 August 2009 | 8542        |
| '...very sloppy, Joe...'                | 20 August 2009 | 8547        |

**SOs 89, 90, 92**