

Procedural Digest

No. 79

15–24 June 2010

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Business

79.01 *Condolence motion for soldiers killed in Afghanistan*

Prior to Question Time, the Prime Minister moved a motion of condolence regarding the deaths of Sapper Jacob Daniel Moerland and Sapper Darren James Smith while on combat operations in Afghanistan on 7 June 2010.

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

Hansard: 15 June 2010, 5301-2
Votes and Proceedings: 2008-09-10/1843

SO 49

79.02 *Statements by indulgence regarding aircraft crash*

Prior to Question Time the Minister for Infrastructure, Transport, Regional Development and Local Government and the Shadow Minister both made statements on indulgence regarding the deaths of two people in a light aircraft crash earlier that day at Canley Vale Heights in Sydney.

Hansard: 15 June 2010, 5303

SO 65

79.03 *MPI interrupted to consider Senate messages*

Following the proposer's speech on the matter of public importance, the discussion was interrupted, by leave, on the motion of a Minister. Several Senate messages regarding legislation were dealt with, after which the MPI discussion resumed. The Minister spoke in reply to the MPI for 10 minutes before the discussion was interrupted by the adjournment debate.

Hansard: 17 June 2010, 5789-96
Votes and Proceedings: 2008-09-10/1868-70

SOs 31, 46, 261

79.04 *Statements by indulgence regarding missing aircraft*

Prior to Question Time the Minister for Foreign Affairs and the Shadow Minister both made statements on indulgence regarding a plane missing between Cameroon and the Congo, on which several Australians are aboard.

Hansard: 21 June 2010, 5881-2

SO 65

79.05 *Two responses to Ministerial statement*

The Minister for Defence Personnel made a Ministerial statement on the sinking of the *Montevideo Maru* in 1942. The Minister suspended standing orders to allow the Shadow Minister to speak for a period not exceeding that of the ministerial statement (17 minutes). Following the Shadow Minister's speech, the Minister moved a second suspension of standing orders to allow an Independent Member to speak for two minutes. The Independent Member then spoke on the matter.

Hansard: 21 June 2010, 5907-15

Votes and Proceedings: 2008-09-10/1874-5

SOs 34, 47, 63

79.06 *Statements by indulgence on death of Australian soldiers – Members rise in their places; Statement in Main Committee*

Debate on a bill was adjourned to enable the Prime Minister, by indulgence to inform the House of a helicopter crash in Afghanistan and resulting death and wounding of several Australian servicemen. The Leader of the Opposition supported the Prime Minister's words by indulgence. The Speaker invited all Members to rise in their places as a mark of respect to the deceased.

Shortly afterwards, during consideration in detail of the budget in the Main Committee, the Parliamentary Secretary to the Prime Minister rose on indulgence and informed the Chamber of the crash, referring to the Prime Minister's statement in the House.

Hansard: 21 June 2010, 5930-2, 6033

SO 65

79.07 *Statements by leave regarding wounded soldiers*

Prior to Question Time the Prime Minister made a statement, by leave, regarding several Australian soldiers wounded in a helicopter crash in Afghanistan. The crash had resulted in the deaths of three Australian soldiers, as reported to the

House previously (*see* entry 79.06). The Leader of the Opposition, by leave, supported the Prime Minister's statement.

Hansard: 22 June 2010, 6807-8
Votes and Proceedings: 2008-09-10/1885

SO 63

79.08 *Further statements by indulgence regarding missing aircraft*

Prior to Question Time the Prime Minister made a statement by indulgence regarding the discovery of the crash site of a plane which had been missing between Cameroon and the Congo, noting that it had been confirmed that there were no survivors. The Leader of the Opposition, by indulgence, supported the Prime Minister's statement.

After Question Time the following day, the Minister for Foreign Affairs and the Shadow Minister made statements by indulgence regarding efforts to recover the bodies of the crash victims (*And see* entry 79.04)

Hansard: 22 June 2010, 6808; 23 June 2010, 7069-70

SO 65

79.09 *Leave not granted for ministerial statement; Standing orders suspended*

Following Question Time the Minister for Health sought leave to make a ministerial statement relating to e-health reform. Leave was not granted. The Leader of the House then moved a suspension of standing orders to enable the Minister to speak for 10 minutes. Following some debate the Leader of the House moved that the question be put. The question was carried on division, and the question on the suspension motion was carried on a further division. The Minister then made her statement for 10 minutes, after which the Shadow Minister was granted leave to respond to the statement for 10 minutes.

Hansard: 22 June 2010, 6829-39
Votes and Proceedings: 2008-09-10/1887-9

SOs 47, 63, 81

79.10 *Condolence motion for soldiers killed in Afghanistan*

Prior to Question Time, the Prime Minister moved a motion of condolence regarding the deaths of Private Timothy James Aplin, Private Benjamin Adam Chuck and Private Scott Travis Palmer while on combat operations in Afghanistan on 21 June 2010.

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

Hansard: 23 June 2010, 7045-6
Votes and Proceedings: 2008-09-10/1899

SO 49

79.11 *House meets late*

Pursuant to notification by the Speaker, the sitting on Thursday, 24 June began at 10 a.m. rather than the usual 9 a.m.

The change in meeting time accommodated a special Labor Party caucus meeting, during which a new leader of the party was elected (*see* entry **79.13**).

Hansard: 24 June 2010, 7235
Votes and Proceedings: 2008-09-10/1905

SOs 29, 30

79.12 *Suspension of standing orders 31 and 33; Extended sitting*

The Leader of the House, pursuant to notice, moved that standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after 10 p.m.) be suspended for this sitting. The motion was moved in anticipation of the House sitting later than usual, and was agreed to on the voices.

The sitting was suspended from 6.56 to 8.25 p.m., after which several messages from the Senate were dealt with. A Minister then moved that the House do now adjourn, and the question was put and passed without debate.

Hansard: 24 June 2010, 7235, 7394, 7401
Votes and Proceedings: 2008-09-10/1905, 1913

SOs 31, 32, 33, 47

79.13 *New Prime Minister*

Before Question Time on 24 June, the new Prime Minister announced that she had been elected in a caucus meeting earlier in the day and sworn in by the Governor-General. She presented a copy of the Gillard Ministry, 24 June 2010, which was incorporated into *Hansard*. The Prime Minister advised that she had appointed Mr Wayne Swan as Deputy Prime Minister, and made a statement by indulgence regarding the matter. The Leader of the Opposition, by indulgence, congratulated the new Prime Minister and Deputy Prime Minister.

Hansard: 24 June 2010, 7299-301
Votes and Proceedings: 2008-09-10/1905, 1909

SO 65

79.14 *Minister announces retirement by indulgence*

Following Question Time the Minister for Finance and Deregulation, by indulgence, made a statement advising the House that he would not be contesting the forthcoming federal election for the seat of Melbourne.

The Speaker thanked the Minister for his service, after which the Leader of the Opposition, the Prime Minister and other Members congratulated the Minister on his achievements. Later in the sitting, further statements were made by indulgence recognising the Minister's achievements.

Hansard: 24 June 2010, 7317-21, 7383-4

SO 65

79.15 *Statements by indulgence on soccer World Cup*

Following Question Time the Leader of the Opposition and the Prime Minister made statements by indulgence congratulating the Socceroos on their achievements at the World Cup.

Hansard: 24 June 2010, 7321-2

SO 65

Committees

79.16 *Petitions Committee report on the work of the Committee*

The Chair of the Petitions Committee presented a report entitled: The work of the first Petitions Committee: 2008-2010.

The report reviews the role and operation of the Committee, and recommends that sessional orders 207 and 209 be made permanent, and that the standing orders be amended to enable the Committee to refer petitions to House committees for inquiry.

The Chair made a statement in connection with the report.

Hansard: 21 June 2010, 5982-3

Votes and Proceedings: 2008-09-10/1876

SO 220

79.17 *Procedure Committee report on the effectiveness of House committees*

The Chair of the Procedure Committee presented a report entitled: Building a modern committee system: an inquiry into the effectiveness of the House committee system.

The report makes several recommendations relating to the resourcing and structure of the House committee system and the powers and operations of committees.

The Chair made a statement in connection with the report, and moved that the House take note of the report. Debate was adjourned and the report was referred to the Main Committee for debate.

Hansard: 21 June 2010, 5992-3
Votes and Proceedings: 2008-09-10/1877-8

SO 221

79.18 *Privileges and Members' Interests Committee report on online publication of register*

The Chair of the Privileges and Members' Interests Committee presented a report entitled: Publication of the Register of Members' Interests on the Australian Parliament website. The Chair of the Committee made a statement by leave in relation to the report.

The report proposes that from the commencement of the 43rd Parliament, Members' interests returns and alterations will be made available on the Australian Parliament website.

Hansard: 24 June 2010, 7258-9
Votes and Proceedings: 2008-09-10/1908

SO 216

79.19 *Statement on committee report during Government business*

During Government business time, a Member of the Joint Standing Committee on the National Capital and External Territories, by leave, made a statement on report of the Committee's visit to New Zealand under the Australia – New Zealand Committee Exchange Program.

The report had been presented earlier in the week but no statements had been made at that time.

Hansard: 24 June 2010, 7392-3
Votes and Proceedings: 2008-09-10/1913

SOs 39, 63

Debate

79.20 *Closure of question on second reading of bill; Division on 3rd reading*

During debate on the second reading of the Electoral and Referendum Amendment (Close of Rolls and Other Measures) Bill (No. 2) 2010 (cognate with a package of related bills), the Leader of the House moved that the question be put. The question was agreed to on division, and the question on the second reading was carried on the voices. The third reading was then carried on division.

Note: Closure of debate is an unusual means of expediting the passage of a bill. More common methods are to declare a bill urgent and set an allotment of time (guillotine) or to suspend standing orders to set a schedule for the passage of a bill ('de facto' guillotine).

Hansard: 16 June 2010, 5505-7
Votes and Proceedings: 2008-09-10/1852-4

SOs 81, 82, 84

79.21 *Minister extends adjournment debate*

At the conclusion of the adjournment debate a Minister required the debate to be extended and made a brief statement to note that a Government Member was not speaking on behalf of the Government in her adjournment speech. The Member's speech had commented on Government policy regarding Israel.

Hansard: 16 June 2010, 5067
Votes and Proceedings: 2008-09-10/1861

SO 31

79.22 *Chair speaks 'twice' to tabling of committee report*

During the Monday presentation of Committee and Delegation reports, the Chair of the Joint Standing Committee on Migration presented a report on the migration treatment of disability, and made a statement in connection with the report. When the Chair's five minute time limit has expired, no other Member was present to speak to the report and the Chair obtained leave and continued for the remaining five minutes allocated. He then moved that the House take note of the report and the report was referred to the Main Committee for debate.

Note: Pursuant to standing order 39, the Whips had allocated 5 minutes for the Chair's statement and 5 minutes for a statement by another Member.

Hansard: 21 June 2010, 5993-5
Votes and Proceedings: 2008-09-10/1878

SOs 39, 69, 71

Petitions

79.23 *Minister presents 'petition' and makes statement by leave*

Following a Ministerial statement but before the Shadow Minister's response, the Minister for Families, Housing, Community Services and Indigenous Affairs presented as a document a petition (subject to approval by the Standing Committee on Petitions). The Minister then, by leave, made a statement in connection with the document.

Standing orders were then suspended to facilitate the Shadow Minister's response to the Ministerial statement.

Note: Under the standing orders, petitions approved by the Standing Committee on Petitions are presented by the Chair of the Committee during the time allocated on Monday evenings, or by private Members at other specified times.

Hansard: 15 June 2010, 5330-1

Votes and Proceedings: 2008-09-10/1844-5

SOs 34, 63, 199, 207, 208

79.24 *Petition presented by leave during Government business*

Following second reading debate on a bill, a Member was granted leave and presented a petition which had been approved by the Standing Committee on Petitions and made some brief remarks.

Hansard: 24 June 2010, 7392

Votes and Proceedings: 2008-09-10/1913

SOs 34, 63, 207

Questions

79.25 *Question about registered political parties allowed*

During Question Time, a Government Member asked the Minister for Finance and Deregulation and Minister representing the Special Minister of State why it is important that registered political parties run stable and coherent candidate selection processes. Points of order were raised from both sides regarding whether a question about the activities of political parties was in order. The Speaker ruled that it was in order for the question to be answered by the Minister as the representative of the Special Minister of State, and the Minister responded to the question.

Hansard: 16 June 2010, 5545-8

SOs 86, 98

Quorums

79.26 *Member calling quorum departs Chamber*

While the bells were ringing to obtain a quorum, the Chief Opposition Whip raised a point of order noting that the Member who called the quorum had left the Chamber. The Chair noted the point of order and reminded the Member, who returned to the Chamber a short time later, that the person calling a quorum must remain in the Chamber until a quorum is present.

Hansard: 16 June 2010, 5518

SOs 55, 56, 86

Standing orders

79.27 *Standing orders amended*

The Leader of the House, pursuant to notice, moved a motion proposing an amendment to standing order 4. The amendment inserted an Indigenous ceremony of welcome into the procedures for the opening of a new Parliament. The House agreed to the motion following debate.

Hansard: 23 June 2010, 6996-8

Votes and Proceedings: 2008-09-10/1897

SO 4

Withdrawals

79.28 *Offensive words*

| | Hansard | |
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| | Date | Page |
| <i>unrecorded</i> | 15 June 2010 | 5317 |
| '...he is a fraud...' | 15 June 2010 | 5318 |
| '...you goose!' | 17 June 2010 | 5776 |
| <i>unrecorded</i> | 17 June 2010 | 5776-7 |
| 'You're even dumber than I thought you were!' | 21 June 2010 | 6019 |
| 'It is a lie!' | 22 June 2010 | 6814 |

SOs 89, 90, 92