

Procedural Digest

No. 127*12–14 May 2015*

<i>May 2015</i>				
M	T	W	T	F
11	12	13	14	15
18	19	20	21	22

Bills

127.01 *Presentation of 2015-2016 Budget*

On Tuesday 12 May, after a suspension of sitting from 5.58 pm to 7.30 pm, the Speaker reported a message from the Governor-General recommending an appropriation for the purposes of Appropriation Bill (No. 1) 2015-2016. The Treasurer then presented the bill, moved the second reading and delivered the budget speech. During his speech the Treasurer presented two pieces of draft legislation. Debate was then adjourned and the Parliamentary Secretary to the Minister for Finance presented documents in connection with the Budget.

The Parliamentary Secretary then presented Appropriation Bill (No. 2) 2015-2016, Appropriation (Parliamentary Departments) Bill (No. 1) 2015-2016, Appropriation Bill (No. 5) 2014-2015 and Appropriation Bill (No. 6) 2014-2015. The introduction of each bill was preceded by a message from the Governor-General recommending an appropriation for the purposes of the bill.

*Hansard: 12 May 2015, 3803-16
Votes and Proceedings: 2015/1265-7*

SOs 141, 142, 147, 178, 180, 182, 199

Business

127.02 *Statements by indulgence regarding the death of Elizabeth Ann Dewar (Betty) Churcher AO*

Prior to question time, the Prime Minister and the Leader of the Opposition both made statements by indulgence regarding the death of Elizabeth Ann Dewar (Betty) Churcher AO, former National Gallery of Australia director. The Leader of the House, by leave, moved that further statements be permitted in the Federation Chamber and the question was agreed to.

A further statement on the matter was made in the Federation Chamber on 14 May.

*Hansard: 12 May 2015, 3743-4; 14 May 2015, 4210
Votes and Proceedings: 2015/1260; 1297*

SOs 65, 183

127.03 *Statements by indulgence regarding the death of Richard Benaud OBE*

Prior to question time, the Prime Minister and the Leader of the Opposition both made statements by indulgence regarding the death of Richard Benaud OBE, former Australian cricket captain and commentator. The Leader of the House, by leave, moved that further statements be permitted in the Federation Chamber and the question was agreed to.

Further statements on the matter were made in the Federation Chamber on 14 May.

Hansard: 12 May 2015, 3744-5; 14 May 2015, 4210-23
Votes and Proceedings: 2015/1260; 1297

SOs 65, 183

127.04 *Death of former Member, Adrian Gibson OAM*

Prior to question time the Speaker informed the House of the death of Mr Adrian Gibson OAM, a former Member for Denison from 1964 to 1969. As a mark of respect all Members present rose and stood in silence.

Hansard: 12 May 2015, 3745
Votes and Proceedings: 2015/1260

127.05 *Statements by indulgence regarding Queensland and New South Wales floods and storms*

Prior to question time on Tuesday 12 May, the Prime Minister and the Leader of the Opposition both made statements by indulgence regarding recent floods and storms across Queensland and New South Wales. The Leader of the House, by leave, moved that further statements be permitted in the Federation Chamber and the question was agreed to.

Further statements on the matter were made in the Federation Chamber the following day.

Hansard: 12 May 2015, 3746-7; 13 May 2015, 4022-44
Votes and Proceedings: 2015/1260; 1289-90

SOs 65, 183

127.06 *Suspension of standing order 31 (automatic adjournment) for the budget reply*

On Thursday 14 May the Leader of the House, by leave, moved that standing order 31 (automatic adjournment of the House) be suspended for the sitting, 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.

The Speaker then advised that during the budget reply speech, disorderly Members would be asked to leave the Chamber under standing order 94(a) by written note. Following a comment by the Manager of Opposition Business, the Speaker also advised that she would be enforcing the rule that no props are to be used in the Chamber.

*Hansard: 14 May 2015, 4141
Votes and Proceedings: 2015/1294*

SOs 31, 47, 94

127.07 *Appropriation bill called on prior to suspension of sitting for budget reply speech*

After intervening business had been postponed, the second reading debate on Appropriation Bill (No. 1) 2015-2016 was called on in preparation for the budget reply speech. The sitting was then immediately suspended, at 6.04 pm. When the sitting was resumed at 7.30 pm, the second reading debate was continued by the Leader of the Opposition giving his budget reply speech.

The House adjourned at 8.02 pm.

*Hansard: 14 May 2015, 4185-92
Votes and Proceedings: 2015/1295-6*

SO 142

Committees

127.08 *Statement by Chair of Joint Committee of Public Accounts and Audit on draft budget estimates for the ANAO and PBO*

During government business time on Tuesday 12 May, the Chair of the Joint Committee of Public Accounts and Audit, by leave, made a statement concerning the draft budget estimates for the Australian National Audit Office and the Parliamentary Budget Office for 2015-2016. He then, by leave, presented a copy of the statement.

Note: As the committee responsible for parliamentary oversight of the ANAO and PBO, the Joint Committee of Public Accounts and Audit is required by legislation to consider the draft budget estimates for each office. Therefore, on Budget day each year the Committee makes a statement on whether, in its opinion, these offices have been given sufficient funding to carry out their respective mandates. See the *Parliamentary Service Act 1999* regarding the Committee's role in respect of the PBO and the *Public Accounts and Audit Committee Act 1951* regarding the ANAO.

*Hansard: 12 May 2015, 3774-6
Votes and Proceedings: 2015/1263*

SOs 63, 199

127.09 *Appropriations and Administration Committee reports*

The Speaker, as Chair of the Standing Committee on Appropriations and Administration, presented the Committee's Annual report 2013-2014 and its report on the 2015-2016 budget estimates for the Department of the House of Representatives.

Hansard: 14 May 2015, 4047
Votes and Proceedings: 2015/1291

SOs 222A, 247

Members

127.10 *Member granted leave of absence*

The Manager of Opposition Business moved that leave of absence be given to an opposition Member for the remainder of the current period of sittings because of ill health. The question was agreed to.

Hansard: 13 May 2015, 3935
Votes and Proceedings: 2015/1284

SO 26

127.11 *Member sanctioned for refusing to withdraw offensive words*

During question time, following a point of order from a government Member, the Speaker asked an opposition Member to withdraw an unparliamentary name. The Member refused, and was directed to leave the Chamber for one hour under standing order 94(a) for defying the Chair.

Hansard: 14 May 2015, 4137
Votes and Proceedings: 2015/1293

SOs 89, 90, 91, 94

Motions

127.12 *Prime Minister's motion regarding the 100th anniversary of the landings at Gallipoli*

Following the acknowledgement of country and prayers on Tuesday 12 May, the Prime Minister, by leave, moved a motion regarding the 100th anniversary of the landings at Gallipoli. The Leader of the House then, by leave, moved to suspend standing orders to allow the Leader of the Opposition to speak for the same period of time. The question was agreed and the Leader of the Opposition addressed the House before the debate was adjourned. The motion was debated in the House on the next two sitting days.

Hansard: 12 May 2015, 3709-14
Votes and Proceedings: 2015/1257

SOs 47, 63, 111

127.13 *Condolence motion for former Senator, the Hon. Peter Alexander Walsh AO*

Prior to question time, the Prime Minister moved a motion of condolence regarding the death of the Honourable Peter Alexander Walsh AO, a former Senator for Western Australia and Minister. The Leader of the Opposition having seconded the motion, an opposition Member (Mr Walsh's son-in-law) and the Speaker addressed the House in support. All Members rose in silence as a mark of respect and the debate was adjourned. The Leader of the House then, by leave, moved that the resumption of debate on the condolence motion be referred to the Federation Chamber and the question was agreed to.

The following day, the condolence motion was debated in the Federation Chamber and agreed to by the House.

Hansard: 12 May 2015, 3739-41; 13 May 2015, 3910, 4011-18
Votes and Proceedings: 2015/1259; 1283; 1289

SOs 49, 183

127.14 *Condolence motion for former Member, the Hon. Michael John Randal Mackellar AM*

Prior to question time, the Prime Minister moved a motion of condolence regarding the death of the Honourable Michael John Randal Mackellar AM, a former Member for Warringah and Minister. The Leader of the Opposition seconded the motion and the Speaker spoke in support. All Members rose in silence as a mark of respect and the debate was adjourned. The Leader of the House then, by leave, moved that the resumption of debate on the condolence motion be referred to the Federation Chamber and the question was agreed to.

The following day, the condolence motion was debated in the Federation Chamber and agreed to by the House.

Hansard: 12 May 2015, 3741-3; 13 May 2015, 3910-11, 4018-22
Votes and Proceedings: 2015/1259-60; 1283, 1289

SOs 49, 183

127.15 *Condolence motion for former Prime Minister, the Rt Hon. John Malcolm Fraser AC CH agreed to*

Just prior to question time on Thursday 14 May, the Speaker put the question on the Prime Minister's motion of condolence for the Right Honourable John Malcolm Fraser AC CH. The question was agreed to as all Members present rose in silence. The condolence motion had been debated in the House on a number of occasions since it was moved on 23 March 2015 (*see* entry **126.07**).

Hansard: 14 May 2015, 4121
Votes and Proceedings: 2015/1293

SO 49

Questions

127.16 Part of question ruled out of order

During question time a non-aligned Member asked the Prime Minister a question regarding the Tasmanian Freight Equalisation Scheme, suggesting that elements of the scheme were unconstitutional. The Speaker ruled that it was out of order to ask for a legal opinion and advised the Prime Minister to ignore that part of the question.

Hansard: 14 May 2015, 4126
SOs 98, 100

127.17 Question ruled out of order

During question time an opposition Member asked the Treasurer what the impact would be on the budget if the Government's wages forecast dropped. The Speaker ruled that the question was hypothetical and therefore out of order.

Hansard: 14 May 2015, 4138
SOs 98, 100

Speaker

127.18 Statement on arrangements for budget and budget reply nights

After question time on Tuesday 12 May, the Speaker made some remarks concerning arrangements for budget night and budget reply night. She informed the House that she would be upholding the principle that a Member with the call is entitled to speak without interruption and advised that, in accordance with precedent, disorderly Members would be directed to leave the Chamber under standing order 94(a), by written note. The Speaker also asked Members to ensure that their guests arrived in the galleries in a timely way.

Hansard: 12 May 2015, 3756
SOs 91, 92, 94

Withdrawals

127.19 *Offensive words*

	<i>Hansard</i>	
	<i>Date</i>	<i>Page</i>
'lies'	13 May 2015	3921
'liar'	14 May 2015	4137

SOs 89, 90, 92