

Procedural Digest

No. 129

15 – 25 June 2015

June 2015				
M	T	W	T	F
15	16	17	18	19
22	23	24	25	26

Bills

129.01 *Second reading amendment withdrawn*

Debate resumed on the second reading of the Labor 2013-14 Budget Savings (Measures No. 1) Bill 2014 and on a second reading amendment moved by an opposition Member. The opposition Member, by leave, and in accordance with standing order 121 (d), withdrew his amendment and debate on the bill continued.

Hansard: 15 June 2015, 6047-51
Votes and Proceedings: 2015/1374

SOs 63, 121, 142, 145

129.02 *Bill returned to House with Senate amendments and requested amendments*

On Tuesday 16 June, the House received the Business Services Wage Assessment Tool Payment Scheme Bill 2014 with Senate amendments and requests for amendments. In accordance with practice, the House considered the requested amendments but not the Senate amendments. A message from the Governor-General having been announced recommending an appropriation for the purpose of the requested amendments, the requested amendments were made by the House. The bill was later read a third time in the Senate. The following day the House agreed to the Senate amendments.

Note: Section 53 of the Constitution provides that the Senate may not amend a bill so as to increase any proposed charge or burden on the people, but may request the House to do so.

Hansard: 16 June 2015, 6297; 17 June 2015, 6511-14
Votes and Proceedings: 2015/1387; 1395

SOs 158, 161, 165, 180, 181

129.03 *Ministers correct answers given during consideration in detail of Appropriation Bill (No. 1)*

During consideration in detail of Appropriation Bill (No. 1) 2015-2016 in the Federation Chamber, two Ministers corrected answers they had previously given during consideration in detail of the bill.

Hansard: 17 June 2015, 6685-6, 6730

SO 148

129.04 *Proceedings on the Social Services Legislation Amendment (Fair and Sustainable Pensions) Bill 2015; Dissent from Speaker's ruling moved*

On Thursday 18 June, second reading debate resumed on the Social Services Legislation Amendment (Fair and Sustainable Pensions) Bill 2015. After a number of Members had spoken, the debate was closed on division. The question on the second reading was accordingly put and agreed on division. A message from the Governor-General was announced recommending appropriation for the purposes of the bill and the bill proceeded to consideration in detail. The Minister for Social Services sought and was denied leave to move a number of government amendments together. He then moved to suspend standing orders to allow the amendments to be moved together and for the remaining stages of the bill to be passed without delay.

The Manager of Opposition Business began speaking to the suspension motion and was closed on division. The Minister then moved a closure of question. The Manager of Opposition Business sought to raise a point of order, which the Deputy Speaker did not allow. The Manager of Opposition Business moved a dissent from the Deputy Speaker's ruling that he could not raise a point of order. The dissent motion was negatived on division. Standing order 43 (Members' statements) was suspended, on division, to allow the debate to continue until the commencement of question time at 2pm.

On Monday 22 June, the order of the day for consideration in detail of the bill was called on and, by leave, the motion to suspend standing orders was withdrawn. The Minister then, by leave, moved government amendments together and debate ensued. The amendments were agreed to on the voices and the bill, as amended, was agreed to on division. Consideration in detail concluded and the bill was read a third time.

Note: Under standing order 78, closure motions should be put immediately and resolved without amendment or debate.

Hansard: 18 June 2015, 6819-38; 22 June 2015, 6966-76
Votes and Proceedings: 2015/1405-1411; 1420-1

SOs 43, 47, 63, 78, 80, 81, 86, 87, 117, 142, 150

129.05 *Budget passed by House and Senate*

On Monday 22 June, Appropriation Bill (No. 1) 2015-2016, 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 were each reported to the House from the Federation Chamber without amendment and read a third time. The following day, the bills were passed by the Senate without amendment.

Hansard: 22 June 2015, 7100-2
Votes and Proceedings: 2015/1426-7
Senate Journals: 2015/2774-5

SOs 152, 153, 155

129.06 *Bills introduced and passed in one sitting*

The Minister for Social Services, by leave, presented the Social Services Legislation Amendment (Defined Benefit Income Streams) Bill 2015. The Minister moved the second reading and, by leave, debate ensued. The question was put and with only two non-aligned Members voting 'No', the Deputy Speaker declared the question resolved in the affirmative. On the motion of the Minister, by leave, the bill was read a third time.

Later, the Treasurer presented a package of four fuel indexation bills, each without notice. (Two of the bills were not classified as tax bills and required leave to be presented without notice.) For each bill, the Treasurer moved the second reading and the resumption of debate, by leave, was made an order of the day for a later hour. Debate then immediately resumed on the first bill in the package (in cognate with the other three bills) and the second reading agreed. By leave, the bill was read a third time. The other three bills were then passed by the House, with a message from the Governor-General recommending appropriations announced for two of the bills.

Hansard: 23 June 2015, 7236-51, 7299-7357
Votes and Proceedings: 2015/1435-6, 1437-8

SOs 63, 127, 141, 142, 155, 178

129.07 *Bill introduced and passed in one sitting*

The Minister for Immigration and Border Protection, by leave, presented the Migration Amendment (Regional Processing Arrangements) Bill 2015. The Minister moved the second reading and, by leave, debate ensued. The question on the second reading was put and passed, with one non-aligned Member recording his dissent. On the motion of the Minister, by leave, the bill was read a third time.

*Hansard: 24 June 2015, 7488-7509
Votes and Proceedings: 2015/1449*

SOs 63, 126, 141, 142, 155

129.08 *Closure of debate on bill*

Debate resumed on the second reading of the Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2]. An opposition Member moved an amendment to the motion for the second reading of the bill and debate continued. Once four Members had spoken, a Minister moved that the question be put and the closure motion was agreed on division. The question on the amendment was accordingly put and negatived and the question on the second reading was put and passed. A message from the Governor-General was announced recommending appropriation for the bill and the bill was passed by the House.

*Hansard: 25 June 2015, 7597-7620
Votes and Proceedings: 2015/1462-3*

SOs 81, 142, 145

Business

129.09 *Motion to suspend standing orders to allow for censure motion;
Closure motion negatived and moved again*

The Deputy Manager of Opposition Business sought and was denied leave to move a censure motion against the Minister for Foreign Affairs, Attorney-General and Prime Minister. He then moved to suspend standing orders to allow him to move the motion. A Parliamentary Secretary moved that the Member be no longer heard and the Deputy Speaker declared the question resolved in the negative. The Deputy Manager of Opposition Business resumed speaking and the Parliamentary Secretary again moved that the Member be no longer heard. The House divided and the question was agreed. The seconder was also closed on division and the suspension motion was negatived on division.

*Hansard: 15 June 2015, 6040-6
Votes and Proceedings: 2015/1371-4*

SOs 47, 63, 78, 80, 125, 126

129.10 *Statements by indulgence regarding anniversary of Magna Carta*

Just prior to question time, the Prime Minister and the Leader of the Opposition each made statements by indulgence regarding the 800th anniversary of Magna Carta. The Speaker then informed the House of activities within the Parliament marking the anniversary.

Hansard: 15 June 2015, 6070-2

SO 65

129.11 *Motion to suspend standing orders to allow for censure motion*

During question time, the Manager of Opposition Business sought and was denied leave to move a censure motion against the Prime Minister. He then moved to suspend standing orders to allow him to move the motion. The motion was debated and negated on division.

Hansard: 15 June 2015, 6082-9

Votes and Proceedings: 2015/1375-6

SOs 47, 63

129.12 *Committee reports debated during government business time in Federation Chamber*

On Monday 15 June during government business time in the Federation Chamber, it was ordered that business intervening before committee and delegation business be postponed to a later hour. The Federation Chamber then debated two committee reports previously presented in the House.

Hansard: 15 June 2015, 6270-8

Votes and Proceedings: 2015/1384-5

SOs 40, 192

129.13 *Variation to order of business in the Federation Chamber*

On 16 June, the House agreed to suspend standing orders to vary the order of business in the Federation Chamber on Monday 22 June. The resolution provided for government business to take place during private Members' business time (from 11am to 12.30pm) and for private Members' business to take place during government business time (from 4.45pm to 6.15pm). In the Federation Chamber on 22 June, consideration in detail of Appropriation Bill (No. 1) 2015-2016 continued between 11am and 12.30pm and later, the debate concluded and the bill was returned to the House.

Hansard: 16 June 2015, 6299

Votes and Proceedings: 2015/1387-8

SOs 47, 192

129.14 *Statements by indulgence regarding the death of Ron Clarke AO MBE*

Just prior to question time the Prime Minister and the Leader of the Opposition each made statements by indulgence regarding the death of former Olympian, Ron Clarke. As a mark of respect, all Members present stood in silence.

*Hansard: 17 June 2015, 6585-6
Votes and Proceedings: 2015/1396*

SO 65

129.15 *Statements by indulgence regarding memorial service for Malaysia Airlines flight MH17*

Just prior to question time, the Prime Minister, by indulgence, informed the House of a memorial service for the first anniversary of the downing of flight MH17. The Leader of the Opposition, by indulgence, made a statement in support.

Hansard: 22 June 2015, 6999-70

SO 65

129.16 *Statements by indulgence regarding Ravenshoe café tragedy*

Following question time, a non-aligned Member made a statement by indulgence regarding a café explosion in Ravenshoe, in his electorate. The Deputy Prime Minister, Leader of the Opposition and a Government Member also made statements by indulgence on the matter. As a mark of respect, all Members present stood in silence.

Hansard: 23 June 2015, 7280-3

SO 65

129.17 *Motion to suspend standing orders to allow for censure motion*

During question time, the Manager of Opposition Business sought and was denied leave to move a censure motion against the Minister for Foreign Affairs, Attorney-General and Prime Minister. He then moved to suspend standing orders to allow him to move the motion. The mover and seconder were both closed on division and the question was closed on division. The suspension motion was negated on division.

*Hansard: 24 June 2015, 7455-62
Votes and Proceedings: 2015/1445-8*

SOs 47, 63, 80, 81

129.18 *Motion to suspend standing orders to allow for motion of condemnation*

The Deputy Manager of Opposition Business sought leave to move a censure motion against the Prime Minister. Leave being denied, the Member moved to suspend standing orders to allow him to move a motion condemning the Prime Minister and the Government. The mover and seconder were both closed on division and the question was closed on division. The suspension motion was negatived on division.

*Hansard: 25 June 2015, 7567-73
Votes and Proceedings: 2015/1455-9*

SOs 47, 63, 80, 81

129.19 *Statements by indulgence regarding HMAS Tobruk*

Just prior to question time the Prime Minister and the Leader of the Opposition each made statements by indulgence regarding the retirement of HMAS Tobruk. The Speaker also made some remarks on the matter.

Hansard: 25 June 2015, 7642-3

SO 65

Committees

129.20 *Government response to Procedure Committee report*

Following question time, a government response to the House Standing Committee on Procedure report entitled 'Building a modern committee system: An inquiry into the effectiveness of the House committee system' was presented.

*Hansard: 22 June 2015, 7019
Votes and Proceedings: 2015/1424*

SOs 199, 221

129.21 *Committee report presented in the Federation Chamber*

During committee and delegation business time in the Federation Chamber, the Chair of the Procedure Committee presented a report entitled, 'Role of the Federation Chamber: Celebrating 20 years of operation'. The Chair and Deputy Chair each made statements in connection with the report.

Note: This was the first committee report ever presented in the Federation Chamber. It was presented in accordance with the standing orders as amended at the beginning of the current parliament.

*Hansard: 22 June 2015, 7147-9
Votes and Proceedings: 2015/1430*

SOs 39, 183, 221, 247

129.22 *Joint select committee presents report*

During government business time, the Chair of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples presented the Committee's final report. The Chair and another Member of the Committee each made statements, by leave, in connection with the report. The Chair moved that the House take note of the report and the resumption of debate was referred to the Federation Chamber.

Hansard: 25 June 2015, 7590-4
Votes and Proceedings: 2015/1461
SOs 39, 63, 183, 223, 224, 226

129.23 *Joint select committee presents report*

During government business time, the Chair of the Joint Select Committee on the Australia Fund Establishment presented the Committee's report. The Chair, by leave, made a statement in connection with the report.

Hansard: 25 June 2015, 7690
Votes and Proceedings: 2015/1467
SOs 39, 223, 224, 226, 247

Debate

129.24 *Member continues second reading speech by leave*

Second reading debate resumed on the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015. After a number of Members had spoken to the bill, an opposition Member was granted leave to continue his speech, which had been interrupted by the adjournment debate at a previous sitting.

Note: If a Member whose speech has been interrupted does not seek the call immediately upon the resumption of the debate he or she is taken to have concluded his or her speech.

Hansard: 24 June 2015, 7402
Votes and Proceedings: 2015/1443
SOs 63, 69

Documents

129.25 *Minister presents document*

The Minister for Agriculture presented a document in response to questions he had received the previous sitting during consideration in detail of Appropriation Bill (No. 1) 2015-2016 in the Federation Chamber.

Hansard: 18 June 2015, 6859
Votes and Proceedings: 2015/1412
SO 199

Federation Chamber

129.26 Federation Chamber adjourns due to lack of quorum

Proceedings in the Federation Chamber were suspended at 12.23 pm because a division was called in the House. This was followed by a number of successive divisions in the House. At 1.13 pm, a quorum not being present, the Deputy Speaker adjourned the Federation Chamber.

Note: The Federation Chamber usually adjourns at 1 pm on Thursdays.

Hansard: 18 June 2015, 6930
Votes and Proceedings: 2015/1415

SOs 184, 190

Members

129.27 Member granted leave of absence for parental leave

The Leader of the House moved that leave of absence be given to a government Member for the remainder of the sittings period for parental leave. The question was carried on the voices.

Hansard: 17 June 2015, 6609
Votes and Proceedings: 2015/1397

SO 26

129.28 Member named and suspended for three sitting days

During question time an opposition Member was directed to leave the Chamber for one hour for raising a frivolous point of order. The Member did not immediately leave the Chamber and instead sought the call to speak. The Speaker named the Member for defying the Chair and the Leader of the House moved that the Member be suspended from the service of the House. The question was agreed on division and the Speaker announced that the Member was suspended for the remainder of the day and for the next three sitting days, this being his second suspension of the year.

Hansard: 25 June 2015, 7647-9
Votes and Proceedings: 2015/1464-5

SOs 91, 94

129.29 *Leave of absence for all Members*

The Leader of the House moved that leave of absence be given to every Member from the determination of the sitting of the House to the date of its next sitting. The question was agreed to on the voices.

Note: Leave of absence is usually sought at the end of a parliamentary sitting period as a precaution, in order to ensure that section 38 of the Constitution is not contravened (even though the scheduled break is less than two consecutive months).

Hansard: 25 June 2015, 7671
Votes and Proceedings: 2015/1466

SO 26

Parliamentary administration

129.30 *Appointment of Member to the Council of the National Library of Australia*

The Deputy Speaker informed the House that Mr Chris Hayes MP had resigned as a member of the Council of the National Library of Australia. A Parliamentary Secretary then, by leave, moved that in accordance with the provisions of the *National Library Act 1960*, Mr Laurie Ferguson MP be elected to the Council for a period of three years. The question was carried on the voices.

Hansard: 16 June 2015, 6362
Votes and Proceedings: 2015/1389

Private Members' business

129.31 *Private Member's motion amended*

During private Members' business in the Federation Chamber, a government Member moved a motion regarding bowel cancer. The motion was seconded and an opposition Member moved, as an amendment, that some words be added to the motion. The amendment was seconded and debate on the motion and the amendment ensued.

Hansard: 15 June 2015, 6189
Votes and Proceedings: 2015/1381-2

SOs 41, 121

129.32 *Member speaks on private Member's motion by leave*

During private Members' business in the House, a government Member spoke to a motion regarding the *Racial Discrimination Act 1975*, by leave, after the time allocated by the Selection Committee for the debate had expired.

Hansard: 22 June 2015, 6953
Votes and Proceedings: 2015/1418
SOs 41, 63, 222

Questions**129.33** *Applause during question time*

During question time, the Minister for Trade and Investment answered a question regarding a free-trade agreement with China which had been signed that day. At the request of the Prime Minister, by indulgence, Members gave the Minister a round of applause. The Speaker advised that the intervention should not be taken as a precedent.

Hansard: 17 June 2015, 6590

129.34 *Question ruled out of order*

During question time, the Speaker ruled a question by an opposition Member to the Minister for Communications out of order.

Hansard: 18 June 2015, 6845
SOs 98, 100

129.35 *Question ruled out of order*

During question time, the Speaker ruled a question by a non-aligned Member to the Prime Minister out of order.

Hansard: 22 June 2015, 7004
SOs 98, 100

129.36 *Member asked to rephrase question*

During question time, the Leader of the Opposition asked the Prime Minister a question regarding education funding. The Speaker ruled that the question was hypothetical and asked the Leader of the Opposition to rephrase the question.

Hansard: 22 June 2015, 7009-10
SOs 98, 100, 101

129.37 *Speaker's rulings on questions without notice*

During question time on Tuesday 23 June, a number of opposition Members asked the Prime Minister questions regarding a discussion paper on education and hospital funding. The Speaker asked a Member to rephrase one such question without debate or hypotheticals. Another two questions on the matter were ruled out of order.

Hansard: 23 June 2015, 7272-3, 7275-7

SOs 98, 100

129.38 *Member asked to rephrase question*

During question time, the Deputy Leader of the Opposition asked the Minister representing the Attorney-General a question in which she said that the Attorney-General and Minister for Foreign Affairs had misled the Parliament. The Speaker ruled that such an accusation required a substantive motion and asked the Member to rephrase her question. The Member did so and the Minister provided an answer.

Hansard: 24 June 2015, 7447

SOs 90, 92, 98, 100

Speaker

129.39 *Question to the Speaker regarding comments made in the media*

After question time, an opposition Member questioned the Speaker about comments she had made on a television program the previous night. The Speaker replied that in the Australian parliamentary system, the Speaker is impartial in the Chair but remains politically affiliated.

Hansard: 16 June 2015, 6346-7

SO 103

129.40 *Statement by Speaker regarding retirement of Auditor-General*

After question time, the Speaker informed the House of the retirement of the Auditor-General, Mr Ian McPhee. She thanked Mr McPhee for his service and requested the House give him a round of applause. By indulgence, the Leader of the Opposition and the Leader of the House each supported the Speaker's remarks.

Hansard: 16 June 2015, 6347

129.41 *Request for detailed information from the Speaker*

An opposition Member made a request for detailed information from the Speaker regarding functions held in the Speaker's suite.

Hansard: 16 June 2015, 6437

SO 102

129.42 *Speaker's rulings regarding references to royal commission*

During the sitting fortnight, a number of Ministers referred to the Royal Commission into Trade Union Governance and Corruption in their answers to questions without notice. On two occasions the Speaker responded to opposition points of order critical of such references, advising that the sub judice rule does not apply to royal commissions.

Hansard: 18 June 2015, 6847-9; 25 June 2015, 7657-8

SOs 86, 98

129.43 *Statement by Speaker regarding consideration in detail of the main Appropriation Bill*

After question time, the Speaker made a statement regarding consideration in detail of Appropriation Bill (No. 1). She said that there had been questions raised regarding the allocation of the call during the debate and more generally, how the debate should be conducted. She advised that she would ask the Procedure Committee to examine the matter.

Note: The Procedure Committee has adopted the inquiry and will report to the House in due course.

Hansard: 18 June 2015, 6858-9

Votes and Proceedings: 2015/1412

SO 221

129.44 *Speaker presents delegation report*

After the acknowledgement of country and prayers, the Speaker presented the report of the Australian Parliamentary Delegation to the 132nd Inter-Parliamentary Union Assembly in Hanoi, Vietnam. Later that morning she made a statement in connection with the report.

Hansard: 25 June 2015, 7567, 7574

Votes and Proceedings: 2015/1455, 1459

SO 39

129.45 *Speaker presents Presiding Officers' report*

Following question time, the Speaker presented a document entitled 'The Presiding Officers' report to the Parliament: Parliament House building condition summary'.

Hansard: 25 June 2015, 7659
Votes and Proceedings: 2015/1465

SO 199**129.46** *Speaker presents schedule of outstanding government responses to committee reports*

Following question time, the Speaker presented the schedule of outstanding government responses to House and joint committee reports, covering the previous six month period.

Hansard: 25 June 2015, 7660-70
Votes and Proceedings: 2015/1466

SO 199**Withdrawals****129.46** *Offensive words*

	Hansard	
	<i>Date</i>	<i>Page</i>
'Dunce'	17 June 2015	6591
<i>unrecorded</i>	17 June 2015	6703-4
'...he deliberately lies to the Australian people?'	18 June 2015	6817
'Lies have been told by the Australian Prime Minister'	18 June 2015	6817
'...the Australian people see you as a very unsavoury member of the House...'	18 June 2015	6873-4
'He is such an annoying prat.'	18 June 2015	6919
'fraud'	23 June 2015	7263
'the cockroach of the Australian Labor Party'	23 June 2015	7291
'you idiot'	24 June 2015	7395
<i>unrecorded</i>	24 June 2015	7495
'Madam Fifi'	25 June 2015	7683

SOs 89, 90, 92