

# Procedural Digest

No. 17

45<sup>th</sup> Parliament

26 February – 1 March 2018

Feb/Mar 2018				
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Selected entries contain links to video footage via *Parlview*. Please note that the first time you click a [\[Watch\]](#) link, you may need to refresh the page (ctrl+F5) for the correct starting point.

## Business

### 17.01 New leader of The Nationals announced; revised ministry list presented

Just prior to question time on 26 February, the Prime Minister, on indulgence, informed the House that, following the resignation of the Member for New England as Leader of The Nationals and as Deputy Prime Minister, The Nationals had elected the Member for Riverina (Mr McCormack) as their leader. The Prime Minister informed the House that Mr McCormack had earlier that day been sworn in as Deputy Prime Minister and Minister for Infrastructure and Transport and the Prime Minister presented a revised ministry list. The new Deputy Prime Minister made some brief remarks by indulgence and thanked the Member for New England for his services to the Party and to the nation. [\[Watch\]](#)

*Hansard: 26 February 2018, 1820-2*  
*Votes and Proceedings: 2018/1397*

**SO 199**

### 17.02 Prime Minister presents court order and asks Member to correct the record

Between items of business on the afternoon of 27 February, the Prime Minister, by indulgence, made a statement in relation to a freedom of information application for access to documents. The statement followed a personal explanation given earlier that day by the Member for Hunter (Mr Fitzgibbon) in which the Member had claimed that he had been misrepresented by the Prime Minister when the Prime Minister referred to a costs order against him. The Prime Minister presented a copy of the court orders and reasons for judgment. The Member for Hunter, by indulgence, also addressed the House in relation to the matter. [\[Watch\]](#)

*Hansard: 27 February 2018, 2075, 2095*  
*Votes and Proceedings: 2018/1397*

**SO 199**

### 17.03 Two matters of public importance proposed for discussion

On 1 March, two definite matters of public importance were proposed to be put to the House for discussion, one by an opposition Member and one by a non-aligned Member. In accordance with the provisions of standing order 46, the Speaker selected the matter which, in his opinion, was the most urgent and important, that being the matter proposed by the non-aligned Member (Mr Katter), namely, 'The failure to open up the Galilee Basin Coalfields and create jobs for Australia and particularly North Queensland, where real widespread unemployment levels are now reaching 20 per cent.' The proposed discussion having received the necessary support, discussion on the matter ensued. [\[Watch\]](#)

*Standing order 46 provides that if more than one matter is received for the same day, the Speaker shall select the matter to be read to the House that day.*

*Hansard: 1 March 2018, 2513  
Votes and Proceedings: 2018/1431*

**SO 46**

## Committees

### 17.04 Establishment of Joint Select Committee

On 1 March, a minister, by leave, moved a motion relating to the establishment of a Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples to inquire into and report on matters relating to constitutional change. The motion included provision for the committee to make use of the evidence and records of the former Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples appointed during the 44<sup>th</sup> Parliament. The motion also provided for a message to be sent to the Senate acquainting it of the resolution and requesting its concurrence. After debate, the motion was carried on the voices. [\[Watch\]](#)

*Hansard: 1 March 2018, 2928-32  
Votes and Proceedings: 2018/1431-1433*

**SO 224**

## Documents

### 17.05 Speaker presents letter from High Court

On 26 February, the Speaker presented a letter from the Chief Executive and Principal Registrar of the High Court of Australia forwarding, in accordance with section 376 of the *Commonwealth Electoral Act 1918*, a copy of the orders made by the High Court sitting as the Court of Disputed Returns concerning Mr David Feeney.

*Hansard: 26 February 2018, 1840-2  
Votes and Proceedings: 2018/1398-1399*

**SO 199**

## Parliamentary administration

### 17.06 Statement by Speaker regarding protests in 2016

After the acknowledgement of country and prayers, the Speaker made a statement in relation to the protest in the public galleries which interrupted question time on 30 November 2016 and further protests which occurred outside Parliament House the following day. The Speaker advised the House that, following referrals by ACT Policing to the Commonwealth Director of Public Prosecutions, the two offenders who abseiled down the front façade of Parliament House were summoned to appear before the ACT Magistrates Court last year for the charge of behaving in a disorderly manner on Commonwealth premises.

The Speaker informed the House that both offenders pleaded guilty to the charge, and were last week fined \$1,500 each – amounting to almost half the maximum fine for such an offence. The Speaker stated that he would continue to apprise the House on the matter.

[\[Watch\]](#)

*Hansard: 26 February 2018, 1751  
Votes and Proceedings: 2018/1395*

### 17.07 Statement by Speaker regarding construction works

After question time on 1 March, the Speaker made a statement concerning construction works currently taking place in and around Parliament House. He thanked Members and other building occupants for their patience and understanding as the important security works are carried out. [\[Watch\]](#)

*Hansard: 1 March 2018, 2512-3  
Votes and Proceedings: 2018/1431*

## Private Members' business

### 17.08 Postponement of introduction of private Member's bill

During private Members' business on 26 February, upon a notice relating to the presentation of the Fair Work Amendment (Making Australia More Equal) Bill 2018 being called on, the Member who had given notice (Mr Bandt) fixed the next sitting Monday as the day for presenting his private Member's bill.

**Standing order 113** provides that a motion not moved when called on shall be removed from the Notice Paper except if the Member who gave notice, or another Member at his or her request, sets a future time for moving the motion.

*Hansard: 26 February 2018, 1762  
Votes and Proceedings: 2018/1395*

**SOs 41, 113**

### 17.09 Minister speaks during debate on private Members' motion

During private Members' business on 26 February, a Minister (Mr Wyatt) spoke during debate on a motion relating to home care packages moved by the Member for Hindmarsh (Mr Georganas).

*Whilst Ministers cannot sponsor private Members' bills or motions, from time to time Ministers participate in debate when bills and motions sponsored by backbench Members are considered by the House.*

Hansard: 26 February 2018, 1772-3  
Votes and Proceedings: 2018/1396

**SO 41**

### 17.10 Member denied leave to speak a third time during debate on private Members' motion

During private Members' business in the Federation Chamber on 26 February, after an opposition Member's contribution to debate on the Member for Moreton's (Mr Perrett) motion regarding the Eureka Stockade flag, a government Member (Mr Wallace) was granted leave to speak a second time. Following another opposition Member's contribution, Mr Wallace sought leave to speak a third time on the motion and leave was denied.

*The granting of leave to speak again is in these circumstances is unusual. When Members are permitted to speak more than once during a debate, the Chair generally gives priority to those who have not yet spoken over those who have already spoken.*

Hansard: 26 February 2018, 2000-6  
Votes and Proceedings: 2018/1409

**SOs 41, 63**

## Questions

### 17.11 Question without notice to Committee Chair

On 26 February, the Member for Hunter (Mr Fitzgibbon) asked a question to a private Member—the Member for Dawson (Mr Christensen)—in his capacity as the Chair of the Joint Committee on Publications, in accordance with standing order 99. [\[Watch\]](#)

*An oral question of a strictly limited nature may be asked of a Member who is not a Minister. Questions must relate to a bill, motion, or other business of the House or of a committee, for which the Member asked is responsible. Questions of this kind are rare. More commonly, and usually at the end of Question Time, questions may also be put to the Speaker on matters of parliamentary administration.*

Hansard: 26 February 2018, 1838-9

**SO 99**

### 17.12 Questions to Speaker under standing order 103

After question time on 26 February, the Manager of Opposition Business asked the Speaker whether the Chair of the Joint Committee on Publications was continuing to receive a monetary allowance, having declared during question time that day that the committee no longer meets. A short time later, the Manager of Opposition Business, on indulgence, informed the House that it had been brought to his attention that the position of Chair of the Joint Publications Committee does not attract a monetary allowance. [\[Watch\]](#)

The following day, the Manager of Opposition Business asked the Speaker a question regarding the Prime Minister's reply to a question without notice the previous day where he had undertaken to report back to the Member for Hunter regarding the cost of legal fees

and the coalition agreement. The Manager of Opposition Business asked the Speaker whether he was able to take action, similar to the process by which the Speaker can follow up on outstanding questions in writing. The Speaker stated that there is no similar process, but when Ministers offer to take a question on notice, there is an expectation that there will be a reply. The Prime Minister then rose, on indulgence, to provide information regarding legal costs that the Member for Hunter had been seeking. [\[Watch\]](#)

*Hansard: 26 February 2018, 1840-1842; 27 February 2018, 2075*

**SO 103**

## Speaker

### 17.13 Speaker's statement regarding his attendance at Commonwealth Speakers and Presiding Officers Conference

After the acknowledgement of country and prayers on 1 March, the Speaker made a statement in relation to his attendance at the Commonwealth Speakers and Presiding Officers Conference held in the Seychelles in January 2018 and a bilateral visit to Mauritius. [\[Watch\]](#)

*Hansard: 1 March 2018, 2429-30  
Votes and Proceedings: 2018/1429*

## Offensive words<sup>#</sup>

	<b>Hansard</b>	
	<i>Date</i>	<i>Page</i>
'...it seems that the Leader of the Opposition has learnt not only how to take money from the CFMEU but also—'	27 February 2018	2069
'The member that just sat down is one of the better Labor people in this place, but you can't get away with lying to the public.'	27 February 2018	2121
'While the Leader of the Opposition was gifting his commitment to the greenies, they were gifting him a \$17,000 holiday, cruising the reef, taking a scenic flight around North Queensland... Who says corruption doesn't pay?'	1 March 2018	2521

**SOs 89, 90, 92**

<sup>#</sup> List of unparliamentary expressions recorded in *Hansard*.