

Procedural Digest

No. 22

45th Parliament

13 – 23 August 2018

August 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

22.01 House adjourns at 12 noon

At 11.33 am on Thursday 23 August, the Leader of the House moved that the House adjourn. The Manager of Opposition Business, the Leader of the Opposition and the Deputy Leader of the Opposition each spoke to the motion before the Leader of the House moved that the question be put. The closure motion was carried on division and the question that the House adjourn was accordingly put and carried on division. The House then adjourned, at 12 noon.

[\[Watch\]](#)

Over the previous 24 hours, a number of ministers had submitted their resignations from the frontbench.

*Hansard: 23 August 2018, 8282-6
Votes and Proceedings: 2018/1764-6*

SO 32

22.02 Federation Chamber adjourns early due to want of quorum

At 11.40 am on Thursday 23 August, the Deputy Speaker noted that a quorum was not present and adjourned the Federation Chamber in accordance with standing order 190(b).

*Hansard: 23 August 2018, 8307
Votes and Proceedings: 2018/1768*

SOs 184, 190

Committees

22.03 Interim Report of the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples presented

During government business time on 13 August, the Chair of the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples presented the Committee's interim report. The Chair and another committee member each made statements, by leave, in connection with the report. A Member, by leave, then moved that the House take note of the report. Debate was adjourned and made an order of the day

for the next sitting. The Member, by leave, moved that the matter be referred to the Federation Chamber for further debate, and the question was carried on the voices. [\[Watch\]](#)

*Hansard: 13 August 2018, 6937-42
Votes and Proceedings: 2018/1685-6*

SOs 63, 223, 247

22.04 Chair of Select Committee presents discussion paper

During government business time on 20 August, the Chair of the Select Committee on Intergenerational Welfare Dependence presented a discussion paper. The Chair and Deputy Chair each made statements, by leave, in connection with the document. The Chair then moved that the House take note of the document and the order of the day was referred to the Federation Chamber for debate. [\[Watch\]](#)

*Hansard: 20 August 2018, 7693-5
Votes and Proceedings: 2018/1735*

SOs 63, 223, 247

Debate

22.05 Minister makes constituency statement

The Minister for Revenue and Financial Services made a three minute constituency statement in the Federation Chamber, regarding Vision Australia.

While ministers are allowed to make constituency statements, it is uncommon for them to do so.

Hansard: 21 August 2018, 8022

SO 193

Members

22.06 Leave of absence granted to Member

On 13 August, the Manager of Opposition Business moved that leave of absence be granted to the Member for Gorton (Mr O'Connor) until 24 August 2018 for personal reasons. The question was carried on the voices.

A Member with leave of absence is excused from the service of the House or on any committee.

*Hansard: 13 August 2018, 6933-4
Votes and Proceedings: 2018/1684*

22.07 Return to writs for by-elections; Members sworn in

Prior to question time on 13 August, the Speaker announced that, following the return to the writs for several by-elections, Susan Lamb had been elected for the division of Longman, Rebekha Carina Che Sharkie had been elected for the division of Mayo, Justine Keay had been elected for the division of Braddon, Joshua Hamilton Wilson had been elected for the division of Fremantle and Patrick Possum Gorman had been elected for the division of Perth.

The Members were then admitted to the Chamber, where they made and subscribed the oath or affirmation of allegiance required by law. [\[Watch\]](#)

*Hansard: 13 August 2018, 6968-9
Votes and Proceedings: 2018/1686-7*

22.08 Member sanctioned for refusing to withdraw remark

During second reading debate on a government bill on 13 August, the Deputy Speaker ordered an opposition Member to withdraw unparliamentary words. The Member refused, and the Deputy Speaker ordered the Member to leave the Chamber for one hour for defying the Chair.

*Hansard: 13 August 2018, 7041
Votes and Proceedings: 2018/1688*

SOs 89, 94

Motions

22.09 Leave granted for the Leader of the Opposition to move a motion at a later hour

Following acknowledgement of country and prayers on 15 August, the Leader of the Opposition sought leave to move a motion at 10.30 am. Leave was granted.

Later, at 10.32 am debate was adjourned on the second reading of a government bill. The Leader of the Opposition moved a motion regarding immigration policy, in response to comments made in the Senate the previous day. The motion was seconded and the Prime Minister, Deputy Leader of the Opposition, and seven other Members spoke in support of the motion. The question was carried on the voices. [\[Watch\]](#)

*Hansard: 15 August 2018, 7337, 7358-76
Votes and Proceedings: 2018/1713, 1715*

SOs 63, 111, 116

22.10 Motion of no confidence in Prime Minister not carried

During question time on 21 August, the Leader of the Opposition, by leave, moved a motion of no confidence in the Prime Minister. The Prime Minister, the Deputy Leader of the Opposition and seven other Members spoke to the motion before the question was put. The motion was negated on division and question time was concluded. [\[Watch\]](#)

*Hansard: 21 August 2018, 7936-54
Votes and Proceedings: 2018/1746-7*

SOs 63, 111, 116

22.11 Motion to refer matter to the Court of Disputed Returns

On 23 August, the Manager of Opposition Business, pursuant to a resolution agreed by the House on 4 December 2017, moved a motion to refer certain questions relating to the qualification of the Member for Dickson to the Court of Disputed Returns. The question was put immediately and the motion was negated on division.

*Hansard: 23 August 2018, 8261-3
Votes and Proceedings: 2018/1762-3*

Private Members' business

22.12 Amendment moved to private Member's motion

During private Members' business in the Federation Chamber on 13 August, a government Member moved a motion regarding funding for the Perth Freight Link. The Shadow Minister for Infrastructure, Transport, Cities and Regional Development moved an amendment to the motion. Debate ensued on the motion and the proposed amendment.

*Hansard: 13 August 2018, 7102-3
Votes and Proceedings: 2018/1701*

SOs 41, 121

Privilege

22.13 Speaker cautions House about sub judice convention

During his answer to a question without notice, the Treasurer referred to specific criminal charges that had been made in connection with the construction industry. Following a point of order, the Speaker cautioned the Treasurer to be careful about transgressing the sub judice conventions of the House. [\[Watch\]](#)

The sub judice convention provides that, subject to the right of the House to legislate on any matter, matters awaiting adjudication in a court of law should not be brought forward in debate, motions or questions. This self-imposed restriction prevents the deliberations of the House and reports of its proceedings from prejudicing the course of justice.

Hansard: 16 August 2018, 7590-1

Questions

22.14 Speaker requests Member to rephrase question without notice

During question time on 14 August, an opposition Member asked the Prime Minister a question regarding the Great Barrier Reef Foundation. After hearing points of order from the Leader of the House and the Manager of Opposition Business, the Speaker asked the Member to rephrase her question. The Member did so and the Prime Minister answered the question. [\[Watch\]](#)

Hansard: 14 August 2018, 7216

SOs 98, 100

22.15 Question to Leader of the Opposition during question time

On 15 August, an opposition Member asked the Leader of the Opposition a question without notice regarding the progress through the parliament of a private Member's bill in his name. The Speaker advised that while a question may be directed to a private Member on a bill or motion for which the Member is responsible, the answer must be confined to timing and procedure. The Leader of the Opposition answered the question. [\[Watch\]](#)

Hansard: 15 August 2018, 7407-9

SOs 99, 100

22.16 Question ruled out of order

During question time on 16 August, a Shadow Minister asked the Prime Minister a question regarding comments the Prime Minister had made during a media briefing. The Speaker ruled the question out of order. [\[Watch\]](#)

Hansard: 16 August 2018, 7578

SOs 98, 100

22.17 Shadow Minister, by indulgence, supports Minister's answer to a question

On 20 August, after the Minister for Veterans' Affairs had responded to a question regarding the anniversary of the Battle of Long Tan, the Shadow Minister for Veterans' Affairs, on indulgence, made a brief statement to associate the Opposition with the Minister's remarks. [\[Watch\]](#)

Hansard: 20 August 2018, 7752-3

Speaker

22.18 Statements by Speaker

The Speaker made the following statements to the House:

- After the acknowledgement of country and prayers on 13 August, the Speaker announced the publication of the 7th edition of *House of Representatives Practice*. The Speaker thanked the Clerk of the House (Mr David Elder) and the Assistant Editor (Mr Peter Fowler) for their work on the publication.
- Prior to question time on 22 August, the Speaker informed the House that it was the 30th Anniversary of the first sitting in the new Parliament House. He advised that there would be a number of activities held throughout the year to mark the anniversary.
- Following question time on 22 August, the Speaker informed the House of the retirement of Mr Peter Fowler (Assistant Editor of *House of Representatives Practice*).

The Speaker paid tribute to Mr Fowler's distinguished contribution to the Parliament and wished him well in his retirement. The Leader of the House and the Manager of Opposition Business, by indulgence, spoke in support of the Speaker's remarks.

Hansard: 13 August 2018, 6893; 22 August 2018, 8128, 8148-50
Votes and Proceedings: 2018/1683, 1756;

Offensive words[#]

	Hansard	
	<i>Date</i>	<i>Page</i>
'...ignorant, prejudiced, scuzzbucket, brain-dead moron and bottom feeders.'	13 August 2018	7041

SOs 89, 90, 92

[#] List of unparliamentary expressions recorded in *Hansard*.