



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (EMERGENCY RESPONSE CONSOLIDATION) BILL 2008

In Committee

SPEECH

Thursday, 27 November 2008

BY AUTHORITY OF THE SENATE

SPEECH

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| Questioner | Responder |
| Speaker Parry, Sen Stephen | Question No. |

Senator PARRY (Tasmania) (8.33 pm)—Could I outline the events that occurred during that call of the vote. Firstly, the question was put and Senator Bishop, who is in the chamber at present, was in the chair at the time. What occurred was that when the vote was put the first time we called ‘no’, which in effect meant that we were not supporting the schedule to stand as printed. Senator Sherry, who was the duty minister at the time, called the same as we did. Senator Sherry then wanted to know whether we had made the incorrect call. We said no, we had made the correct call and Senator Sherry had in fact made the incorrect call. We accept that; it happens from time to time. It is confusing when you have the reverse onus on the amendments.

The chair, Senator Bishop, put the motion again. At that stage, I think Senator Xenophon was confused as to what was happening with the motion. Senator Xenophon then attempted to speak with our duty shadow minister after it had been put a second time. We wanted to divide on that particular amendment, as we did on amendment (10). For amendments (9) and (10) we had always had the intention to divide because we were unsure of exactly the position of Family First and the Independent, Senator Xenophon. We wanted to test that on the floor of the chamber. In doing so, with the interruption from Senator Xenophon, and Senator Scullion and I in consultation with Senator Xenophon, we missed the opportunity to call for a division. Once that occurred, Senator Scullion got to his feet and indicated that Senator Xenophon was voting with the government and asked where we would go from there. The chair, Senator Bishop, ruled that he had already put the vote, and that was the end of the matter.

Immediately after that I approached the chair privately and also then discussed it with Senator Siewert, Senator Xenophon, the duty minister and also Senator Farrell, who was the duty whip, asking if we could put that vote again. Everyone agreed, and we were going to do it after the next vote. Unfortunately, at 7 pm, at the very end of the last division, we could not put that vote at that particular time. We were going to seek to put that vote again now, but Senator Fielding has come into the chamber and sought it before I had an opportunity to do so. Those are the facts of the matter. I think it would be in good spirit of the Senate to allow that vote to be put again. We may very well not win that vote; I do not know the intention of the two minor parties.

Opposition senators interjecting—

Senator PARRY—I understand that potentially we may have Senator Fielding voting with us. We may have Senator Xenophon voting with us. I am not sure. But I think that in the spirit—

Senator Forshaw—They may abstain!

Senator PARRY—They may abstain. Thank you, Senator Forshaw. Irrespective of what the outcome would be, it is in the best interests of the Senate and the people of Australia that we put the vote again and enable a division to be called where one was not called because of two errors in the previous calling of the vote.