



Speech by

Hon. D. HAMILL

MEMBER FOR IPSWICH

Hansard 2 March 2000

MR SPEAKER'S RULING

Motion of Dissent

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (12.15 p.m.): It always worries me when the National Party decides to recount history and the history of the Parliament to try to justify what would otherwise be a case which has no justification whatsoever. It was with some pity that I learnt from the Deputy Leader of the National Party that the great tradition which he was seeking to uphold today was that of King John and his Parliament. Not wishing to be too much of a student of history, I remind the honourable member that, if that is the substance of his argument in relation to the history of Parliament, the substance of his argument in relation to the debate on the Standing Orders is probably equally weighty. My recollection of history is somewhat at variance to that of the honourable member for Warwick. I do not recall King John actually having a Parliament to worry about. He had a group of barons who forced him to reluctantly sign a document to ensure that those barons had their rights respected.

Mr Foley: More Runnymede than Westminster.

Mr HAMILL: I think he was just running away with the truth. In fact, the not-so-learned member might care to brush up on his parliamentary history and spend some worthwhile time in the Parliamentary Library. I suggest recourse to the name De Montfort might be useful in enabling the honourable member for Warwick to broaden his understanding of parliamentary tradition and origins. But perhaps I digress just a little.

The debate is one of sham and grandstanding rather than substance. I have been a member of this House since 1983.

Mr Hobbs: You should know better.

Mr HAMILL: I do know better. The honourable member has been here only since 1986. Unfortunately, he has learnt nothing in the time that he has been here in respect of the Standing Orders of the Parliament.

If one has recourse to the Standing Order relied upon by the member for Indooroopilly in moving his dissent motion, one discovers the whole fragile basis on which the Opposition bases its case. The Standing Order in question—Standing Order 246—states—

"Any other Amendment may be proposed to such Question provided that the Amendment is strictly relevant to the Bill."

There surely are two warning lights that even the dimwitted members sitting opposite may well have noticed if they had cared to read the Standing Order. One was the last word in that Standing Order—"Bill". Perhaps it may have caused them to reflect that that Standing Order relates to questions pertaining to the passage of Bills in the Chamber. The second warning light may well have been seen by honourable members opposite when they saw the words "to such Question". To what question was this Standing Order referring? It is the question referred to in Standing Order 244, that is, the question for the second reading of the Bill. The honourable members opposite are relying upon a Standing Order which is part of Chapter 17 of the Standing Orders dealing with procedures for public Bills.

Mr Sullivan: Not notices of motion.

Mr HAMILL: Not notices of motion before the House. If the honourable member wishes to deny that, I suggest that he obtain a copy of the appropriate Standing Orders.

Mr Springborg interjected.

Mr HAMILL: Is the member opposite still the shadow Attorney-General? I do not know. I hope that he does know the difference between annotations, amendments and such. I hope that he understands what annotations are if he is going to be citing matters in relation to the Criminal Code some time in the future when we debate those types of matters in the House.

I do suggest that the honourable member and other honourable members opposite further consult the Standing Orders and, in this case, the relevant Standing Orders. The relevant Standing Orders in this matter are those to be found from Standing Order 38 through to Standing Order 57 which deal with the proper procedures for dealing with motions in the House. Those Standing Orders provide for amendments to be proffered in relation to those motions, not questions that are being put to the House—questions such as "That the Bill be now read a second time" or "That the Bill be read a first time"—but rather motions before the House, motions which have been put forward for debate, not public Bills.

The other area which I suggest the member for Indooroopilly and his ill-read colleagues might like to have reference to, of course, is Standing Orders 88 through to 103. I would have thought that the Opposition may well have liked to consult those areas of the Standing Orders because they are the ones that actually refer to amendments. As anyone who has sat in this House for any length of time would know, amendments in relation to motions before the House can be quite extensive.

Indeed, I recall that on many an occasion when members opposite were in Government they put forward amendments to motions which were moved by me and others when we were in Opposition. Those amendments that were put forward by the National and Liberal Parties in Government would often seek to delete all words after "that" and turn a motion of criticism into one of plaudits for the Government of the day. Never was there a suggestion from honourable members opposite that such an activity was, in fact, something which was contrary to the Standing Orders of the House. No-one from this side of the House questioned their right to move such amendments. In fact, if one has recourse to the record of debate in respect of the motion in question, one finds that the amendment that was, in fact, moved by the Premier not only embraced the particular subject matter of the original motion but included other relevant material in the same way that we have seen similar amendments moved by members such as the Leader of the Opposition, the member for Indooroopilly and others when they were in Government.

What we have here is a classic case of "don't do as I do, do as I say" or, should I say, "don't do as we have done, let us change the rules now when the situation does not suit us, when we know that the force of our argument will be found wanting when the vote is taken." Frankly, I think that the Opposition should go back to Standing Order 101 and brush up on its parliamentary procedure and try to conduct debates in a rational and proper way, rather than trying to bend the rules and disrupt the proper business of the Parliament by bringing on such frivolous motions of dissent from the Speaker's ruling as we are currently entertaining here today.
