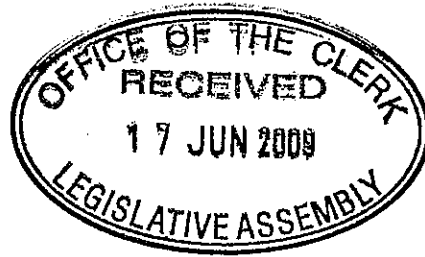


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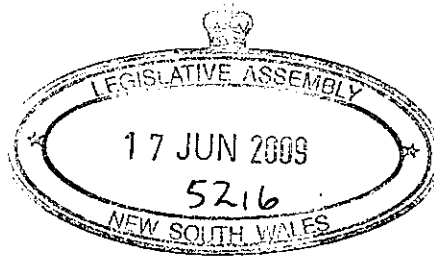


LEGISLATIVE ASSEMBLY

# Standing Orders and Procedure Committee

## AMENDMENTS TO THE STANDING ORDERS

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Speaker

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# Speaker's Foreword

At meetings of the Standing Orders and Procedure Committee held on 25 March 2009, 3 June 2009 and 17 June 2009, the Committee considered a number of proposed amendments to the Standing Orders.

New Standing Orders for the Legislative Assembly, which modernised the procedures and the terminology used in the House, were approved by the Governor on 21 February 2007, and commenced at the beginning of the current Parliament.

By all accounts these new Standing Orders have operated very successfully and require only minor amendment. On 6 December 2007, the House agreed to new sessional orders, some of which were amended on 10 April 2008, to facilitate a new routine of business for the House, which now provides for an earlier rising of the House in the evenings and for certain business to be conducted on sitting Fridays.

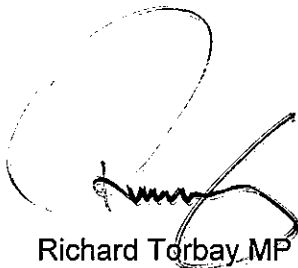
These sessional orders have operated successfully and the Standing Orders and Procedure Committee is of the opinion that they should be incorporated into the Standing Orders. The Committee also considered a number of proposals for new Standing Orders and these, along with the other proposed amendments, are set out in the table that forms the body of this report.

This report therefore recommends some minor changes to the existing Standing Orders, the adoption of the current sessional orders (some as amended) as Standing Orders and the adoption of a number of new Standing Orders.

The Committee agreed at its meeting on 17 June 2009 that the proposed new Standing Orders should be recommended to the House for approval by the Governor.

Accordingly the Committee is pleased to recommend to the House:

- (1) That the proposed amendments to the Standing Orders, adopted by the Standing Orders and Procedure Committee on 17 June 2009, be approved by the House; and
- (2) That the amendments to the Standing Orders be forwarded to Her Excellency the Governor by the Speaker for approval.



Richard Torbay, MP  
Speaker

**PROPOSED AMENDMENTS TO THE STANDING ORDERS AGREED TO AT THE MEETING OF THE STANDING ORDERS AND PROCEDURE COMMITTEE ON 17 JUNE 2009**

<b>Standing Order</b>	<b>Issue and reason for amendment</b>	<b>Proposed Standing Order</b>
<p>SO 9 – Participation of Speaker in debate and divisions; Speaker's guidelines.</p>	<p>A sessional order was adopted following the amendment to the Constitution Act in 2007 which provides for the Speaker to be able to participate in debate and vote in divisions when not presiding. Given that the change has been enacted in legislation the Standing Order should be amended accordingly.</p> <p>A standing order is proposed to enable the Speaker to issue guidelines from time to time on matters not provided for in the standing orders. Such guidelines could cover issues such as:</p> <ul style="list-style-type: none"> <li>• Examples of matters constituting contempt of the House;</li> <li>• Sub-judice;</li> <li>• Broadcasting guidelines;</li> <li>• Responsible use of the freedom of speech;</li> <li>• Custody of House records.</li> </ul>	<p><b>9.</b></p> <p>(1) The Speaker shall be elected on the first sitting day of a new Parliament or whenever the office becomes vacant.</p> <p>(2) Following election the Speaker, when not presiding, in accordance with section 31 of the Constitution Act 1902, is not precluded from participating in debate or discussion or from voting on any question.</p> <p><b>(3) The Speaker may, from time to time, issue guidelines in relation to matters not provided for in the Standing Orders.</b></p>
<p>SO 15 – Absence of Speaker, Deputy Speaker and Assistant Speaker</p>	<p>A sessional order was adopted in December 2007 to remove the need for the House to elect an Acting Speaker in the event that the Speaker, Deputy Speaker and Assistant Speaker are all absent when the House is sitting. It was considered unnecessary for the House to elect a Member to act as Speaker when there are four other Temporary Speakers that could take the Chair.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p><b>15.</b></p> <p>(1) In the absence of the Speaker on a day when the House is sitting the Clerk shall inform the House and the Deputy Speaker shall perform the duties of the Speaker until the Speaker resumes the Chair.</p> <p>(2) In the absence of both the Speaker and the Deputy Speaker on a day when the House is sitting the Assistant Speaker shall perform the duties of the Speaker.</p> <p>(3) In the absence of the Speaker, Deputy Speaker and Assistant Speaker on a day when the House is sitting, a Temporary Speaker shall perform the duties of the Speaker.</p>

<p>SO 18 – Absence of Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers</p>	<p>A sessional order was adopted in December 2007 to complement the sessional order regarding Standing Order 15 to provide for the House to elect an Acting Speaker in the absence of the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p>18. If the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers are all absent on a day when the House is sitting, the Clerk shall inform the House which shall, upon motion without notice, before any further business is conducted, proceed to the election of an Acting Speaker and:</p> <p>(1) The Clerk shall preside for the election of an Acting Speaker in the same manner as for the election of Deputy Speaker.</p> <p>(2) The Members present, if a quorum, may elect an Acting Speaker who shall perform the duties of the Speaker.</p> <p>(3) If the House does not proceed to an election the matter shall stand adjourned until the next sitting day or if a sitting day has not been set, a date set by the Government, when the election of an Acting Speaker, if still necessary, shall take precedence of all other business.</p>
<p>SO 19 – Temporary Speakers</p>	<p>There is currently some confusion among Members about when Temporary Speaker should be referred to as Acting Speaker.</p> <p>The Standing Order should be amended to clarify that the Temporary Speakers are referred to as "Acting Speaker" when presiding in the House.</p>	<p>19. The Speaker shall nominate, at the commencement of each Parliament, not more than 5 members as Temporary Speakers who, in the absence of the Deputy Speaker and Assistant Speaker, may exercise the powers and duties of the Speaker, and who shall be referred to <b>whilst in the Chair</b> as Acting Speaker.</p>

<p>SO 31 – Publication of House Papers</p>	<p>The Standing Order was amended by sessional order in December 2007 to provide for a Questions and Answers Paper to be published outside of sitting days when the House has adjourned for two weeks or more. Given that Ministers are required under the Standing Orders to submit answers to questions within 35 calendar days it was considered practical for such answers to be published even if the House is not sitting.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p><b>31.</b> The Clerk shall, after each sitting day, publish:</p> <ol style="list-style-type: none"> <li>(1) The Votes and Proceedings.</li> <li>(2) A Business Paper containing Notices of Motions and Orders of the Day.</li> <li>(3) A Questions and Answers Paper.</li> <li>(4) During any adjournment of the House for two weeks or more a Questions and Answers Paper will be published from time to time containing answers received.</li> </ol>
<p>SO 35 – Timing of bells</p>	<p>A sessional order was adopted in December 2007 to amend the time when the bells are rung to complement the new routine of business.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p><b>35.</b> The timing of bells is as follows:</p> <p><u>Tuesdays (Government Business Day – First sitting day of the week)</u> Bells are rung at 12.45 p.m. 12.56 p.m. 12.58 p.m. and at 2.13 p.m.</p> <p><u>Wednesdays, Thursdays and Fridays</u> Bells are rung at 9.45 a.m. 9.56 a.m. and at 9.58 a.m.</p> <p><u>After lunch</u> Bells are rung at 2.00 p.m. and at 2.13 p.m.</p> <p><u>Division</u> First bell 10 seconds, pause 10 seconds; second bell 10 seconds, pause 10 seconds; third bell 20 seconds. The doors are locked four minutes after the bells are first rung.</p> <p><u>Quorum</u> One long continuous bell (for up to four minutes until a quorum is present in the Chamber).</p> <p><u>House adjournment</u> Two short bells.</p> <p><u>One long bell</u> A continuous bell rung at the discretion of the Chair.</p>



<p>SO 37 – Quorum at the commencement of the sitting</p>	<p>Section 32(1) of the <i>Constitution Act 1902</i> provides:  (1) The presence of at least twenty Members of the Legislative Assembly, exclusive of the Member presiding, shall be necessary to constitute a meeting of the said Assembly for the dispatch of business.</p> <p>This section was amended in 2007 to change the wording from "Speaker" to "Member presiding" to complement the provisions permitting the Speaker to participate in debate and vote in divisions. Accordingly, the standing order should be amended to reflect this change.</p>	<p><b>37.</b> The quorum necessary to constitute a meeting of the Assembly shall be at least 20 Members exclusive of the Member presiding (section 32, Constitution Act 1902).</p>
<p>SO 46 – Adjournment of the House</p>	<p>A sessional order was adopted in December 2007 which set out the new times for adjournment.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p><b>46.</b> Unless otherwise ordered, the House shall be adjourned without motion moved at 7.30 p.m. on Tuesday and Wednesday (or at the conclusion of the Matter of Public Importance if before 7.30 p.m.); at 6.30 p.m. on Thursday (or at the conclusion of Private Members' Statements if before 6.30 p.m.); and at the conclusion of Private Members' Statements on Friday.</p>
<p>SO 62 – Personal explanation</p>	<p>It is proposed that the Standing Order be amended to make it clear that while a personal explanation is allowed with the leave of the Chair that leave may be withdrawn by the Chair at any time.</p> <p>The suggested amendment makes it clear that a personal explanation is given with the leave of the Chair and that if a Member digresses from giving a personal explanation to debating the matter the Chair can withdraw leave and order the Member to resume their seat.</p>	<p><b>62.</b> A Member may, when there is no question before the Chair and with the leave of the Speaker, explain a matter of a personal nature. A personal explanation shall not be debated and leave may be withdrawn by the Speaker at any time.</p>

<p>SO 80 – Matters not open for debate nor amendment</p>	<p>A complementary amendment is necessary to amend clause (8) and clause (13) in the light of the proposed amendment to Standing Order 100 (combined motion to discharge an order of the day and withdraw a bill).</p> <p>Also an amendment is required to clause (19) in the light of the amendment to Standing Order 153 for a Member to move a motion for a question capable of being divided be put as separate questions.</p>	<p><b>80.</b> The following matters are not open to debate nor amendment:        (8) To withdraw or postpone an order of the day.        (13) "That the order of the day be discharged and the bill be withdrawn".        (19) "That the question be put as separate questions..."</p>
<p>SO 85 – Maximum time limits</p>	<p>A complementary amendment is necessary to amend Standing Order 85 to include the changed time limits for motions accorded priority and matters of public importance.</p>	<p><b>85.</b>  <u>Motion Accorded Priority (SO 109)</u></p> <p>Mover 7 minutes        Member next speaking 7 minutes        Other Members (limited to two) 5 minutes        Reply 5 minutes</p> <p><u>Matter of Public Importance</u></p> <p>Mover 7 minutes        Member next speaking 7 minutes        One other Member 5 minutes        Reply 5 minutes</p>

<p>SO 97 – Routine of Business</p>	<p>The routine of business is currently set out in a sessional order.</p> <p>The Standing Order should be amended to reflect the sessional order.</p> <p>An amendment is required to the sessional order to provide that on Wednesdays Government Business interrupted at 1.30 pm is set down as an order of the day for a later hour of the day rather than for tomorrow given that Government Business resumes at 4.30 pm.</p> <p>A further amendment is necessary to complement the proposed amendment to SO 299 to provide for committee chairs to report referred enquiries to the House at the time in the routine for tabling of committee reports.</p>	<p><b>97</b> The House shall conduct its business in the following routine:</p> <p><i>Tuesdays</i></p> <ol style="list-style-type: none"> <li>1. At 1.00 p.m. (Speaker takes Chair)</li> <li>2. General Business Notices of Motions and Private Members' Statements</li> <li>3. At 2.15 p.m. (Speaker resumes Chair)</li> <li>4. Ministerial Statements</li> <li>5. Notices of Motions (Government Business, Bills, Business with Precedence)</li> <li>6. Notices of Motions to be Accorded Priority</li> <li>7. Question Time</li> <li>8. Ministerial Statements</li> <li>9. Papers</li> <li>10. Committee Reports – Tabling of reports and notification of enquiries</li> <li>11. Petitions</li> <li>12. Announcement of Matter of Public Importance</li> <li>13. Placing or Disposal of Business</li> <li>14. Motion Accorded Priority</li> <li>15. Business with Precedence</li> <li>16. At 4.30 p.m. Business before the House is interrupted for Government Business.</li> </ol> <p>Any interrupted business lapses except when the House is considering Business with Precedence which will stand as an order of the day for tomorrow.</p> <ol style="list-style-type: none"> <li>17. At 7.00 p.m. Business before the House is interrupted for the Matter of Public Importance.</li> </ol> <p>Any interrupted item of Government Business shall stand as an order of the day for tomorrow. If at the time of interruption a division is in progress, that division shall be completed.</p> <ol style="list-style-type: none"> <li>18. Adjournment at 7.30 p.m. or at the conclusion of the Matter of Public Importance if concluded before 7.30 p.m.</li> </ol>
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Wednesdays

1. At 10.00 a.m. (Speaker takes Chair)
2. General Business Notices of Motions
3. Government Business concluding at 1.30 p.m.  
Any interrupted item of Government Business shall stand as an order of the day for a **later hour of the day**. If at the time of interruption a division is in progress, that division shall be completed.
4. At 2.15 p.m. (Speaker resumes Chair)
5. Ministerial Statements
6. Notices of Motions (Government Business, Bills, Business with Precedence and notices to be the subject of a motion to re-order later in the sitting)
7. Notices of Motions to be Accorded Priority
8. Question Time
9. Ministerial Statements
10. Papers
11. Committee Reports –Tabling of reports and notification of enquiries
12. Petitions
13. Announcement of Matter of Public Importance
14. Re-ordering of General Business Orders of the Day (for Bills) and General Business (Notices of Motions)
15. Placing or Disposal of Business
16. Motion Accorded Priority
17. Business with Precedence
18. At 4.30 p.m. Business before the House is interrupted for Government Business.  
Any interrupted business lapses except when the House is considering Business with Precedence which will stand as an order of the day for tomorrow.
19. At 5.45 p.m. Business before the House is interrupted for Private Members' Statements.  
Any interrupted item of Government Business shall stand as an order of the day for tomorrow. If at the time of interruption a division is in progress, that division shall be completed.

20. At 7.00 p.m. Business before the House is interrupted for the Matter of Public Importance.  
21. Adjournment at 7.30 p.m. or at the conclusion of the Matter of Public Importance if concluded before 7.30 p.m.

*Thursdays*

1. At 10.00 a.m. (Speaker takes Chair)
2. General Business Notices of Motions
3. Government Business until 11.45 a.m.

Any interrupted item of Government Business shall stand as an order of the day for tomorrow. If at the time of interruption a division is in progress, that division shall be completed.

4. General Business Notices of Motions or Orders of the Day (not being Bills) concluding at 1.30 p.m.

Any interrupted business shall stand as an order of the day for tomorrow with precedence of other General Business (not for Bills). If at the time of interruption a division is in progress that division and any other division(s) to determine the matter shall be completed..

6. At 2.15 p.m. (Speaker resumes the Chair)

7. Ministerial Statements

8. Notices of Motions (Government Business, Bills, Business with Precedence)

9. Notices of Motions to be Accorded Priority

10. Question Time

11. Ministerial Statements

12. Papers

13. Committee Reports –Tabling of reports and notification of enquiries

14. Petitions

15. Placing or Disposal of Business

16. Motion Accorded Priority

17. Business with Precedence

18. At 4.30 p.m. Business before the House is interrupted for General Business Orders of the Day for

Bills.

Any interrupted business lapses except when the House is considering Business with Precedence which will stand as an order of the day for tomorrow.

19. At 5.30 p.m. Private Members' Statements.

Any interrupted business shall stand as an order of the day for a later time with precedence of other General Business Orders of the Day for Bills.

20. Adjournment at 6.30 p.m. or at the conclusion of Private Members' Statements if before 6.30 p.m.

<p>SO 98 – Friday sittings</p>	<p>The current routine for Friday sittings is set out in a sessional order.</p> <p>The Standing Order should be amended to reflect the sessional order.</p> <p>The proposed standing order also allows for notices of motions for Government business and notices of motions (general notices) to be given on Friday sittings.</p>	<p><b>98.</b> On any Friday upon which the House sits, whether as a continuation of the sitting of the previous day or as a separate sitting day the following program will apply:</p> <ol style="list-style-type: none"> <li>(1) <b>Notices of Motions for Government Business</b></li> <li>(2) <b>Notices of Motions (General Notices)</b></li> <li>(3) <b>General Business Notices of Motions for Bills</b></li> <li>(4) <b>(concluding not later than 10.30 a.m.)</b> At 10.30 a.m. Government Business shall have precedence of all other business in the Routine of Business.</li> <li>(5) <b>No quorums shall be called and any divisions called shall be deferred, set down as orders of the day for the next sitting day and determined after Question Time.</b></li> <li>(6) <b>At 1.00 p.m. Business before the House is interrupted for consideration of committee reports presented or the next item of business shall be called. Any interrupted item of Government Business shall stand as an order of the day for tomorrow.</b></li> <li>(7) <b>At 1.30 p.m. Private Members' Statements, after which the House shall adjourn without motion moved until the next sitting day.</b></li> </ol>
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SO 100 – Placing or disposal of business

It is proposed that an amendment be made to the Standing Order removing the need for two separate motions to be moved to discharge and withdraw a bill. Instead a bill will be able to be discharged and withdrawn on one motion.

It will also necessitate an amendment to Standing Order 80, which sets out those matters not open to debate or amendment, to change clause (13) from "That the bill be withdrawn" to "That the order of the day be discharged and the bill be withdrawn".

100.

The procedure for the placing or disposal of business (with the exception of establishing the program for General Business Days) is:

- (1) Each sitting day, in accordance with the routine of business, the Speaker shall ask if any Member wishes to postpone, withdraw or discharge any notice of motion or order of the day.
- (2) A member may, without debate, withdraw or postpone any notice of motion standing in their name on the Business Paper for that day.
- (3) A Member may, without debate, postpone, or by motion, move to discharge an order of the day standing in their name on the Business Paper for that day.
- (4) An Order of the Day for a bill may be discharged and the bill withdrawn on one motion.
- (5) A Member, with the written authority of another Member, may act on behalf of that Member in regard to this standing order.



<p>SO 101 – Program for General Business Day</p>	<p>The current procedure for establishing the program for General Business Days is set out in a sessional order.</p> <p>The Standing Order should be amended to reflect the sessional order.</p> <p>In addition, it is necessary to amend clause (3)(c) to provide for the discharging and withdrawing of a bill on one motion as is proposed in the amendment to Standing Order 100.</p>	<p><b>101.</b> The procedure for establishing the program for General Business Days is as follows:</p> <p>(1) On Wednesdays, Members shall advise the Clerk in writing by 12.00 noon which General Business Notices of Motions for Bills, Orders of the Day for Bills, or Notices of Motions (not for Bills) standing in their name on the Business Paper are to be postponed. Party Whips may also advise the Clerk in writing of which items of General Business standing in the name of Members of their party are to be postponed.</p> <p>(2) The first ten notices on the Business Paper, not advised to be postponed by 12.00 noon on the day preceding a General Business Day, will be deemed to be proceeding. Any General Business Order of the Day for Bills or General Business Notice of Motion re-ordered by the House to have precedence in accordance with Standing Orders 97 and 106 will retain such precedence.</p> <p>(3) On any day when General Business is being considered by the House, a Member may, without debate:</p> <p>(a) withdraw or postpone any notice of motion standing in their name on the Business Paper for that day.</p> <p>(b) postpone, or on motion, discharge an Order of the Day standing in their name of the Business Paper for that day.</p> <p>(c) discharge an Order of the Day for a Bill on motion without debate or amendment, <b>“That the Order of the Day be discharged and the Bill withdrawn”</b>.</p>
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<p>SO 108 – General Business Notices of Motions and Private Members' Statements</p>	<p>A sessional order was first adopted in December 2007 and amended in April 2008 to correspond with the new routine of business.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p>108. The procedure for General Business Notices of Motions and Private Members' Statements is as follows:</p> <ol style="list-style-type: none"> <li>(1) At the commencement of the sittings on Tuesday, Private Members' Statements will follow the giving of General Business Notices of Motions.</li> <li>(2) (a) At 5.45 p.m. on Wednesday, at 5.30 p.m. on Thursday and at 1.30 p.m. on Friday, the business before the House shall be interrupted for the taking of Private Members' Statements.  (b) The interrupted business shall stand as an order of the day for tomorrow.  (c) If at the time of interruption a division is in progress – that division shall be completed.  The Speaker shall ask if there are any Private Members' Statements.</li> <li>(3) Up to 16 Members may speak for up to 5 minutes each and replies by Ministers shall be limited to 2 minutes each.</li> <li>(4) Private Members' Statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.</li> <li>(5) A division on any question or quorum call shall not be permitted during Private Members' Statements.</li> <li>(6) At the conclusion of Private Members' Statements on Thursday and Friday or at the time for adjournment the House shall adjourn without motion moved until the next sitting day.</li> <li>(7)</li> </ol>
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SO 109 – Consideration of motions accorded priority

A sessional order was first adopted in December 2007 and amended in April 2008 to change the time limits for the debate.

The Standing Order should be amended to take the form of the sessional order.

An amendment is proposed to reduce the "Other Members" speaking from 3 to 2 and to increase their speaking time from 3 minutes to 5 minutes. The other time limits remain the same. The maximum period for the debate is increased from 26 minutes to 27 minutes.

109.

The procedure for the consideration of motions accorded priority shall be as follows:

- (1) Prior to Question Time, the Speaker shall ask if there are any written notices of motions to be accorded priority over the other business of the House.
- (2) No more than two notices shall be accepted at any one sitting of the House.
- (3) The notices shall be set down for consideration later in the sitting in accordance with the routine of business.
- (4) (a) The Members giving the notices shall each be permitted to make statements of up to 5 minutes as to why their notice should be accorded priority.  
 (b) At the conclusion of the 5 minute statements the Speaker shall put the question on the first notice "That the motion of the Member for ... be accorded priority".  
 (c) If this motion is carried the Member may proceed.  
 (d) If the motion is not carried the question "That the motion of the Member for ... be accorded priority" is then put on the next motion.
- (5) When the motion for priority is determined and the motion is moved, the following time limits shall apply:
 

Mover	-	7 minutes
Member next speaking	-	7 minutes
Other Members	-	
(limited to two)	-	5 minutes
Reply	-	5 minutes
Total	-	29 minutes
- (6) The motion will lapse at the time for interruption unless a division is in progress whereupon that division and any other division(s) to determine the matter shall be completed.

<p>SO 110 – Matters of Public Importance</p>	<p>A sessional order was first adopted in December 2007 and amended in April 2008 to change the time limits for the discussion.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p> <p>An amendment is proposed to increase the time limits for "One other Member" and "Reply" from 3 minutes to 5 minutes to accord with the times for motions accorded priority. Other time limits remain the same. The time for the debate increases from 20 minutes to 24 minutes.</p>	<p><b>110.</b> The procedure for matters of public importance is as follows:</p> <p>(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12:00 noon on days when the House discusses a Matter of Public Importance and immediately published.</p> <p>(2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.</p> <p>(3) At least 30 minutes prior to the time for Question Time -  (a) the Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.  (b) the Speaker, by placing a notice on notice boards, shall inform Members of the matter.  (4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.  (5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.</p> <p>(6) <b>The following time limit shall apply:</b>  Mover - 7 minutes  Member next speaking - 7 minutes  One other Member - 5 minutes  Reply - 5 minutes  Total - 24 minutes</p> <p>(7) At the conclusion of the discussion no question shall be put.</p> <p>(8) There shall be no dissent from the ruling of the Speaker in relation to the operation of this Standing Order.</p>
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<p>SO 111 – No confidence in the Government, pursuant to section 24B(2) of the Constitution Act 1902</p>	<p>The proposed amendment to the Standing Order is to incorporate the changes made in the sessional order as well as clarifying that two different motions of no confidence in the Government can be given (one pursuant to section 24B(2) of the Constitution Act and one that is not). It is proposed that 2 separate standing orders be adopted – one in relation to motions moved under the Constitution Act 1902 and a general one, which is similar to a motion of no confidence in a Minister.</p> <p>In addition clause 10 of the standing order, which provides for the House to adjourn once debate on the motion has been concluded, is removed to permit the House to continue to conduct other business if it wishes to do so. This would not be in conflict with the provisions of the Constitution Act.</p>	<p>111. The procedure for motions of no confidence in the Government, pursuant to section 24B(2) of the Constitution Act 1902 is as follows:</p> <ol style="list-style-type: none"> <li>(1) A notice of motion must be given at the time for giving notices for business with precedence.</li> <li>(2) The motion shall take precedence of all other business on a sitting day that is not less than 3 clear days after the notice has been given.</li> <li>(3) The motion may not be postponed or amended.</li> <li>(4) The motion may be withdrawn with the leave of the House.</li> <li>(5) Debate on such motion shall not be adjourned and the sitting of the House shall continue until the question is determined.</li> <li>(6) The following time limits apply to this debate: <ul style="list-style-type: none"> <li>Mover - unspecified</li> <li>Party Leader - unspecified</li> <li>Any other Member - 30 minutes</li> <li>Premier in response - 45 minutes</li> <li>Reply - 45 minutes</li> </ul> </li> <li>(7) The following motions cannot be moved: <ul style="list-style-type: none"> <li>That the Member be now heard</li> <li>That the Member be not further heard</li> <li>That the question be not now put (previous question).</li> </ul> </li> <li>(8) The motion "That the question be now put" (closure) cannot be moved until at least 8 Members (inclusive of the mover and Party Leader(s)) have spoken to the original question before the House. The effect of the closure being agreed to does not preclude the response of the Premier.</li> <li>(9) During the currency of debate the Speaker shall leave the Chair at the time for adjournment each day and the sitting shall resume at 10.00 a.m. on each successive business day until the matter is determined.</li> </ol>
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Proposed New SO 111A – No confidence in the Government

The proposed amendment to the Standing Order is to incorporate the changes made in the sessional order as well as clarifying that two different motions of no confidence in the Government can be given (one pursuant to section 24B(2) of the Constitution Act and one that is not). It is proposed that 2 separate standing orders be adopted – one in relation to motions moved under the Constitution Act 1902 and a general one, which is similar to a motion of no confidence in a Minister.

Such motions will be considered at the time set aside for business with precedence in the routine of business.

111A. The procedure for motions of no confidence in the Government is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) Such notice shall be called upon at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) Debate will be as follows:
  - Mover
  - Party Leader - unspecified
  - Any other Member - 30 minutes
  - Premier in response- 45 minutes
  - Reply - 45 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard
  - That the Member be not further heard
  - That the question be not now put (previous question).
- (8) The motion "That the question be now put" (closure) cannot be moved until at least 8 Members (inclusive of the mover and Party Leader(s)) have spoken to the original question before the House. The effect of the closure being agreed to does not preclude the response of the Premier.

SO 112 – No confidence in Minister

The proposed amendment to the standing orders changes the time in the sessional order when such motions will be considered from the time set aside for the matter of public importance to the time set aside for business with precedence in the routine of business.

Motions of no confidence are considered to be business with precedence under Standing Order 118. The routine of business provides that business with precedence will be considered after the motion accorded priority each sitting day, except Friday. While the routine of business also provides that at 4.30 p.m. business before the House will be interrupted for Government Business on Tuesday and Wednesday and General Business on Thursday. If interrupted the debate on a motion of no confidence will be set down as an order of the day and considered on the next day that business with precedence is considered. The House can suspend standing orders to permit debate to continue until completed the same day if it wishes to do so.

112. The procedure for a motion of no confidence in a Minister is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) Such notice shall be called upon at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) Debate will be as follows:
  - Mover - unspecified
  - Minister named - unspecified
  - Any other Member - 20 minutes
  - Response by Minister- 30 minutes
  - Mover in reply - 30 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (8) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the mover and Minister named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response by the Minister named.

SO 113 – No confidence in Speaker

The proposed amendment to the standing orders changes the time in the sessional order when such motions will be considered from the time set aside for the matter of public importance to the time set aside for business with precedence in the routine of business.

As noted above, motions of no confidence are considered to be business with precedence under Standing Order 118. The routine of business provides that business with precedence will be considered after the motion accorded priority each sitting day, except Friday. While the routine of business also provides that at 4.30 p.m. business before the House will be interrupted for Government Business on Tuesday and Wednesday and General Business on Thursday. If interrupted the debate on a motion of no confidence will be set down as an order of the day and considered on the next day that business with precedence is considered. The House can suspend standing orders to permit debate to continue until completed the same day if it wishes to do so.

113. The procedure for a motion of no confidence in the Speaker is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) Such notice shall be called upon at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) Debate will be as follows:
  - Mover - unspecified
  - Member leading the debate - unspecified
  - in opposition to the motion - unspecified
  - Any other Member - 20 minutes
  - Response by Member leading the debate in opposition to the motion- 30 minutes
  - Mover in reply - 30 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (8) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member leading the debate in opposition to the motion.



SO 114 – Censure of a Member

The proposed amendment to the standing orders changes the time in the sessional order when such motions will be considered from the time set aside for the matter of public importance to the time set aside for business with precedence in the routine of business.

Motions of censure are considered to be business with precedence under Standing Order 118. The routine of business provides that business with precedence will be considered after the motion accorded priority each sitting day, except Friday. While the routine of business also provides that at 4.30 p.m. business before the House will be interrupted for Government Business on Tuesday and Wednesday and General Business on Thursday. If interrupted the debate on a motion of censure will be set down as an order of the day and considered on the next day that business with precedence is considered. The House can suspend standing orders to permit debate to continue until completed the same day if it wishes to do so.

114. follows:

The procedure for a motion of censure of a Member is as

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) Such notice shall be called upon on the same sitting day at which the notice was given at the time set aside for business with precedence.
- (3) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (4) Debate will be as follows:
  - Mover - 15 minutes
  - Member named - 15 minutes
  - Four other Members - 5 minutes
  - Response by Member - 10 minutes
  - Mover in reply - 10 minutes
- (5) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (6) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member named.

SO 115 – Censure of the Speaker

The proposed amendment to the standing orders changes the time in the sessional order when such motions will be considered from the time set aside for the matter of public importance to the time set aside for business with precedence in the routine of business.

As noted above, motions of censure are considered to be business with precedence under Standing Order 118. The routine of business provides that business with precedence will be considered after the motion accorded priority each sitting day, except Friday. While the routine of business also provides that at 4.30 p.m. business before the House will be interrupted for Government Business on Tuesday and Wednesday and General Business on Thursday, the usual practice is for standing orders to be suspended to alter the routine to deal with motions of censure so the interruption is not likely to pose a problem.

115. The procedure for a motion of censure of the Speaker is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) Such notice shall be called upon on the same sitting day at which the notice was given at the time set aside for business with precedence.
- (3) If the motion is adjourned or interrupted it will be set down as an order of the day and considered the next day that business with precedence is considered.
- (4) Debate will be as follows:
  - Mover - 15 minutes
  - Member leading the debate in opposition to the motion - 15 minutes
  - Four other Members - 5 minutes
  - Response by Member leading the debate in opposition to the motion - 10 minutes
  - Mover in reply - 10 minutes
- (5) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
- (6) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member leading the debate in opposition to the motion.

<p>SO 118 – Business with precedence</p>	<p>A proposed amendment is to provide for motions of condolence and motions for the printing of papers to be moved without notice at any time. While both forms of motions will remain business with precedence the proposed amendment provides for what actually occurs in practice.</p>	<p>118.</p> <p>(1) The following matters constitute business with precedence and shall be dealt with in the following order in the routine of business, unless otherwise provided for:</p> <ul style="list-style-type: none"> <li>(a) Dissent from Speaker's ruling.</li> <li>(b) No confidence in the Government, Minister or Speaker.</li> <li>(c) Censure of Member or Speaker.</li> <li>(d) Privilege/contempt.</li> <li>(e) Expulsion of a Member.</li> <li>(f) Arrangement of business of the House.</li> <li>(g) Days and hours of sitting.</li> <li>(h) Disallowance of statutory rules.</li> <li>(i) Business accorded precedence by the House</li> <li>(j) Votes of thanks or condolence.</li> <li>(k) Printing of papers.</li> </ul> <p>(2) Motions of condolence and motions for the printing of papers may be moved without notice at any time.</p>
<p>SO 123 – Petitions, procedure for lodgement and presentation</p>	<p>The proposed amendment is complementary to the proposed amendment to SO 125 and provides that a member must certify the same if a petition has been signed by 500 or more persons.</p>	<p>123. The procedure for the lodging and presentation of a petition is as follows:</p> <ul style="list-style-type: none"> <li>(1) The Member must be acquainted with the contents of the petition.</li> <li>(2) The Member must ensure that the petition is in conformity with the standing orders.</li> <li>(3) The Member must sign the front sheet and, if applicable, certify that the petition has been signed by 500 or more persons.</li> <li>(4) The petition may be lodged for presentation with the Clerk.</li> <li>(5) In the House the Clerk shall announce that petitions have been received.</li> <li>(6) The terms of the petition presented shall be printed in Hansard and in the Votes and Proceedings.</li> <li>(8) No discussion upon the subject matter of a petition shall be allowed, except by way of substantive motion.</li> </ul>

<p>SO 125 – Petitions - Referral to Minister and response</p>	<p>The proposed amendment would require Ministers to lodge responses to petitions signed by 500 or more persons within 35 calendar days. The responses would be reported in the House by the Clerk and published in Hansard.</p>	<p>125. (1) A copy of every petition lodged with the Clerk received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.  (2) The Minister must lodge a response with the Clerk within 35 calendar days of a petition being presented or lodged if that petition has been signed by 500 or more persons.  (3) The receipt of the response shall be reported to the House by the Clerk and a copy of the response sent to the Member who lodged the petition. The response shall also be published.</p>
<p>SO 128 – Rules for questions</p>	<p>The proposed amendments clarify that the rules for questions apply to both oral and written questions and also remove clause (4) and (5) of the standing order which provide respectively that questions should not refer to debates in the current session and that questions cannot anticipate discussion upon an Order of the Day or other matter.</p>	<p>128. The following general rules apply to both oral and written questions:  (1) Questions cannot be debated.  (2) Questions should not contain –  (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated  (b) argument  (c) inference  (d) imputation  (e) epithets  (f) ironical expression  (g) expression of opinion, or  (h) hypothetical matter  (3) Questions should not ask for –  (a) an expression of opinion  (b) legal opinion  (c) an announcement of government policy, or  (d) confirmation of rumour or media reports.</p>

<p>SO 132 – Written questions</p>	<p>A sessional order in relation to written questions was adopted in December 2007 to complement the new routine of business and sitting times.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p>	<p>132. The procedure for written questions is as follows:</p> <p>(1) Questions shall be handed to one of the Clerks-at-the-Table or lodged in the Procedure Office by 12.00 noon.</p> <p>(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:</p> <p>(a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.</p> <p>(b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.</p> <p>(3) The number of questions able to be lodged accumulative over one sitting week are:</p> <p>(a) Members – three questions per sitting day</p> <p>(b) Leader of the Opposition – four questions per sitting day.</p> <p>(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day's paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.</p> <p>(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.</p> <p>(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.</p>
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<p>SO 133 – Notices of motions</p>	<p>A sessional order in relation to the giving of notices of motions was adopted in December 2007 to complement the new routine of business.</p> <p>The Standing Order should be amended to take the form of the sessional order.</p> <p>The new clause (2) complements the change in the Standing Orders to allow Notices of Motions (General Notices) to be given at the commencement of each sitting day (including Fridays).</p>	<p>133. (1)</p> <p>A notice of motion for:</p> <p>(a) A bill; (b) Government Business; (c) No confidence in the Government, Minister or Speaker, or censure of Member or Speaker; (d) Business with Precedence, (SO 118) with the exception of votes of thanks or condolence; and (e) A General Notice to be the subject of a motion for re-ordering</p> <p>must be given verbally at the time prescribed in the routine of business and show the date for moving the motion.</p> <p>(2)</p> <p>Notices of Motions (General Notices) may only be given when called for at the commencement of the sitting each day.</p>
<p>SO 148 – Parts to be put as separate questions</p>	<p>It is proposed that this Standing Order be repealed as the matter will be covered by an amended new Standing Order 153.</p>	
<p>SO 153 – Complicated question</p>	<p>The proposed amendment will change the Standing Order to make it clear that a Member may move a motion (rather than request) that any question which is capable of being divided be put as separate questions, regardless of whether it is clearly in parts or is a complicated question.</p> <p>There is a complementary amendment to Standing Order 80 (19) to provide that a motion that a question be put as separate questions (except in relation to cognate bills) is not subject to debate or amendment.</p>	<p>153. When a question capable of being divided has been proposed, a Member may move a motion for the question to be put as separate questions. This question shall be decided without debate or amendment.</p>
<p>SO 184 – Chair's casting vote</p>	<p>A sessional order was adopted in December 2007 providing that the Member presiding in the Chair has a casting vote in the event of an equality of votes. This sessional order complemented the amendment to the Constitution Act providing for the Speaker's participation in debate and divisions. The Standing Order should be amended to take the form of the sessional order.</p>	<p>184. In the event of an equality of votes, the Member presiding shall give a casting vote and any reasons given may be recorded in the Votes and Proceedings.</p>

<p>SO 188 – Bills</p>	<p>The standing order currently provides that "Every Bill shall be prepared pursuant to the long title, which shall set out the main purposes of the bill..."</p> <p>Given that the Parliament has no control over the actual drafting of bills it may be more appropriate to reword this standing order to provide that all components of the bill must come within the long title.</p>	<p><b>188.</b> The procedure for introducing an passage of a bill up to its agreement in principle is as follows:</p> <p>(1) <b>The title of a bill must agree with the notice of intention to present it, and every clause must come within the title.</b> It shall not be necessary to specify in the long title every Act which it is proposed to amend.</p>
<p>SO 189 – Urgent Bills</p>	<p>Proposed amendment is to change the wording in the Standing Order from "...a Minister...may declare a bill to be an urgent bill" to "...the Member in charge of the bill...may declare a bill to be an urgent bill."</p> <p>All Members should be able to seek to have their bill declared urgent as the determination remains with the House with the standing order requiring the question "That the bill be considered an urgent bill" put forthwith.</p>	<p><b>189.</b> The procedure for the consideration of a bill as an urgent bill is as follows:</p> <p>(1) Sufficient copies being available to Members, <b>the Member in charge of the bill, after making an agreement in principle speech, may declare a bill to be an urgent bill.</b></p> <p>(2) The question "That the bill be considered an urgent bill" is put forthwith, no debate or amendment being allowed.</p> <p>(3) If agreed to, the debate in principle and other stages may be proceeded with forthwith or at any time during that or any future sitting of the House.</p>
<p>SO 195 – Separation of cognate bills</p>	<p>The proposed amendment is to clarify that a Member must move a motion to separate the questions in relation to cognate bills.</p>	<p><b>195.</b> In respect of cognate bills, a Member may move a motion for the question to be put on the agreement in principle or the passing of cognate bills as separate questions.</p>
<p>SO 198 – Referring a bill to a committee</p>	<p>The proposed amendment is to alter the wording of the Standing Order to provide "...leave out all words after the word "That" and adding "this bill be referred to a committee" to "...leave out all words after the word "That" and adding words to refer the bill to a committee.</p> <p>The proposed amendment will make it clear that bills can be referred to a specific committee.</p>	<p><b>198.</b> Amendments may be moved to the question "That this bill be now agreed to in principle" to leave out all words after the word "That" and adding words to refer the bill to a committee (as specified).</p>

<p>SO 229 – Consideration of Council bills</p>	<p>Standing Order 229 provides for debate to be adjourned immediately following the mover's agreement in principle speech on a Legislative Council bill that has been forwarded to the Legislative Assembly for concurrence.</p> <p>On numerous occasions during their parliament the agreement in principle debate on a Council bill was proceeded with directly after the mover's speech. To accord with the current standing orders, debate was adjourned and the order of the day was read for the next item of business upon which the agreement in principle debate was dealt with.</p> <p>To allow a Legislative Council bill to be debated after the agreement in principle speech without needing the debate to be adjourned the Standing Order should be amended to permit the debate to be either adjourned or proceeded with forthwith.</p> <p>In addition, the standing order would be amended to formalise the practice in relation to private members' bills of requiring advice as to which Member will have carriage of the bill in the Assembly prior to the bill being reported.</p> <p>It would also be amended to formalise the agreement in principle speech format to note that a truncated speech can be made except when the bill has been amended in the Council and is not in the same form as it was introduced to that House.</p> <p>The proposed amendment is to make it clear that a Member who is repeatedly called to order and subsequently ordered by the Speaker to be removed from the House is removed from the precincts and cannot participate in any proceedings of the Parliament.</p> <p>The amendment will also make it clear that they are unable to participate in committee activities.</p>	<p>229.</p> <p>(1) When the message from the Council forwarding a bill for concurrence is reported, the bill shall be introduced without motion put.</p> <p>(2) A message forwarding a private member's public bill or a private bill from the Council cannot be reported until the Speaker is advised which Member of the Assembly will have carriage of the bill.</p> <p>(3) A motion "That the bill be agreed to in principle" may be moved forthwith or made an Order of the Day for a later time.</p> <p>(4) A truncated agreement in principle speech may be given if the bill is received in the same form as introduced into the Council.</p> <p>(5) Immediately following the mover's agreement in principle speech, the debate may be adjourned or proceeded with forthwith.</p> <p>(6) If adjourned, the resumption of the debate shall be set down as an Order of the Day for a later time.</p> <p>(7) The bill shall then be proceeded with in the same manner as a bill originating in the Assembly.</p>
<p>SO 249 – Member repeatedly called to order</p>	<p>249. (1) If a Member's conduct is such that it is necessary for the Speaker to call the Member to order more than three times in any one sitting for any gross breach of the rules, the Speaker may direct the removal of the Member by the Serjeant-at-Arms until the adjournment of that sitting.</p> <p>(2) A Member who is removed from the House shall be excluded from the Parliamentary precincts for the remainder of the sitting and cannot take part in any proceeding of the House or its committees.</p>	<p>249. (1) If a Member's conduct is such that it is necessary for the Speaker to call the Member to order more than three times in any one sitting for any gross breach of the rules, the Speaker may direct the removal of the Member by the Serjeant-at-Arms until the adjournment of that sitting.</p> <p>(2) A Member who is removed from the House shall be excluded from the Parliamentary precincts for the remainder of the sitting and cannot take part in any proceeding of the House or its committees.</p>



SO 251 – Suspension of a Member	<p>A sessional order was adopted in December 2007 providing that after a Member has been named the Speaker will forthwith propose the question "That the Member for ... be suspended..." as opposed to requiring a Minister to move the motion.</p> <p>The Standing Order should be amended to be in the same form of the sessional order</p>	<p><b>251.</b> If the Member has been named:</p> <p>(1) The Speaker shall forthwith propose the question "<b>That the Member for ... be suspended from the service of the House</b>".</p> <p>(2) There shall be no amendment, adjournment or debate allowed on this motion. However, the Member named may make an explanation limited to 5 minutes.</p>
SO 253 – Consequences of removal or suspension	<p>The proposed amendment is to clarify that when a Member is suspended from the service of the House they are removed from the Parliamentary precincts and cannot participate in any proceedings of the Parliament. This will make it clear that they are unable to participate in committee activities.</p>	<p><b>253.</b> A Member who is suspended from the service of the House shall be excluded from the Parliamentary precincts until the expiration of the suspension period including all intervening non-sitting days and cannot take part in any proceedings of the House or its committees.</p>
SO 274 – Appointment or discharge of committee members	<p>The current standing order provides for members to be appointed and discharged from committees by motion on notice. In practice notice is rarely given with leave being sought for such motions to be moved. The standing order would be amended to enable such motions to be moved without notice.</p>	<p><b>274. Motions appointing and discharging Members from committees may be moved without notice when there is no question before the Chair.</b></p>
SO 276 – Personal interest and committee inquiries	<p>The proposed amendment is to prohibit members from serving on a committee "if personally interested in the inquiry" or if they have a direct pecuniary interest in relation to a matter before a committee. This will make it consistent with the provisions of SO 176.</p>	<p><b>276. A Member shall not participate as a committee member in a matter under inquiry by a committee if personally interested or has a direct pecuniary interest in the matter under inquiry not held in common with other citizens of the State.</b></p>
SO 282 – Election of Chair and Deputy Chair	<p>The proposed amendment is to provide for the Speaker to report the appointments of a committee Chair and Deputy Chair to the House.</p>	<p><b>282. (1)</b> At the first meeting of a committee a Chair and Deputy Chair shall be elected.</p> <p><b>(2) The Speaker, upon being advised, shall report the appointments of a committee Chair and a Deputy Chair to the House.</b></p>
SO 283 – Casting vote of a committee chair	<p>The proposed amendment to align practice in relation to standing and select committees with those set out in statute for certain statutory committees which provide that "a question arising at a meeting of the Committee shall be determined by a majority of the votes of the members present and voting."</p> <p>The Chair of a committee would still retain both a deliberative and a casting vote.</p>	<p><b>283. (1) A question arising at a meeting of a committee shall be determined by a majority of the votes of the members present and voting.</b></p> <p><b>(2) The Chair shall exercise a deliberative vote and, in the event of an equality of vote, shall exercise a casting vote, except upon a private bill.</b></p>

<p>SO 290 – Witnesses legal advisers/counsel</p>	<p>The proposed amendment is to repeal this Standing Order. It is considered unnecessary as a committee can resolve to hear legal counsel in the same way as it can resolve to hear from any witness and no specific standing order is required.</p> <p>The proposed amendment in clause (1) would make the Standing Order consistent with advice from the Crown Solicitor who has indicated that the Standing Orders cannot prevail over certain statutory provisions such as section 31F(1) of the <i>Ombudsman Act 1974</i>, which provides that the committee may determine the conduct of business at committee meetings, and that this would include deciding who would be present at meetings.</p> <p>The further amendment in clause (2) allows for committees to meet by electronic communication (which includes by audio/visual means). Safeguards are put in place to ensure that a quorum of members is present.</p>	<p><b>295.</b></p> <p>(1) At a deliberative meeting only committee members and committee officers shall be present <b>unless the attendance of other persons has been authorised by the committee.</b></p> <p>(2) <b>A committee is authorised to conduct proceedings by electronic communication without members of the committee or witnesses being present in one place, provided that:</b></p> <p>(a) <b>When a committee deliberates, members of the committee constituting a quorum are able to speak to and hear each other contemporaneously.</b></p> <p>(b) <b>When a witness gives oral evidence, members of the committee constituting a quorum are able to hear the witness contemporaneously and to put questions to the witness in each others hearing.</b></p>
<p>SO 299 - Reporting by committee Chair to the House of referrals received from Ministers or self-referred inquiries and tabling of reports</p>	<p>An amendment is proposed to require committee chairs to report to the House any inquiries that have been referred to a committee by a Minister or that are self-referred.</p> <p>This advice would be reported at the time in the routine of business for the tabling of committee reports. A complementary amendment is proposed for SO 97 – Routine of Business.</p>	<p><b>299 (1) The Chair of a committee shall advise the House of any inquiries that have been referred to the committee by a Minister or that the committee has resolved to conduct at the time provided in the routine of business.</b></p> <p>(2) A committee may report upon its deliberations and present its minutes, evidence and other documents from time to time.</p>
<p>SO 302 – Chair to sign report</p>	<p>The proposed amendment is to permit another Member to sign a committee report on behalf of the Chair if the Chair is unavailable in addition to the Chair's refusal.</p>	<p><b>302.</b> The report shall be signed by the Chair or another Member appointed by the committee in the event of the Chair's <b>unavailability or refusal.</b></p>

New SO 303A - Government responses to committee reports

The proposed new standing order will require the Government to respond to committee reports within six months of the report being tabled as to what action, if any, the government proposes to take in relation to each recommendation of the committee.

**303A.**

- (1) On the tabling of a report from a committee, which recommends that action be taken by the Government, the Clerk is to refer the report to the relevant Minister(s), who must within six months of a report being tabled, report to the House what action, if any, the Government proposes to take in relation to each recommendation of the committee.
- (2) If, at the time at which the Minister seeks to report to the House, the House is not sitting, a Minister may present the response to the Clerk.
- (3) A response presented to the Clerk is:
  - (a) on presentation, and for all purposes, deemed to have been tabled and printed, and may be circulated.
  - (b) The response shall be reported to the House at its next sitting.

<p>SO 306 – Take Note Debate</p>	<p>The proposed amendment is to permit debates on committee reports to be adjourned.</p>	<p>306.</p> <ol style="list-style-type: none"> <li>(1) The report and associated documents of any committee (not being a legislation committee) shall be presented at the time provided in the routine of business, or at any other time with the leave of the House.</li> <li>(2) The Member presenting the report may move "That the document be printed". This question shall be decided without debate or amendment.</li> <li>(3) Reports from committees shall stand in the order in which they are presented (or reported by the Clerk when received during an adjournment) as orders of the day "That the House take note of the Report".</li> <li>(4) Such orders of the day may be considered between 1.00 p.m. and 1.30 p.m. on Fridays. Any interrupted item of business shall stand as an order of the day for tomorrow.</li> <li>(5) Debate on an order of the day may be adjourned and the resumption of the debate set down as an order of the day for tomorrow.</li> <li>(6) When the order of the day is called on and not proceeded with, consideration of the report shall be postponed until the next Friday sitting when reports are considered. If the order of the day is called on at that subsequent sitting and is not proceeded with, the question shall be put.</li> <li>(7) If a committee has more than one report on the Business Paper, the Chair or Member who tabled the report may move a motion without notice, amendment or debate to facilitate the consideration of two or more of the committee's reports together.</li> <li>(8) The Member tabling the report may speak for up to 10 minutes and any other Member may speak for up to 5 minutes to the question "That the House take note of the Report" with the question being put after 30 minutes. No reply is permitted.</li> <li>(9) Orders of the day not commenced or not completed 12 months from the date of tabling shall lapse.</li> </ol>
<p>SO 366 – Parliamentary Secretaries</p>	<p>The proposed amendment is to clarify that a parliamentary secretary cannot respond on a motion to suspend standing orders.</p>	<p><b>366.</b> Parliamentary Secretaries may act on behalf of Ministers and references to Ministers in the Standing and Sessional Orders shall be taken to include references to Parliamentary Secretaries except in respect of the following Standing Orders:</p> <p>.....</p> <p>365(4) Suspension of standing orders (response to motion)</p>

