
The procedure for lodging a Written Question is contained in Standing Order 132. Briefly:

- they must be lodged by 12.00 noon;
- Members may ask 12 per sitting week (Leader of the Opposition, 16);
- Ministers must answer questions within 35 calendar days after publication; and
- Ministers are called on in the House to explain if questions are not answered by the due date.

Statutory Rules and Instruments Paper

The provisions of the *Interpretation Act 1987* require that a written notice of the making of a statutory rule be tabled in each House within 14 sitting days after it has been published in the Government Gazette. The Clerk tables a list compiled by the Parliamentary Counsel of the rules and instruments subject to disallowance.

Members may give a notice of a motion to disallow a statutory rule either after it is gazetted and before the written notice is tabled or within 15 sitting days after it is tabled. The Statutory Rules and Instruments Paper lists the date of gazettal of the rule or instrument, when and if tabled, and the last sitting day for the notice of disallowance to be given in the House. It is published weekly when the House is sitting, and on the first Tuesday of each month when the House is not in session.

Sessional Summary

This publication is produced at the close of each session. It brings together such records as lists of Members, Business of the Session, Motions, Petitions Received, Digest of Bills Passed, Papers tabled, etc. as a record of the business conducted during the session.

List of Members and List of Electorates

Lists of Members and Electorates are prepared and distributed when changes occur. The Members' List contains Members' full names and titles, party affiliation and the party representation in the House.

Details of any changes, i.e. addresses, conferment of degrees etc., should be notified to the Clerk.

Subpoenaing records of the House

From time to time the Clerk is summoned to produce documents related to the proceedings of the House before a court or bodies such as the Independent Commission Against Corruption.

On occasions this includes papers that have been laid on the Table of the House. Leave to produce documents related to proceedings in the House or a committee should be given by the House. This process enables the House to consider parliamentary privilege issues, if any. If the House is not sitting, the documents may be produced with the authority of the Speaker, who subsequently informs the House of the action.



LEGISLATIVE ASSEMBLY

Parliament of New South Wales

RECORDS OF THE HOUSE

No. 15



The following is a short description of some of the documents compiled by the Department of the Legislative Assembly which relate to proceedings in the House.

Votes and Proceedings

The Votes and Proceedings are the official record of the proceedings in the House. In accordance with Standing Order 30 it is compiled by the Clerk of the Legislative Assembly for each sitting day.

A Member may wish to object to the Speaker signing the Votes but must do so within 3 sitting days. Other than by this method, the Votes may only be altered by motion, or by the Speaker directing the correction of an error. An alleged inaccuracy was once raised as a matter of privilege.

A proof issue of the Votes is published on the morning following a sitting day and a final or "struck-off" copy is produced some days later. The struck off copy is signed by the Speaker and by the Clerk, printed by authority of the Parliament and eventually bound as the Journals of the House. A cumulative index is prepared of the Votes.

The Votes include the attendance of members; all votes; division lists; petitions received; proceedings in the House; and reports and other papers received and required to be tabled.

Business Paper

The Business Paper shows all the business which is before the House. It is divided into sections dealing with Government and General Business. Notices of Motions and Orders of the Day for Government and General Business are shown separately and General Business Notices of Motions for Bills and for General Notices are also separately listed. Unlike General Business, Government Business is not required to be taken in the order in which it may appear in the Paper (SO 102). The Business Paper also lists petitions that require responses from Ministers and committee reports with recommendations requiring ministerial responses.

Notices of Motions (SOs 133 – 141)

A notice of motion is a statement of intention to move a motion on a particular day. Notices of motions are categorised and placed on the Business Paper in accordance with the Standing Orders and practice. At the Placing or Disposal of Business or when called on, a notice of motion may be withdrawn or postponed by the Member. A motion is not required to effect this because a notice not yet moved, is not in the possession of the House. Certain types of motions, for example to set the days and hours of sitting and no confidence motions in the Government, are accorded precedence under Standing Order 118 and notices of those motions are placed ahead of other notices in a separate category of Business with Precedence. Entries under the headings of Government Business - Notices of Motions and General Business - Notices of Motions will also appear in the Business Paper.

A notice must be given at a sitting previous to the sitting at which it is intended to move the motion itself (unless leave is given for this to be varied). A notice can be amended, by leave, by the Member after it is printed in the Notice Paper to a certain extent before it is moved. Members (except Ministers) cannot give consecutive notices (except if the notices are for disallowance of statutory rules).

Notices must be given verbally at the time prescribed in the Routine of Business (Standing Order 97) or with the leave of the House. Immediately after it is read the original signed notice must be handed to one of the Clerks at the Table.

Orders of the Day

An Order of the Day is a bill or other matter which the House or the Speaker has ordered to be taken into consideration or done on a particular day. After an Order of the Day has been read by the Clerk (i.e. the Clerk reads the particular extract from the Business Paper) the Member who has carriage of the Order is entitled to pre-audience, that is, the right to speak first. At this time, the Member may also postpone its consideration or move a motion to discharge the Order of the Day.

A Notice of Motion once moved and proposed from the Chair becomes an Order of the Day if it is to be further taken into consideration at a later time.

Routine of Business

The Routine of Business (Standing Order 97, as amended by sessional order) provides that Government Business has precedence of other business except at specific times on the third and last sitting day of the week when General Business (private members' business) is considered.

The Routine of Business may be altered by motion for a particular instance or sitting day or by Sessional Order for a longer period as is the case for the current Parliament.

The Daily Program

A daily program listing the order of business intended to be dealt with on a particular day is prepared by the Leader of the House in consultation with the Clerk Assistant (Procedure) for each sitting day and is made available to Members before the House meets.

Questions and Answers Paper

Questions which Members wish to put to Ministers in writing, together with the answers when they are received, are recorded in the official publication called "Questions and Answers". Members' questions are published in full when first submitted and also with the answer when received. The publication is authorised by Standing Order 31.

Under the Standing Orders questions must conform with certain rules. These rules are contained in Standing Order 128 and apply to both written questions and questions asked during Question Time.
