



LEGISLATIVE COUNCIL FACT SHEETS

FACT SHEET 19: RECORDS OF THE HOUSE

The records of the House include a range of publications such as the Minutes of Proceedings, the Notice Paper, the Questions and Answers Paper and Hansard.

Publication, in written or electronic form, of the proceedings of the Council, is authorised under standing order 49.

Minutes of Proceedings

All proceedings of the House are recorded by the Clerk and published in the Minutes of Proceedings, and signed by the Clerk (SO 49). The Minutes of Proceedings are the official record of the votes and deliberations of the Council. Amongst other things, the minutes record papers tabled in the House, messages received from the Governor or Legislative Assembly, important rulings of the Chair, details of bills and motions considered and decisions made by the House. They also contain a record of members who do not attend at some time during the sitting day (SO 62).

The Minutes are prepared by the procedure office and published each sitting day as a 'proof' soon after the rising of the House. A printed version is available the following morning. The paper is also available on the Parliament's website. For ease of identification, the minutes are printed on blue paper. If a substantial error occurs in the Minutes, a revised version is prepared and published before the meeting of the House. This version has 'Revised' on the front page and is printed on white paper. After extensive checking and necessary corrections a final version of the Minutes of Proceedings is produced and later bound and published as part of the Journal of the Legislative Council.

Notice Paper

The Notice Paper, also referred to as the business paper, contains notices of motions and orders of the day (SO 49). Notices of motions are new proposed business, that is, business that has not yet come before the House, but of which notice has been given of the intention to bring the matter before the House. Orders of the day are items of business which have already been before the House but are not concluded and which the House has ordered to be taken into consideration at a future time on a particular day (SO 80).

Notices of motions are set down on the Notice Paper in the order in which they are given (SO 71(3)). However, ministers may determine the order in which government business (both notices of motion and orders of the day) is placed on the Notice Paper by indicating as such to the Clerk (SO 43).

Although notices of motions and orders of the day may be set down on the Notice Paper for the 'next sitting day', it does not necessarily mean they will be dealt with on that day. In practice, the

House has before it more business than may be transacted during a sitting period, with the result that only a small proportion of the business on the Notice Paper is reached on any sitting day. The House may, on motion without notice, postpone an item of business or use other procedures to bring on an item of business on the same day (SO 45(2)).

The arrangement of business on the Notice Paper reflects the precedence of business in the House and appears under the following headings (although the order in which they appear changes according to the precedence of business on a particular day):

- matters relating to privilege;
- business of the House – notices of motion and orders of the day;
- matters of public interest;
- government business – notices of motion and orders of the day;
- private members' business – items in the order of precedence and items outside the order of precedence;
- committee reports – orders of the day;
- notices of motion and orders of the day set down for specific days;
- contingent notices of motions.

The items of business are shown in the order in which the House will proceed that day. For example, on days when private members' business takes precedence over government business (usually Thursdays), private members' business appears on the Notice Paper before government business.

Contingent notices of motion are listed in full on the Notice Paper for the first sitting day of each week. On other days only new contingent notices are published in the Notice Paper.

The Notice Paper is prepared by the procedure office and published each sitting day as a 'proof' soon after the rising of the House. A printed version is available the following morning. The paper is also available on the Parliament's website. For ease of identification, the Notice Paper is printed on pink paper. If a substantial error occurs in the Notice Paper, a revised version is prepared and published before the meeting of the House on white paper.

Questions and Answers Paper

The Questions and Answers Paper contains written questions, referred to as questions on notice, submitted by members to ministers. Written questions must be signed by the member and handed to one of the clerks at the table while the House is sitting. Answers received by the Clerk are also published in the Questions and Answers Paper (SO 67). The rules for questions without notice (SO 65) apply equally to written questions.

Under standing order 67, ministers have 35 calendar days in which to provide a written answer. If an answer is not provided within 35 days, the President informs the House on the next sitting day and the minister must explain the reason for noncompliance. If an answer is then not submitted within three days, the minister is again called on to explain. This procedure continues until a written answer is received. Since the introduction of the procedure in 1995, all answers have been received within 35 days and no minister has been called on to explain for non-compliance.

New questions on notice and answers received that day are published each sitting day. On the first sitting day of each week, the Questions and Answers Paper includes, by number and title, all questions for which answers are outstanding and all new questions and answers received.

The Clerk is also required to publish a Questions and Answers Paper on any prorogation of the House (SO 67(9)). One of the consequences of prorogation is that all business on the Questions and Answers Paper lapses. On 22 November 2006 the House agreed, on division, to a sessional order requiring the Clerk to publish a Questions and Answers Paper on specified dates.¹ This was pending prorogation of the House for the periodic Council election to be held in March 2007.

Questions submitted before prorogation and not answered before the next sitting need to be resubmitted or restored to the Questions and Answers Paper by notice of motion. For example, following the prorogation of Parliament for the sesquicentenary celebrations in May 2006, the Opposition successfully moved for the restoration of all unanswered written questions to the Questions and Answers Paper.²

The Questions and Answers Paper is prepared by the procedure office and published each sitting day as a 'proof' soon after the rising of the House. A printed version is available the following morning. The paper is also available on a database on the Parliament's website. The printed version is printed on white paper. After extensive checking and necessary corrections a final version of the Questions and Answers Paper is produced and later bound and published as part of the Journal of the Legislative Council.

The daily program

A program of business to be considered by the House is published on the Parliament's website each sitting day. The daily program is a guide only and the precedence of business may change throughout the day.

Journal of the Legislative Council

At the conclusion of each session of Parliament the indexed Minutes of Proceedings and certain other records and documents of the House are bound and published as the official Journal of the Legislative Council. In addition to the Minutes of Proceedings, Notice Papers and Questions and Answers Papers, the Journal contains registers showing the history of the passage of bills during the session, a register of addresses and orders for papers, sessional and select committees appointed, an abstract of petitions presented and a return showing the attendance of members.

Since 1984 the Questions and Answers Paper has been published in separate volumes for each session, as part of the Journal. This change resulted from the increased activity of members following the reform of the Council to a popularly elected House in 1978. Similarly, the Notice Paper has been published in separate volumes since 1990.

¹ *LC Minutes* (22/11/2006) 397.

² *LC Minutes* (23/5/2006) 22.

Hansard

Hansard is the official record of the debates in both Houses of the Parliament. Unlike the Minutes of Proceedings, which is the official record of the votes and proceedings of the Council, Hansard records what was said by members in debate. It is not a strictly verbatim record, but rather a verified and accurate record. Repetitions and redundancies may be omitted and obvious mistakes corrected. Interjections not responded to by the principal speaker are omitted. Hansard has no editorial policy other than the pursuit of accuracy and consistency.

Hansard is prepared by the Department of the Parliamentary Reporting Staff (Hansard). A proof daily transcript (pink) is published each sitting day, about three hours after the last House rises. Members' correction to transcripts of debates in the chamber are marked on a photocopy of the proof and forwarded to the Editor of Debates. Approximately two weeks after a sitting, a corrected weekly (orange) copy replaces the proof. Hansard is later bound as the official record of the Parliamentary Debates. Copies of Hansard are also available on the Parliament's website.

As well as recording proceedings in the Council and Assembly, including debates in committee of the whole, Hansard also records proceedings of some parliamentary committees and, on occasion, conferences, meetings and seminars.

Publication, in written or electronic form, of the record of debate in the House or any committee, including publication of Hansard proofs, is authorised under standing order 51.

Statutory rules and instruments Paper

Although not required by standing orders, the Clerk also publishes for the information of members a statutory rules and instruments paper which lists all statutory instruments (regulations, rules, by-laws etc) published in the Government Gazette and which are subject to disallowance by the House. The paper shows the date on which each statutory instrument was tabled in the House and the last sitting date on which notice of disallowance can be given.

The paper is prepared by the procedure office on Tuesday of each sitting week and on the first Tuesday of every month during non-sitting periods. Copies are available on the Parliament's website.

List of members

A list of members of the Council is prepared and distributed at the beginning of each Parliament and again whenever changes occur. It contains members' full names and titles, party affiliation, date of election and term of service and the party representation in the House.