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TO

PARLIAMENTARY DEBATES

(HANSARD)

24th February, 1993, to 24th December, 1993

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MR R. F. CHAPPELL:

As ACTING-SPEAKER:

Address in Reply: In the **Address-in-Reply** debate members may canvass a very wide range of **issues** in passing, **91**.

Chair: Members **will** direct their remarks through the Chair, **89**.

Members **will** not reflect upon the Chair, **89**; or rulings of the Chair, **89**; and those who do so **will** be directed to resume their seats, **89**.

Interruptions, and Disorder: Members **will** not converse across the Chamber, **89**.

Members were directed to **cease interjecting**, **89**. **504**, **709**; **cease trivialising** the procedures of the House, **502**; and comport themselves in the House or vacate it, **506**.

Offensive and Objectionable Remarks, Imputations and Aspersions: A member was in order in quoting, in proper **context**, verbatim comments he had previously made, **389**.

The member who alleges that a Minister had **given** a **committee** "riding instructions" must substantiate the assertion, **603**.

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Offensive words, **389**.

Relevance, **91**, **2061**.

Members will address the point of order, **2061**; or resume their seats, **2061**.

A point of order was frivolous, **2061**.

Private Members' Statements: **It** is entirely a matter for the Minister whether the Minister responds to private members' statements, **78**.

The Chair, though it had given the call to another member, permitted the Minister to respond, **78**.

Questions without Notice: A minister was asked to conclude his answer, **79**.

Relevance: Members **will** confine comments to the question before the Chair, **2062**.

As TEMPORARY CHAIRMAN OF COMMITTEES:

Chair: Members **will** address **remarks** through the Chair and to the amendment under consideration. **2040**.

Interjections, interruptions and disorder: There **was too** much conversation in the Chamber. **2036**.

Interjections would delay the resolution of a matter. Members who were **interjecting** should **cease** doing so and **seek** the call, **2613**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression not **required** to be withdrawn: "Goon", **2617**, as it **meant** "a stupid person" and was not **unparliamentary**, **2618**.

Points of Order:

Upheld in part: Relevance. **2617**.

Not upheld: Offence **remarks**, **2617**.

Members **will** address the point of order, **2617**.

Relevance: Members may broadly canvass issues, **2617**; but should address **specific** details of the **subject** of the debate, **2617**, **2618**.

MR B. R. HAZZARD:

As ACTING-SPEAKER:

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debate is wide-ranging in **ambit** and, as the Governor's Speech canvassed matters relating to Federal issues, a member's comments were in order. However, if he devoted too much time to a specific topic the Chair might take a different view, **408**.

Chair: Comments should be directed through the Chair, **410**.

Debate: Members may not read their speeches, but it is acceptable and often followed practice for them to use copious notes, **38**.

A member was noted to be referring extensively to statements made by the Deputy Leader of the Opposition and was not referring exclusively to notes, **1076**.

Documents: Under standing orders the only obligation upon a member quoting from a newspaper is to provide the date and the name of that newspaper, **359**.

Hansard: An observation that Hansard were having difficulty hearing a member might more appropriately have been raised with the Chair, but the member speaking was asked to direct his voice to the microphones to assist Hansard, **408**. Hansard had experienced difficulty hearing a member who delivered some comments from near the Chair, **409**.

Interjections, Interruptions and Disorder: Members **will** desist from **interjecting**, **355**, **1077**; were asked to extend **courtesy** to the member with the call, **410**; and, having been given considerable latitude, were directed to remain silent so that the House could hear what was being said, **1077**.

A member may respond to **interjections**, **1141**.

Members **will** not converse with persons in the public gallery, **2624**.

Persons in the public gallery should desist from **making** noise that might interrupt debate, **2515**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression withdrawn voluntarily: "Crap", **1076**.

The member to whom offensive remarks were directed must be the one who raises objection to those remarks, **2452**.

Remarks were made in the heat of debate, as were responses to certain allegations and statements, **2452**.

Points of Order:

Not involved: **38**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
ACTING-SPEAKER (MR B. R. Hazzard) (*continued*):

Not upheld:
Difficulty hearing member, **408**.
Offensive remarks, **2452**.
Quoting from newspaper, **359**.
Reading speech, **38**, **1076**.
Relevance, **408**.

Upheld: Relevance, **1074**.

A member was directed to address the point of order and not debate the issue, **1074**.

The Chair, having ruled on a point of order, directed a member to resume his seat, **1076**.

Procedure: Members seeking the call should jump to their feet, **1074**.

Relevance: Members were asked to address the question before the Chair, **1074**, **1142**, **6052**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Amendments: The Chair sought clarification of an amendment, **2206**, **2242**.

Consideration on a clause was deferred, **2224**; and postponed amendments were **proceeded** with, **2226**.

An amendment had not been moved; a member had indicated a vote against a clause, **2240**.

Chair: The Chair **will** not tolerate impudence and rudeness, **2241**.

Dissent from ruling: The Chair observed that a member was **seeking** assistance of the Clerk in drawing a dissent motion, and therefore heard another member on the amendment before the Chair, **2487**.

Points of Order:

Not involved: **2486**.

Upheld: Relevance, **2485**, **2486**.

A member was asked to clarify a point of order, **2487**.

Members will address the point of order or resume their seat, **2486**.

Relevance: Members will restrict remarks to debate on the amendments, **2486**.

A member had reached the limits of relevance, had been given ample licence and should deal with the amendments, **2485**.

24th February, 1993, to 24th December, 1993

Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):

TEMPORARY CHAIRMAN OF COMMITTEES (MR B. R. HAZZARD) (*continued*):

On an amendment of narrow **ambit** a member was attempting to debate a broad range of matters beyond the scope of the amendment. **2486.**

MR B. W. RIXON:

AS ACTING-SPEAKER:

Chair: Members will direct remarks through the Chair, **3341.**

Debate: On a point of order that a member's time had been extended without an application being made by the member. the Chair advised that the Clerk was in error, and the clock was reset, **3115, 3116.**

Though the scope of debate is wide, a member may not canvass a bill to be debated later, **5416.**

It is the practice to **permit** Ministers to read prepared second reading speeches. Subsequent speakers should use only copious notes, **6072.**

Divisions: Casting vote, **5713, 5833.**

Documents: [Whether or not a **report** is available] is a matter for debate, **6068.**

Offensive and Objectionable Remarks, Imputations and Aspersions: Remark withdrawn voluntarily: "Fool", **4785.**

Points of Order:

Not involved: **5252, 6068.**

Upheld in part:

Anticipation of debate, **5416.**

Extension of time, **3115.**

Reading speech, **6072.**

Refer to members by correct title, **3404.**

Relevance, **3111, 3334.**

Not upheld: Relevance, **6065.**

Relevance: **A** member who had been making passing reference to a matter was directed to return to the matter before the Chair, **6065.**

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Relevance: Members should address the question before the Chair, **5219.**

MR A. A. TINK:

AS ACTING-SPEAKER:

Ch a u Members will address their remarks through the Chair, **1079, 1185, 2523;** and refrain from making certain comments across the Chamber or risk being directed to resume their seat, **1185.**

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

ACTING-SPEAKER (MR A. A. TINK) (*continued*):

Debate: Members will be addressed by their correct titles, **4773.**

Interjections, Interruptions and Disorder: Members will desist from interjecting, **1079, 1185, 5132.**

A member who sought relief from interjections would appreciate co-operation from members, and the **Chair** asked mdmbers to desist from interjecting, **5132.**

Offensive and **Objectionable Remarks**, Imputations and Aspersions: Expression required to be withdrawn: "the anti-Aboriginal member", **1961.**

Points of Order:

Not involved: **3380, 3897.**

Upheld:

Private members' statements, **277.**

Relevance, **1082, 3343.**

Private Members' Statements: Only one issue may be raised, **277, 3387;** unless issues are able to be linked, **3387.**

Relevance: Members will restrict comments to the question before the Chair, **1079, 1082, 1643, 3343;** or they **will** be directed to resume their seat, **1079, 1643.**

A member was asked to **link** his comments to the subject-matter under debate, **5134.**

Comment by a member was a passing reference, but the member was directed to return to the substance of the debate, **3343.**

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Amendments: Consideration of an amendment was deferred. **2217.**

Chair: Members should address the Chair, **5877.**

Divisions: Casting vote, **5588, 5892.**

Relevance: **A** member was asked to explain the relevance of comments, **5572.**

A matter should have been dealt with at the second reading stage, and the member was asked to address the clause being **considered**, **5572.**

DEPUTY-SPEAKER AND CHAIRMAN OF COMMITTEES (MR JOHN HARCOURT TURNER):

AS DEPUTY-SPEAKER:

Chair: Members will address remarks through the Chair, **3851.**

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Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):
DEPUTY-SPEAKER (MR J. H. TURNER) (*continued*):

Interjections, Interruptions and Disorder: The Chair will control the House, **3229**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression required to be withdrawn: "Boofhead", **4730**.

Members will withdraw without qualification, **2959**

A member's comments on withdrawal stretched the member's friendship with the Chair, **4730**.

Points of Order:

Not involved: **7,959, 4729, 4730, 4731, 5113**.

Not upheld: Relevance, **3230, 4449**.

Relevance: Members will address the question before the Chair, **2959, 3329, 5271**.

AS CHAIRMAN OF COMMITTEES:

Amendments: The Guidebook "Procedure for Committees of the Whole" states that an amendment which might be related to the subject-matter under consideration may not necessarily be relevant to the particular phrase of the subject contained in the bill under consideration and therefore is inadmissible. Page **339** of Erskine May states that no matter ought to be raised in debate on a **question** which would be irrelevant if moved as an amendment, and that no amendment should be used for importing arguments which would be irrelevant to the main question, **5022, 5024**.

Debate: Traditionally, Committee debate is confined to particular clauses or schedules. Members were asked to abide by the spirit of Committee debate and not traverse the whole bill, **6205**.

Members were reminded that at the Committee stage members may be given the call on a number of occasions, **4446**.

Divisions: Casting vote, **5590, 5888**.

Estimates **Committees:** Members will confine themselves to the estimates committee and not refer to policy issues, **4449**.

In Committee of the Whole House a member may speak for a maximum of five minutes on each question and the Minister in reply may speak for no more than **15** minutes, **4450**.

Points of Order:

Not involved: **4446, 4450**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
CHAIRMAN OF COMMITTEES (MR J. H. TURNER) (*continued*):

Not upheld: Relevance, **4449**

Upheld:
Amendments, **5022, 5024**.
Motion reporting progress, **5287**
Relevance, **6205**.

Upheld in part:
Relevance, **6205**.

As the time of the member speaking had expired, a member taking a point of order was directed to resume his seat. **4449**.

A member whose remarks did not address the point of order was directed to resume his seat, **6205**.

Procedure: Debate is not permitted on a motion that the Chair report progress and seek leave to sit again, **5287**.

DEPUTY-SPEAKER AND CHAIRMAN OF COMMITTEES (Ms WENDY SUSAN MACHIN):

AS CHAIRMAN OF COMMITTEES:

Amendments: The Chair allowed the Minister to move amendments singularly and in groups, **975**.

The Chair may permit members to move amendments in groups when the subject is similar, **2028, 2035**.

As putting the question could result in the deletion of clauses that were the subject of proposed amendments by another member, the Chair proposed to deal with each clause individually so that various amendments could be debated, **2188**.

Chair: A member was asked to apologise to the Chair, **4445, 4446**.

Estimates **Committees:** A member is entitled to contribute to the estimates committees debate, and may seek the call on a number of occasions, **4446**.

Interjections, Interruptions and Disorder: Members who wish to contribute to debate should seek the call, **2308**.

Offensive and **Objectionable Remarks**, Imputations and Aspersions: Members should not be too sensitive. **346**.

Points of Order:

Not involved: **346**.

Upheld: Relevance, **381, 4445**.

24th February, 1993, to 24th December, 1993

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
CHAIRMAN OF COMMITTEES (MS W. S. MACHIN) (*continued*):

Relevance: A member was directed to address the question before the Chair, **4445**; and flouted this ruling, **4445**.

AS DEPUTY-SPEAKER:

Address in Reply: An individual's political allegiance or preselection procedures are irrelevant to the Governor's Speech, **35**.

The Address-in-Reply debate is wide-ranging. The Chair did not intend to silence anyone; that would have to be decided by the House. The member was introducing into the debate a specific matter which could be better dealt with in a grievance debate or private member's statement. The Chair referred to a ruling of Speaker Weaver that discussion on the Address in Reply should be upon the broad question of policy, and to rulings of Speaker Ellis and Deputy-Speaker Cahill that the debate should not be used to make a personal **attack** on another member. A member was allowed to proceed on the basis that he confine his remarks to the **ambit** of the debate, which was broad discussion on policy, **36**. A member was allowed to continue on his **undertaking** to relate his remarks to the Governor's Speech and was reminded that standing orders specify the scope of the debate and do not permit members to debate matters as they see fit, **36**.

Bilk: Debate on the bill had been wide-ranging and warranted latitude, and it was in order for the Deputy Leader of the Opposition to discuss the role of private companies as that related to the legislation, but the Chair **ruled** the detail in the contribution of the Deputy Leader of the Opposition was beyond the purview of the bill, **380**.

The Chair subsequently ruled that the member had continued to discuss in detail a peripheral matter, and the member was asked to address the central principles of the bill and refrain from detailed reference to the documents that he had laid on the table, **382**. If the member continued to flout the ruling of the Chair, he would be directed to resume his seat, **382**.

A point of order raised two points, relevance and tedious repetition. The Deputy Leader of the Opposition was permitted to discuss in principle the ways in which the private sector may be involved, but it was ruled that his argument about, and the placing on record of, certain information regarding a certain company were outside the purview of the bill, **383**; and the member was directed to return to the leave of the bill, **383**.

Chair: Members will direct their remarks through the Chair, **83, 87, 380, 383**.

Ministers and members will take note of the Chair when called to order, **479**.

Documents: Only Ministers may table documents, but a member may place documents on the table for the information of members, **380, 381**.

Assembly, **Legislative**: Rulings, Observations and Opinions of the **Chair** (*continued*):
DEPUTY-SPEAKER (MS W. S. MACHIN) (*continued*):

Interjections, Interruptions and Disorder: Members will cease interjecting, **82, 196**.

Members will not converse across the Chamber, **83, 87, 380, 383**; and those wishing to do so should leave the Chamber, **1619**.

Offensive and **Objectionable Remarks**, Imputations and **Aspersions**: Expressions required to be withdrawn: "You are a liar", **1834**; "don't lie any more, you scoundrel!", **1834**.

A remark about a member's voting tendency was not required to be withdrawn, **1831**.

Personal Explanation: Members may make personal explanations only when no question is before the House, **1824**.

Points of Order:

Not involved: **1720, 4446**.

Not upheld:
Personal attack, **1862**.
Relevance, **1826, 4449**.

Upheld in part:
Relevance, **35, 36, 383**.

Procedure: Attacks on members must be made by way of substantive motion, **1862**.

Relevance: A member was directed to confine his remarks to the matter before the Chair, **35, 36, 380, 2057**.

A member's remarks were introductory and in response to an **interjection**, **1826**.

An individual's political allegiance or preselection procedures are irrelevant to the Governor's Speech, **35**; and a personal or political attack is out of order, **35**.

Tabling of Documents: Only Ministers may table documents, but a member may place documents on the table for the information of members, **380, 381**; and the member's attention was directed to A *Short Guide to Rules and Practice of the New South Wales Legislative Assembly* on this matter, **381**,

MR SPEAKER (THE HON. KEVIN RICHARD ROZZOLI):

Address in Reply: **As** the Governor's Speech referred to the current Federal election campaign, State problems in regard to the deficit in the Australian balance of payments and structural weaknesses in the **economy**, a member's remarks were in order, but the Chair would listen carefully to the member's contribution. **63**.

Adjournment: **A** member who moves adjournment of a debate may not then speak to the debate, **4736**.

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Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Amendments: A member may not move an amendment on a **matter** which is unrelated to an amendment already before the Chair. The member precluded himself of the right to subsequently move the amendment because he was deemed to have spoken **already** in the debate. The Chair suggested that the member may speak to his foreshadowed amendment, but to maintain the forms of the House another member would have to move the foreshadowed amendment later in debate. If the member spoke to the foreshadowed amendment, he would not be **permitted** to speak if and when that amendment was moved, **17**.

An amendment being consequential upon carriage of another amendment, the Chair put the question on the previous amendment, **3715**.

On an application from a member to withdraw an amendment that was the subject of a further amendment, the Chair ruled that as there had been debate on the amendment to the amendment the initial amendment could not be withdrawn, **5418**.

The Chair upheld a point of order that if an amended amendment were withdrawn the House would vote on the original censure motion, **5419**.

A member who moves an amendment must put it in writing and pass a copy of it to the Clerk so that it is then before the House. Unless a written amendment is handed to the Clerks there is no amendment before the House, **6046, 6047**.

Bills: On a bill dealing with the way in which the Government should handle the privatisation of joint sector developments, new developments occurring and the **contracting** of private organisations to run public services, a point of order was taken that matters concerning a private hospital with a private hospital licence were irrelevant. The Chair observed that the way in which the private sector views the delivery of health care is **germane** to debate on the bill, as **were** the matters raised by the Deputy Leader of the Opposition, who was permitted to reflect on possible consequences of delivery of health services by the public sector but was warned not to embark on an **exposé** of the way in which the private hospital system was running, **378**.

Subsequently Mr Speaker advised the Deputy Leader of the Opposition to link his remarks to the substance of the **bill** and reminded him that the Chair's ruling did not provide an opportunity to examine in detail what might happen in the private hospital sector but permitted him to give an explanation or an example, **378**.

Later Mr Speaker again reminded the Deputy Leader of the Opposition that the Chair's ruling did not permit him to give case by case histories of matters or minute examination of particular circumstances, and the Chair warned that departure from these broad principles could lead to curtailment of the member's contribution, **379**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

References to the views of the Minister who will administer the changes proposed by a bill are relevant, and a member is entitled to question why the Minister has not spoken in the debate, **1485**.

Budget Debate: Comments were outside the budget debate, **31133**; and a member was asked to return to the debate, **3113**.

Business of the House: Inadvertently, a message from the Legislative Council seeking that the Legislative Assembly pass a resolution enabling Legislative Assembly members of the Select Committee upon Police Administration to appear before and give evidence to the Legislative Council Standing Committee upon Parliamentary Privilege had not been included on the business paper as business of the House. The Leader of the House was invited to **fix** consideration of this message as an order of the day for the next sitting day, **375**.

A motion of the House to make available private members' days in the course of the Address in Reply provided that those days would be set down for discussion of bills only and would preclude debate on general orders and therefore there was no **call-over** of general notices of motions, **657**.

Before taking questions, because few Ministers were present in the Chamber, Mr Speaker left the chair until the ringing of one long bell, **6035**.

A point of order [that Tuesday, in one sense, could be seen as the last sitting day for a week] was spurious . . . Tuesday is always the **first** sitting day of the week, **6037**.

Chair: Members will address remarks through the Chair, **18,678,697, 1253,1323,1328,1612,2642, 2643, 2646, 2895, 3075, 3111, 3719, 3843, 6184**.

Members will resume their seats **while** the Speaker is on his feet, **2891**; or they **will** be removed forthwith, **2891**.

It is not within the leave of the special adjournment motion to remark about the activities of the Chair, **2682**.

A member was warned about the serious consequences of trifling with a ruling of the Chair, **2973**.

A member who is impertinent to the Chair will leave the Chamber, **1038**.

Debate: A Minister was speaking to an amendment and not in reply to a motion, **16**.

Though political observers would appreciate gestures of sincere appreciation from one side of politics to the other, members should refrain from doing so vocally in the Chamber, **369**.

24th February, 1993, to 24th December, 1993

Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

A member **speaking** in reply may address only questions raised by those who spoke in the debate, **1320, 2649, 2663, 2666, 2904, 4444, 5400, 5401**; and cannot raise new matters, **1320, 2904, 5400, 5401**; not even in response to interjections, **3369**; and a member dealing with issues that had not been raised in a debate risked being directed to resume his seat, **5401**.

A member was drawing a longbow to introduce new argument in reply, although the member may refute a statement made during the debate, **5402**. A matter being dealt with was not raised during the debate, and the member was asked to conclude his reply and not be tediously **repetitious**, **5402**.

References to cases and rebuttal of them made it appropriate for a member, in reply, to produce further evidence in rebuttal. **3365**.

A member was asked to conclude his second reading speech, **1462**.

A member was not introducing new material but was **confirming** his position while speaking in reply, **2184**.

Members and Ministers should be referred to by their correct titles, **248, 690, 1262, 1612, 5386, 5553**.

A Minister's allegation that a member was making a deliberately inaccurate statement may be refuted by a Minister making a personal explanation, **4530**.

Distinguished Visitors: The Hon. **Graeme** Page, Speaker of the House of Assembly in Tasmania, **51**.

Mr Souichi **Sugwara**, Vice-President, Mr Kiyosumi **Kuroda**, Director-General, and Mr Mamoru Kosaka, Director-Secretariat Section, Management Division of the Tokyo **Metropolitan** Assembly, **2076**.

Mr J. **A. Rabie**, Minister for Population Development for South Africa, and the South African Ambassador, Mr N. Steyn, **5206**.

Division: Casting vote, **397, 615, 699, 3717, 5092, 5261, 5454**.

The Chair was **advised** of difficulty with lifts, but was not asked to put the question again, **1813**.

On a point of order that the question should be recommitted owing to a member allegedly being caught in a lift, the Chair paid due attention to precedent that might be created by recommitting the question and was persuaded by argument that on occasions a number of members had been trapped in lifts, but as only one member was absent on this occasion, and in the absence of prima facie evidence that the member's absence was caused by a lift malfunction, the Chair allowed committal of the question to stand, **2303**.

Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Documents: Members may not read lengthy extracts from a document, **4531**; but may paraphrase it, **4531**.

A limitation must be placed on the volume of material that a member may read into the record. It is **normal** practice for members to highlight selected passages by quoting them and to paraphrase other material. Standing orders do not permit a member to read a **complete** document on to the record, **4758**.

A member was asked to identify the source of the document from which the member was quoting, **1493, 2178, 2648**; but was not required to table it, **1493**.

If source material is not positively identified a member could purport to quote something that is a figment of that member's imagination, and a member who was unable to source the material was asked to delete it from his speech and verify the material in reply, **2178**.

The Chair cannot order that a reference [from an unsourced document] be struck from the parliamentary record. That procedure normally follows a resolution of the House and usually relates to matters of an offensive nature. It is for the member, if possible, to substantiate the quotation at a later stage in debate, **2178**.

Visual material which cannot be incorporated in **Hansard** should not be used excessively in the House, **456**; and although a Minister who had quoted from printed material on a poster was in order, he was asked to refrain from further references to the poster, **456**.

A member may read on to the record a table of results of a questionnaire but cannot have it incorporated in **Hansard**, **616**.

It is a rule of the House that a member who wishes to table material must, prior to seeking to table the material, approach the Speaker to ascertain whether the material is such that might be tabled. Material which is tabled in the House must be capable of being reproduced in **Hansard** as part of the record. Mr Speaker accepted presentation of an amendment map for the purposes of the **carriage** of the legislation and undertook to consider whether it could be tabled in the strict sense, **2609**.

Private members may not table documents. The Chair and the Clerks will explore ways of handling the matter, **4722**.

The Chair did not grant leave to table documents but allowed the member to quote from them and leave them lie on the table, **5112**.

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Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

On a point of order that comments made while tabling documents constituted a ministerial statement and therefore the Minister should detail terms of reference to the Independent Commission Against Corruption, the Chair ruled that the member had not raised a point of order. The Minister tabled the documents and gave a reference to the ICAC. Under the Independent Commission Against Corruption Act any person, a member of Parliament or a person in any capacity, is free to make a reference in whatever terms that person may wish, and the reference by the Minister did not require the imprimatur of the House, **3120**.

Documents tabled in the House are readily available to all members of Parliament, and the Chair took exception to remarks casting aspersions on the staff at Parliament House. **5744**.

A map cannot be incorporated in Hansard, but the Minister may table it at the conclusion of an answer so that it will form part of the record of the Parliament and be available for references, **4524**.

Filming of Proceedings: Pursuant to the resolution of 12th May of the House, and with the agreement of the Standing Orders and Procedures Committee, filming of proceedings was permitted on a trial basis, **4964**.

Hansard: A member may read on to the record a table of results of a questionnaire but cannot have it incorporated in *Hansard*, **616**.

Excessive interjection is very discourteous to the Hansard staff who are trying to record what is being said, **2472**.

Interjections, Interruptions and **Disorder:**

Chair

The Chair does not appreciate frivolous remarks, **1495**.

A member who wishes to make disparaging remarks about the Chair should use the forms of the House, **2321**.

While Mr Speaker is on his **feet** members will not interject, **1034**; will respect the Chair, **6035**; and should not leave the Chamber, **1039**.

While Mr Speaker is giving a ruling members must not converse, **5387**.

A member's conduct was grossly disorderly, **1495**; and the member was directed to apologise to the Chair, **1495**.

A member was guilty of grave disorderly conduct. The member was called to order on a number of occasions whilst on his feet and persisted in flouting the authority of the Chair and behaving in a serious manner, and Mr **Speaker called** for his suspension, **5857**; and the member was removed, **5859**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Conversation

There was too much audible conversation in the Chamber, **9, 15, 16, 154, 159, 253, 368, 374, 454, 455, 615, 942, 943, 944, 949, 1161, 1257, 1258, 1297, 1309, 1368, 1374, 1837, 1987, 2074, 2293, 2637, 2639, 2640, 2856, 2865, 2881, 2891, 3002, 3081, 3177, 3181, 3185, 3595, 3599, 3872, 4971, 5083, 5222, 5855, 5861, 6035, 6036, 6043, 6183, 6188**; which was grossly **discourteous** to the member with the call, **615**; and made it difficult to hear what was being said, **368, 1161, 5855**.

Members who wish to converse should do so outside the Chamber, **15, 154, 253, 256, 368, 615, 943, 1258, 1290, 1291, 1374, 1500, 1837, 1987, 2321, 2639, 2640, 2865, 3002, 3003, 3094, 3186, 3599, 6183, 6188**.

Members should conduct their tactical discussions beyond the bar of the House, **464**.

Members will not conduct conversations across the Chamber, **1323, 1612**.

Members should remain silent, **949, 3595**; and seated. **949**.

Documents

It is disorderly to read magazines and periodicals in the Chamber, **4739**.

Interjection

There was too much interjection, **9, 16, 55, 153, 154, 246, 255, 458, 461, 558, 559, 560, 678, 685, 686, 687, 945, 1034, 1162, 1163, 1165, 1178, 1261, 1306, 1368, 1491, 1492, 1494, 1591, 1596, 1705, 1837, 1922, 1928, 2467, 2472, 2473, 2634, 2635, 2639, 2645, 2856, 2860, 2972, 2977, 3067, 3181, 3187, 4409, 4968, 4969, 5080, 5082, 5227, 5552, 5689, 5692, 5855, 6181**; unseemly interjection, **938**; or grossly disorderly interjection, **4522**; making it difficult to hear what was being said, **686, 938, 2472, 4966, 5855**; and preventing debate from **proceeding** in an orderly fashion, **2645**.

Members were asked to desist from interjecting, **686, 1306, 1310, 1313, 1328, 1462, 1591, 2975, 3075, 3111, 3843, 3870, 5083, 6181, 6184**; or remain silent, **2643**; and warned that unless they co-operated the Chair would **take** more drastic steps, **5080**.

The level of **interjection** made it difficult to hear what was being said, **55**.

The Chair, not having heard interjections, could not call a member to order but would listen from that point on and if the member transgressed in a similar manner would take action, **5662**.

Members had tolerated considerable interjections, **3187**.

24th February, 1993, to 24th December, 1993

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

The Chair had been tolerant but asked for the co-operation of members in conducting the business of the House. In the absence of such co-operation some members may be removed from the Chamber, **16**.

Standing orders do not permit free debate across the Chamber by way of interjection, **461**.

Nothing that a member says in expressing a point of view, making a contribution to debate or answering a question, no matter how provocative or stimulating to others in the Chamber, permits members without the call to participate by way of interjection, **1705**. Such interjections prevent orderly debate, **1705**.

Excessive interjections do nothing to further respect for the Parliament or to enhance the reputation of members, **1928**.

Particular rhetoric is not an invitation to members to participate in debate, and members were asked to restrain themselves or they would be called to order, **947**.

Outbursts of interjections are unacceptable, **687**; reflect on the Chamber, **687**; and members on a number of calls to order who do not co-operate will be removed, **687**.

Excessive interjection and conversation made it very difficult for members to hear the order in which notices of motions were called, resulting in mistakes being made. The Chair extended tolerance but asked members to remain silent so that members would have an opportunity to know what was taking place in the House, **946**.

The Chair does not appreciate nonsensical interjections such as those from the Opposition benches. The Chair has a list of members who have been called to order. Members **will** have to guess whether they are on the list. Many members on the Opposition benches can conclude that they are probably on one call to order, **2469**.

Members were **deemed** to be on three calls, **1495, 2473, 5082, 5556**; and warned that if they attracted the further attention of the Chair they would be removed from the Chamber. **1494, 2075, 5082, 5556**.

It has not been the general practice of the House that **calls** to order **carry** over from one sitting period to another, **2075**; but members on three calls to order were warned that those calls to order were **still** current. **2176**.

It is a rule of the House that a member may respond to interjections, **1835**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Members with the call should be heard in silence, **686, 1605, 2634**.

Order and Decorum

A member should use more temperate language in the Chamber, **959**.

The Chair called for order and **decorum**, **52, 153, 560, 685, 1253, 1261, 1320, 1368, 2467, 2473, 2977, 3001, 3187**; and warned that those who ignored this call would be removed, **685, 2467**.

Members who do not discipline themselves will be disciplined by the Chair or directed to leave the Chamber. **3002**.

Members should be more orderly and respectful of the member with the call, **2856**.

The Leader of the Opposition was grossly disorderly in rising to walk to the table of the Parliament while another member was on his feet, **2644**.

Members who were enumerating in unison the pages from which the Minister was reading were acting childishly and were asked to desist from such practice, **1923**.

Certain behaviour is totally unacceptable, **1837**.

Members **will** restrain themselves from outbursts. **18**.

Members should treat proceedings seriously, **55**.

An outburst was outside the level of decorum expected by the Chair and by visitors to the public gallery, **248**.

There was no call for outbursts of a particular nature, **2071**; and members were asked to exercise decorum, **2071**.

There was no need for members to react in a certain way to anything said in the House, and members were asked to conduct themselves with decorum, **1253**.

Though the nature of a matter before the House touches the emotions of members of Parliament and evokes strong feelings, debate must proceed in an orderly fashion. Members were not demonstrating the behaviour expected in serious circumstances, **1307**.

Continual braying was disorderly, **367**.

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Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Ministers' behaviour was extremely distasteful and they were warned that continuation of such behaviour would result in the Chair taking more peremptory action, **2972**.

Members must conduct themselves in a decent and honourable fashion, in keeping with the dignity of the House, and members were warned that their misbehaviour would not be tolerated and those who offended again may be directed to leave the Chamber, **1261**.

A member who cannot maintain dignity in the Chamber should leave the Chamber, **2682**.

Members who had been called to order were deemed to be on three calls, **3871, 4522, 5692**; and any of those members who attracted the attention of the Chair will be removed from the Chamber, **3871, 4522, 5692**.

Members were reminded that they were on three calls and, because they had continued to **offend**, could have been directed to leave the Chamber. **2895**.

Members were asked to resume their seats, **2904, 2909**.

The House was called to order, **54, 560, 943, 1370, 1591, 3357, 3870**.

Members, who were apparently in good humour, were asked to conduct themselves with decorum, **1839**.

Members, who were apparently in good humour, were asked to constrain themselves until the end of question time for fear that they might unintentionally, in a burst of enthusiasm, attract the attention of the Chair and be directed to leave the Chamber. **2075**.

Though much **interjection** is of a good humoured nature, the proceedings of the House must be conducted with decorum and in a manner that enables members to hear what is being said, **4969**.

The good spirits of members should not manifest in a disruption of the business of the House, and members were asked to **co-operate** and allow question time to **proceed** in an orderly fashion, **5078**.

The behaviour of members would not impress persons in the public galleries, **2977**.

Points of order

Points of order will be heard in silence, **455, 2075, 2644, 3699, 3706, 4520, 4967**.

It is difficult for the Chair to follow submissions on a point of order when members continually interject, **3699**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Only the member speaking should be on his feet in the Chamber, and a member was directed to resume his seat while a point of order was being heard, **2183**.

Question time

Questions and answers **will** be heard in silence, **154, 248, 461, 1596, 1703, 1708, 1988, 2170, 2172, 2174, 2295, 3597, 3699, 3870**; and with decorum, **1988, 2468, 3177, 3187, 4966, 5227**; so that members may hear what is being put to the House, **2172, 4966**.

Excessive interjections make it difficult for question time to proceed in an orderly fashion and for members, those in the gallery and Hansard to hear what is being said. Members were asked to desist from **making** inane and silly remarks, which do nothing to uphold the dignity of the Chamber, and were warned that the Chair will not tolerate interjections, **5690**.

Members should co-operate to allow question time to proceed smoothly and without too much disturbance so that all members will be still present at the end of question time. Having given this sincere and solemn warning to all members about maintaining order in question time and about members wishing to remain in the Chamber for the remainder of the proceedings, the Chair might expect much more co-operation than was evident, and members were warned of the consequences of disorderly behaviour, **6036**.

Members who ask questions should hear the answers in silence, **559, 1984**.

A Minister indicated that he could not hear a question, **1988, 4966**.

Members should exercise a modicum of self-discipline, and allow the Minister to answer as he wishes, **248**.

Members should co-operate to enable a fair and reasonable question time and to enable everyone to hear the questions and the answers, **3181**.

Members who were extraordinarily restless were asked to be co-operative and listen to a Minister's reply in silence, **2170**.

Question time should be conducted with reasonable decorum so that questions may be asked and answered, **1492**.

Excessive **interjection** and banter make it extremely difficult to hear the Minister's answer and are discourteous to the Minister, **55**.

24th February, 1993, to 24th December, 1993

Assembly, Legislative: Rulings, Observations and
Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

For the House to continue in an orderly and stable fashion, the normal dignity and decorum of the House must be maintained. The Chair has no feelings of its own; its job is merely to maintain the order and dignity of the Chamber. The Chair expects members to treat [a member's suspension] with due consideration and seriousness. Outbursts degrade the dignity of the Parliament in the eyes of the public. As the proceedings of the Parliament were being filmed, the Chair was sure the exhibition [from members] would do nothing to enhance the image of the New South Wales Parliament in the eyes of those who will witness the footage, **5857**.

Though the Chamber has always had a reputation for robustness, members should contain their enthusiasm, **6040**.

Members who were in a Christmas spirit were asked to desist from persistent interjection, which delays question time and inhibits the opportunities of members to ask questions, **6181**.

For the orderly conduct of question time Ministers must be allowed to answer questions in silence, **1165**.

A Minister answering a question may respond to interjections, **5690**.

A Minister was asked to answer the question, **1837**; address his answer, **6184**; complete his answer, **1839**, **1928**, **5387**; and refrain from provoking further interjection, **1837**.

Interjections prolong answers, making question time less productive and making it difficult for those interested in the answers to hear what is being said, **560**; and the Chair warned that all those who had been called to order would be deemed to be on three calls to order if the level of interruption continued, **560**.

Interjections, irrespective of what provokes them, make it very difficult for members to follow what is happening in the House, disrupt the orderly conduct of question time and fritter away valuable time in which to ask questions. A minimum of **10** questions should be asked during question time. However, if questions are asked and answered expeditiously, more questions may be asked. Members should co-operate to allow question time to flow smoothly, **689**.

If there were not **free-flowing** interjections, points of order [on relevance] would not arise. Free-flowing interjections make it difficult for the Chair or anyone else to hear exactly what is said. A Minister may think or assume that he heard something to which he is able to respond in accordance with the precedents of the House. The Chair asked members to co-operate by not interjecting further and allowing the Minister to answer the question, **5386**.

Assembly, Legislative: Rulings, Observations and
Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Excessive interjection in question time is unacceptable, **689**; and members who had been called to order were deemed to be on three calls to order, **689**, **2895**; and warned that if they attracted the attention of the Chair again they would be removed, **689**, **2895**.

Members **will** contain their enthusiasm and collective participation to allow the Minister to complete an answer as soon as possible, **4521**.

Though it is not common practice in the House that a question is addressed to a private member, that is no reason for members to react in the way they did, **5081**.

Question time will proceed in an orderly fashion if members exercise decorum and patience, **52**.

Question time should be conducted with dignity and **decorum** and members were asked to co-operate to allow the smooth conduct of question time, **5227**.

There was no call for a display from Opposition members, who were counselled not repeat such behaviour, **5228**.

The length of a Minister's answer is no reason for grossly disorderly **interjections**, **4522**.

Members, who were apparently in good humour, were asked to conduct themselves with decorum, **1839**; and contain their humour, **3357**.

Members, who were apparently in good humour, were asked to constrain themselves until the end of question time for fear that they might unintentionally, in a burst of enthusiasm, attract the attention of the **Chair** and be directed to leave the Chamber, **2075**.

The good spirits of members should not **manifest** in a disruption of the business of the House, and members were asked to co-operate and allow question time to **proceed** in an orderly fashion, **5078**.

The amount of time occupied by a matter in the previous four sitting days indicated its seriousness, but the attitude of some members tended to **trivialise** the matter. **3067**.

The Chair will not permit question time to be reduced to a comic farce, and the Minister will answer a question, **2076**.

The Chair sought decorum to enable question time to proceed in a more orderly fashion, **938**.

Members were asked to refrain from interjecting to enable question time to proceed more smoothly, **1705**.

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Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

A member was asked to repeat a question which was **interrupted** by another member taking a **point of order**, **5556**.

Matters for Urgent Consideration: Where only one notice of motion for urgent consideration is given, the member called at the prescribed time shall move the motion forthwith without a five-minute statement. The member was directed to proceed to speak to his motion. **163**.

Debate is not permitted on a question that standing and sessional orders be suspended to permit debate on the matter for urgent consideration being treated as a debate on a substantive motion, **3188**.

Sessional orders do not exclude motions of censure or condemnation as matters for urgent consideration. As a Minister had stated that if urgency was granted the convention of the House would be followed that unlimited time would be given to the mover of the censure motion and the member who was the subject of it, the Chair saw no reason to depart from adopting that procedure, **5390**.

Matters of Public Importance: The member moving the motion may speak for ten minutes, a member may speak in reply for ten minutes, one member from the Opposition may speak, and then the mover of the motion may speak in reply, **2653**.

It is incumbent on the mover of the motion to **concentrate** on those elements that are essential to the motion and abide by its leave, **3366**.

The terms of a motion were so narrow that it appeared to be outside the spirit of the motion moved, and the mover of the motion was directed to return to the matter of public concern and details of it, **3366**.

The mover of the motion, by endeavouring to widen the scope of the question, afforded similar latitude to other members contributing to the debate, but a Minister was asked to return to the substance of the question and set an example for other members, **3367**.

Motions: A motion was not so specific as to wme within section 46 of **the Constitution Act**, did not refer to appropriation of any specific money but called upon the Government to take certain steps, **1323**.

A member's **speaking** time was reinstated, **1323**.

Notices of Motions: A member was invited to rephrase a notice of motion on a matter of dissent from a ruling, and to discuss the matter with the Clerks or the Speaker for that purpose, **162**.

Mr Speaker deferred ruling on a point of order that a notice of motion about ethnic communities was argumentative and too long, **1038**.

Assembly, Legislative: **Rulings**, Observations and Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

A member who raised a matter of privilege appeared to be endeavouring to debate the substance of whether a question was answered correctly and was reminded of other procedures by which to raise the matter, **1038**. Subsequently, Mr Speaker gave detailed reasons for ruling the notice of motion out of order, including Standing Order **78** and the rulings of Speaker **Kelly** in *Parliamentary Debates* of 6th December, **1978**, at page **1413** and of **16th** August, **1978**, at page **188**, **1166**.

A written copy of a notice of motion under Standing Order **74** must be handed to the Clerk at the time of the giving of the notice of motion, for the giving of notices of motions without making available written copies would make procedures difficult, **1038**, **1039**.

A member had given notice of motion to disallow a practice note of the Supreme Court. Mr Speaker concluded that a practice note does not fall within the **ambit** of the term "statutory rule", and accordingly ruled the notice of motion out of order, **5703**.

Obituaries: Ivan Carlisle Black, a former member of the Legislative Assembly and member for Neutral Bay, **3591**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Withdrawals must be made without qualification, **1704**.

Expressions required to be withdrawn: "You lie.", **1496**; "You're a big rat, Benny!", **1704**; "little rat", **1704**; "scumbags", **3068**.

Expressions withdrawn voluntarily: "Massage", **614**; "Crap", **2179**.

Forms apply to imputations against another member, **3113**.

Language ruled unparliamentary: "You lie.", **1496**.

It is questionable whether the rule about criticising members in another place extends to responses to **interjections**, but members should exercise decorum and use temperate language in the Chamber, **1704**.

Members should not be oversensitive to the general thrust and **parry** of debate, **2961**; but in view of a point of order the Chair would listen carefully to a member and draw his attention to the forms of the House if he should transgress, **2961**.

A trend towards use of references to **lies**, lying and liars has been deplorable, and a member was asked to temper comments and references that could lower the tone of debate, **3190**.

24th February, 1993, to 24th December, 1993

Assembly, **Legislative: Rulings, Observations and Opinions** of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

A member was directed to use more temperate language, **6100**.

Personal Explanations: A member may make a personal explanation to show how the member's character has been impugned by some action, but what had happened in question time could not impugn the character of a member and a personal explanation was not permitted, **2079**.

The Chair anticipated an explanation being lengthy because of the extreme gravity of the nature of the allegations made in another place and the difficulty of answering them in the House. Brevity is the essence of a personal explanation. The Chair would listen carefully to what was said, **3753**.

Personal explanations made on relatively trivial matters do not require much more than a straight denial of the allegations made, but the gravity of a matter should be taken into account and the Minister's explanation would come well within the scope of personal explanations. Members who make explanations on such grave matters can expect the same level of indulgence from the Chair. **3753**.

A member may not make a personal explanation while there is a question before the Chair, **5402**.

Members may use forms of the House to challenge the accuracy or truth of a reply by a Minister to a question, **2079**.

A statement made by a Minister as a matter of privilege was accepted by the Chair as a personal explanation, **3078**.

Points of Order:

Not involved: **17, 153, 159, 369, 986, 1032, 1038, 1708, 2173, 2293, 2469, 2472, 2531, 2891, 2895, 2904, 2973, 3068, 3120, 3190, 3357, 3699, 3706, 3873, 4529, 4530, 4969, 5227, 5399, 5400, 5404, 5425, 5854, 6037, 6039**.

Not upheld:

Apology, **1496**.

Answer not responsive to question, **691, 1032, 1256, 1983, 5386, 5690, 6039**; similar to question already asked, **5381**; a ministerial statement, **5223**; not supplementary, **6043**.

Calls to order, **2075**.

Confidential information, **461**.

Delete **unsourced** quotation, **2178**.

Documents, **2178**.

Identify organisation, **2178**.

Matters for urgent consideration, **5389**.

Minister not in Chamber in question time, **4522**.

Motion **seeks** appropriation of money, **1323**.

New material in reply, **2183**.

Offensive remarks, **2961**.

Privilege, **1038**.

Question not supplementary, **1037**.

Assembly, **Legislative: Rulings, Observations and Opinions** of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Relevance, **378, 379, 1329, 1485, 1494, 1835, 2184, 2503, 3364, 3367**.

Sub justice rule, **562**.

Suspension of member, **5859**.

Tabling of papers, **2973**.

Tuesday last sitting day, **6037**.

Upheld in part:

Answer not relevant to question, **248, 3596, 6040**.

Interjections provoked, **2076**.

Member in Chamber, **2895**.

Notice of motion on dissent from ruling, **162**.

Offensive remarks, **3190**.

Personal explanation, **3753**.

Relevance, **1598, 3366, 4979**.

Reply to debate, **5402**.

Visual material use, **456**.

Upheld:

Answer irrelevant, **3357, 5856**.

Documents to be identified, **2178; sourced, 2648**.

Member to resume seat, **2183**.

Offensive remarks, **1704**.

Question not relevant to Minister's portfolio, **2636**;

asked earlier, **6041**; not supplementary, **3355**.

Quoting from documents, **2178**.

Reference to members by correct title, **1262**.

Reflection on Chair, **2682**.

Relevance, **1320, 1599, 1605, 1739, 2663, 3366, 3369, 5402, 6035**.

Reply to debate, **5401**.

Withdrawal of amended amendment, **5419**.

Members should address a point of order, **560, 562, 1034, 1322, 1598, 2293, 2472, 3356, 3357**; and not debate the issue, **560, 986, 1322, 1323, 1598**; and a member was directed to conclude his point of order, **1323**.

A member was debating the matter and was directed to resume his seat, **5389**.

A point of order was spurious, **6037**; was being **trivialised**, **1034, 1037**; trifled with the House, **159, 462, 3356, 3357**; was out of order. **1494**; **trivialised** question time, **6182**; and a member whose point of order trifled with the House was **placed** on **three** calls, **3356**.

Members will ensure that points of order are not spurious, **otherwise** certain action may follow, **3356**.

A point of order was without substance, **558, 1037**.

Private Members' Statements: A matter previously raised and debated by the House on numerous occasions was ruled out of order. A member who attempts to raise on a subsequent day a matter already raised by another member **will be** ruled out of order. Members cannot use private member's statements to maintain continuing debate, **5255**.

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Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Privilege: On a matter of privilege raised by the honourable member for **Ashfield** that a Federal member and election candidate had claimed the endorsement of the member for Ashfield, the Chair expressed difficulty in applying a comment of Erskine May that "Reflections upon Members, the particular individuals not being named or otherwise indicated, are equivalent to reflections on the House". However, the Chair thought that in the cut and thrust of an election for seats in another place those matters did not come within the type of things generally referred to by **Erskine May**, although the Chair might stand corrected if it had time to research and find out the exact background of those matters, **376**.

In keeping with the traditions of the House the member for **Ashfield** should have sought to make a personal explanation. The Chair upheld a point of order that the member had not explained how the matter complained of had infringed his rights and privileges. **376**.

The Chair deemed a prima facie case of breach of privilege had been established, **1597, 5289**.

Debate on a matter of privilege hinges on whether there has been an infringement of a member's rights. Some background information may be necessary, but a member was asked to address how the tactics employed by solicitors amounted to a threat to intimidate the member in the performance of her duties, **1598**. The member did not assist her case by giving a long catalogue of previous legal actions not involving a breach of privilege, and was asked to deal specifically with how her rights had been impinged, **1599**. Mr **Speaker** subsequently reported receipt of a reply from the solicitors. **1983**.

A matter of privilege was not involved, **3078**.

Procedure: On a point of order that a Minister should raise a matter of concern about a member of the **public** by way of substantive motion, the Chair advised that only allegations made against other members of Parliament may be raised by way of substantive motion, **462**. Members who cast aspersions on people outside the House are responsible for their actions. The wrath or otherwise of the community will determine whether or not their actions are appropriate, **462**. A [further] point of order trifled with the ruling of the Chair, **462**.

As debate on a bill was interrupted, the member delivering a speech at the time is entitled to continue the speech on resumption of the debate. The Chair, having received clarification from the Clerk, advised that the matter was in notice of motion phase in that it had not **yet** been adjourned and was not set down as an order of the day, and subsequently ruled that where a **second** reading speech of the mover of a notice of motion is interrupted at **10** o'clock the resumption of the debate **will** appear on the business paper under **notices** of motions having precedence on that day, **1462**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Members may use **forms** of the House to challenge the accuracy or truth of a reply by a Minister to a question, **2079**.

A member who moves adjournment of a debate is precluded from **speaking** to the debate, **4736**.

Sessional orders do not exclude motions of censure or condemnation as matters for urgent consideration. As a Minister had stated that if urgency were granted the convention of the House would be followed that unlimited time would be given to the mover of the censure motion and the member who was the subject of it, the Chair saw no reason to depart from adopting that procedure, **5390**.

The sessional orders are silent as to debate on a motion to refer a matter to a legislation committee, however, practice has been not to debate this type of motion as it is merely a procedural step between stages of a bill, **5453**.

The Chair upheld a point of order that if an amended amendment were withdrawn the House would vote on the original censure motion, **5419**.

The Chair had chosen not to table a report received from the Auditor-General, but intended to do so forthwith. The **decision** not to table the report had been made on the basis of advice received from a firm of solicitors as to the role of an arbitrator in the case involved, and advice from the Crown Solicitor as to the powers of the Chair and regarding privilege. Subsequently the Auditor-General wrote suggesting that matters of **criminality** or corrupt conduct might be involved and that it would be unfortunate and wrong if the report were not drawn to the attention of the Parliament immediately. The Chair noted that his principal obligation was to the Parliament, and therefore decided to table the report, **2633**.

A member who moves an amendment must put it in writing and pass a copy of it to the Clerk so that it is then before the House. Unless a written amendment is handed to the Clerks there is no amendment before the House. **6047**.

Questions upon Notice: Standing orders do not restrict the way in which Ministers answer questions, **1990, 2076**.

Matters relating to answers to questions upon notice are not matters of privilege, **1990, 2076**.

Questions without Notice:

Anticipating debate

Past **rulings** of Presiding Officers have allowed questions **seeking** factual **information** which may be of use in forthcoming debates [notice of which had been given], **2976, 4520**.

24th February, 1993, to 24th December, 1993

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Form

A member will ask his question without making gratuitous comments, to enable question time to be used more efficiently, **2975**.

In order

A question of a more general nature and dealing with a matter **recently** arising was not similar to an earlier question of a very specific nature involving a particular policeman, and was ruled in order, **5381**.

Questions which reflect on a person outside the Chamber are permitted, **4520**.

Interjections

It is a longstanding convention that a member with the call may respond briefly to an interjection, **5690**; but the Chair could not extend more latitude and asked a Minister to return to the scope of the question, **5690**.

If there were not free-flowing interjections, points of order [on relevance] would not arise. Free-flowing interjections make it difficult for the Chair or anyone else to hear exactly what is said. **A** Minister may think or assume that he heard something to which he is able to respond in accordance with the precedents of the House. The Chair asked members to co-operate by not interjecting further and allowing the Minister to answer the question, **5386**.

Ministerial Statement

A Minister giving factual information in response to a question and not dealing with matters of policy is not making a ministerial statement. Rulings on the length of answers made by the Chair soon after Mr Speaker was elected attempted to ensure that the maximum number of questions possible were asked during question time, but sessional orders now guarantee **10** questions will be asked each day. The Minister had been called upon a number of times to advise the House on the subject-matter of the question and despite the length of the question the Chair ruled it in order, **5223**.

Ministers' Latitude

The Chair has no power to direct Ministers how to answer questions, **1256, 1705, 6039**; and Ministers have considerable latitude in answering questions, **691**; and may answer as they see fit, **1983, 4520**; provided the response is generally relevant to the question, **691, 1256, 1705**.

Traditionally, some latitude is allowed in preliminary remarks, but a Minister was deemed to have completed his preliminary remarks and was directed to return to the question, **3596**.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

The Chair observed that it would be drawing a longbow to suggest that a Minister's answer was relevant to the question, and asked the Minister to return to the question, **5386**.

The only matters the Chair takes into account are the length of time a Minister has been **speaking** and whether a Minister is about to embark on an attack on a member in another place, **1704**.

A Minister who drifted somewhat from the subject of the question should return to the question or resume his seat, **6040**.

The Chair could not draw a nexus between what the Premier had been saying and a question, and the Premier was directed to return to the subject of the question, **5856**.

A Minister was asked to conclude his answer as soon as possible, **55**; a Minister who had been answering for **13** minutes was asked to conclude his answer as soon as possible, **4522**.

A Minister was asked to return to answering the question, **5386**.

A Minister was asked to answer a question, **54, 58, 1034, 2076, 3706**; expedite his answer, **1037**.

Out of order

The same question cannot be asked **twice** in the same session, **6041**.

Relevance

Under standing orders members are entitled to ask Ministers questions relating to their portfolios, but there **are** other ways in which matters can be raised with respect to conduct or statements of Ministers outside those parameters, **2636**.

The Premier had addressed the question and sought further to expand an answer by alluding to other matters falling within the same category, on a comparative basis. As the Premier had been responding to the question for some time, the Chair asked him to draw his answer to a reasonable conclusion, **560**.

It is a tradition of the House that Ministers may answer **interjections**, and therefore members who do not wish to divert a Minister from answering a question should refrain from interjecting. However, it is incumbent on Ministers to make answers **reasonably** relevant. **A** question **does** not permit a Minister to traverse the history of his department or deal with matters that may be considered remote to the question asked, **248**.

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Supplementary

Supplementary questions, being a new procedure, are subject to a certain amount of trial and **error**. One of the general parameters is that the subject-matter of the supplementary question must arise from the answer just given. Therefore, a second question on the same subject is not necessarily a supplementary question, unless the matter raised is drawn from the substance of the previous answer. A member wishing to ask a supplementary question should be careful to frame the question so that it is abundantly clear that the question is drawn from the previous answer, 1037.

The sessional order regarding supplementary questions is still in its **formative** stages. There must be a nexus between the supplementary question and the answer just given. A prepared question would not necessarily preclude the question being ruled relevant. It may well be that a member is able to anticipate the answer to his original question. Therefore, a supplementary question cannot be ruled out on the basis that a member had it written out, **5556**.

The Chair ruled that a question was supplementary and therefore was in order, **5557**.

A supplementary question must relate to the answer to the initial question. A question seeking specific advice as to one service mentioned by the Minister in response to the previous question was in order, **6043**.

The question having been answered, the Chair found it difficult to accept that a supplementary question was drawn from the substance of the previous answer, and **ruled** the question out of order, **1037**.

A question did not arise from a previous question; if anything, it arose from a question asked earlier in the day. The context of a supplementary question must arise directly from an answer given to the question that had just been asked, **3707**. The appropriate time to ask a supplementary question about documents tabled during an answer is immediately following their tabling. Members had asked a series of questions relating to the one subject, and if the Chair ruled that a question was supplementary the **ambit** of supplementary questions would be widened, **3707**.

The Chair will reconsider points made about supplementary questions, as supplementary questions are a new procedure and guidelines are still being **settled**. If there is need to fine tune the ruling, Mr Speaker **will** do so, **3709**.

A question which repeats a preceding question is not supplementary, **3355**.

Assembly, **Legislative**: Rulings, Observations and Opinions of the Chair (*continued*):
SPEAKER, MR (THE HON. K. R. ROZZOLI) (*continued*):

Though a question appeared to be a restatement of the original question, which had been answered, the Chair allowed the Premier to make a further response to the question as a supplementary question, **562**

A member was permitted to ask a supplementary question, **155**.

A question was not supplementary as the Minister had answered the matter in an answer just given, **1037**.

A Minister having given a supplementary answer to a question asked some days earlier, Mr Speaker ruled that a supplementary question was not permitted by the sessional orders, **1259**.

Relevance: Members must confine remarks to the question before the Chair, **19, 1370, 1313, 1328, 1329, 1605, 1739, 1835, 2644, 2682, 3111, 3113, 3372, 4979, 5195, 6035**; or resume their seat, **1310**.

On a motion "That this debate be now adjourned" a member should not seek to debate the substantive motion but whether the debate should be adjourned, **1309**.

On a motion to suspend standing and sessional orders to bring on a matter a member must address why the **matter** is more important than others on the business paper. **5196**.

A Minister who was responding to remarks made by a member in debate was asked not to dwell on the subject, **2503**.

What happened during private members' statements is irrelevant to the matter before the Chair. **5859**.

A member having spoken on a matter for some time and there being doubt as to whether the matter came within the leave of the bill, the Chair requested the member to deal with more specific matters contained in the bill. **6100**.

During a second reading debate a member was asked to speak within the leave of the bill and touch only in passing on detail matters, **4772**.

Senate of **the** Commonwealth: Mr Speaker informed the House of receipt of a communication from the Senate of the Commonwealth of Australia acquainting the Legislative Assembly with a resolution of the Senate requesting the Legislative Assembly to require the attendance of the Honourable John **Fahey** before the Senate Select Committee on the Functions, Powers and Operation of the Australian Loan Council to provide public evidence. Mr Speaker, having sought advice of Crown law officers, **set** out reasons for suggesting that the House not take further action in regard to the matter, **5917**.

24th February, 1993, to 24th December, 1993

Assembly, **Legislative:** Rulings, Observations and Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Special Adjournment: A member was asked to explain the relevance of matters to which he was referring. The sitting program is an unofficial document unrelated to the official procedures of the House and is issued as a guide to members. The Government can include in or omit **from** that document whatever items it wants. The Chair was unable to understand the relevance of the remarks of the member about that document to a special adjournment motion to adjourn the House until **9 a.m.** the next day, when further **sittings** of the House can be debated, **19**. The member was reminded that the House would meet the next day under a formula adopted under the standing orders and that the circumstances to which he referred could not arise. Unless the member wished to suggest reasons why the House should not resume at **9 a.m.** the next day, the Chair proposed to assume that the member had concluded his remarks and would put the question, **20**.

Suspension of Member: On a point of order, Mr Speaker gave reasons for adhering to a direction that the **Serjeant-at-Arms** remove the member for Ashfield, **5859**. Mr Speaker subsequently accepted a **written** apology from the member and ordered that he be readmitted, **5863**.

Suspension of Standing and Sessional Orders: The question of whether leave is granted cannot be debated, **1167, 1499**.

The Minister having moved and replied to debate, the Chair does not have scope to permit further debate on a motion to suspend standing and sessional orders. **4417**.

A member was incorrectly given the call, because sessional orders precluded the member from speaking to the motion, **6046**

Tabling of Reports: Private members may not table documents. **4532**.

Tedious Repetition: A member was reminded of the rules regarding tedious repetition, **1485**; and warned that he had been bordering on infringing the rules, **1835**.

A member was directed to conclude his reply and not be tediously **repetitious**, **5402**.

Televising of Proceedings: The comments of the Leader of the Opposition were unfortunate for the dignity of the Chamber. Mr Speaker had received an apology from television channels for the actions of their operatives in leaving the Chamber in breach of the **agreement** they entered into with Mr Speaker. The Leader of the Opposition was asked to desist from a particularly poor line of contribution to the debate, **1963**.

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Pursuant to resolution of the House of 12th May, **1993**, permission was given for a single television camera to operate in the House for the duration of question time for two weeks on a trial basis. The Standing Orders and Procedure Committee will meet to discuss further implementation of the televising of proceedings within the Chamber, **2854**. The committee having met, the trial was extended until the summer recess, **4964**.

The Budget Speech of the Treasurer will be televised from the Speaker's Gallery, **2871**.

The matter of [question time not being filmed in accordance with an arrangement announced by Mr Speaker] does not strictly fall within the compass of a point of order because it does not strictly relate to the procedural matters that are dealt with by the standing orders. Parliament entered into a contractual arrangement to televise **proceedings between 2.15 p.m. and 6.15 p.m.** If question time does not fall within that time span, question time is not televised. The House decided to call on questions as the **first** item of business, and the Chair had no intention of altering those arrangements, **6037**.

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Council: int. 1646 2R. 2153 3R. 2157 assent 2831

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Assembly: int. 5024 2R. 5024 3R. 5025

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KHAPPINGHAT NATURE RESERVE BILL:

Assembly: Com. 345 3R. 344 665 o.s. 344 350

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LAKE MACQUARIE STATE RECREATION AREA BILL:

Assembly: int. 2940 2R. 2940 5672

LAM) ACQUISITION (JUST TERMS COMPENSATION) AMENDMENT BILL:

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Council: int. 3778 2R. 5188 3R. 5189

LAM) TAX MANAGEMENT (AMENDMENT) BILL:

Assembly: assent 7

Council: assent 107

LAW OF EVIDENCE BILL (pro forma):

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Council: int. 107

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Assembly: assent 7

Council: assent 107

LEGAL PROFESSION REFORM BILL (COGNATE):

Council: int. 3269 2R. 3269 o.s. 4505

LEGAL PROFESSION REFORM BILL (No. 2) (COGNATE):

Assembly: int. 4981 2R. 4981 5092 5109 5276

Com. 5285 5863 o.s. 5287 5894 5912 5917

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LETONA CO-OPERATIVE (ASSISTANCE) BILL:

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Assembly: int. 5288 2R. 5288 5391 Com. 5403 3R. 5408 o.s. 5390

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Assembly: int. 5567 2R. 5764 o.s. 5764 5853

Council: int. 5765 2R. 5567 5773 3R. 5774

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Assembly: int. 5566 2R. 5566 5763 3R. 5764 o.s. 5853

Council: int. 5765 2R. 5772 3R. 5773

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Assembly: 2R. 184 2003 2014 Com. 2028 3R. 2122 o.s. 171 2041 2238 assent 2854

Council: int. 2125 3169 2R. 3148 3R. 2153 assent 2831

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Council: int. 3038 2R. 3148 3R. 3149 assent 3545

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3R. 2494 o.s. 1758 1894 1982 2094 2122

2194 2238 2245 2312 2329 2483 2634 assent 2854

Council: int. 2409 2R. 2414 3R. 2431 assent 2831

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1501 1523 1630 1643 1726 1735 Com. 1879

1975 2088 2102 2188 2202 2238 2303 2324

3R. 2494 o.s. 1758 1894 1982 2094 2122

2194 2238 2245 2312 2329 2483 2634 assent 2854

Council: int. 2409 2R. 2414 3R. 2431 assent 2831

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MAINTENANCE AND CHAMPERTY ABOLITION BILL (No. 2) (COGNATE):

Assembly: int. 4981 2R. 4981 5092 5109 5276

Com. 5285 5863 o.s. 5287 5894 5904 5912

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Assembly: int. 3885 2R. 3885 4452 3R. 4454

o.s. 4964 assent 5078

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 The HON. FRANCA ARENA:
AS DEPUTY-PRESIDENT:
Distinguished Visitors: Mr Ali **Kazak**, Palestine Liberation Organisation representative in Australia and the Pacific, **998**.
 Relevance: Members should address the question before the Chair, **4679**.
 Points of Order: Not involved. **4679**.
 The HON. R. T. M. BULL:
AS DEPUTY-PRESIDENT:
 Armistice Day: Logistics involved in putting the names of [absent] members on the roll will be investigated, **5150**.

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Council, Legislative: Rulings, Observations and Opinions of the Chair:

DEPUTY-PRESIDENT (THE HON. R. T. M. BULL) (*continued*):

Chair: Members will address remarks through the Chair,

Interjections, Interruptions and **Disorder**: There was too much conversation in the Chamber, **5152**; making it difficult for Hansard to record proceedings, **5152**. Members who wish to converse should do so outside the Chamber, **5152**.

Points of Order: Not involved: **5187**.

A point of order was flippant, **5187**.

As TEMPORARY CHAIRMAN OF COMMITTEES:

Interjections, Interruptions and Disorder: Members **will** not converse across the Chamber, **3826**.

Excessive audible conversation is discourteous to a member with the **call**, **4511**.

The HON. BERYL ALICE EVANS:

As ACTING-PRESIDENT:

Divisions: Casting vote, **4647, 5174**.

The Chair heard only one voice call for a division, and put the question, **4958**.

Filming and Photographing of Proceedings: Pursuant to resolution of 26th October, **1993**, the Chair permitted a matter of public interest to be filmed and announced that photographers from the *Sydney Morning Herald* and *Daily Telegraph Mirror* had been given permission to take photographs during the proceedings of the House, **5026**.

Interjections, Interruptions and Disorder: There was too much audible **conversation** in the Chamber, **5163**; making it difficult for the Chair to hear, **4925, 4926, 5163**; and for Hansard to cope, **4925**.

Members who wish to converse will do so outside the Chamber, **4925**.

Points of Order:

Not involved: **4928**.

Upheld: Question refers to **bill, 4935**.

Procedure: The Chair drew the attention of the House to an irregularity in the procedural motion moved in relation to a bill. Before the motion that a message be forwarded to the Legislative Assembly was moved, a motion relating to the discharge of the order of the day was required. In order to comply with the procedures of the House, the Chair proposed that the motion passed should be rescinded by the House and the appropriate motion put, **5191**.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

ACTING-PRESIDENT (THE HON. BERYL EVANS) (*continued*):

Relevance: Members should confine remarks to the question before the Chair, **4928**.

As DEPUTY-PRESIDENT:

Address **in Reply**: The Chair accepted an apology from a member regarding the Governor, but directed the member not to bring personalities into the debate, **214**; and, on a point of order that the member had been **making** an explanation on the point and not an apology, the Chair accepted the explanation, **215**.

Budget Estimates: Though considerable latitude is extended in debate on the budget estimates and related papers, contributions should relate as much as possible to matters referred to in the Budget, **3814**.

Chair: Members **will** address the Chair, **3157, 3172, 3692, 3802, 3805, 4682, 5491, 5492**.

Members crossing in front of the Chair or leaving the Chamber should acknowledge the Chair, **420**.

Debate: Members **will** not be addressed by their Christian names, **215**.

A member was speaking so quickly that he was difficult to understand, **336**.

Hansard: **Interjections** [or excessive chatter] make it difficult for Hansard to hear what is being said, **214, 330, 420, 546, 2378, 3161**.

Interjections, Interruptions and Disorder: Members should not converse across **the Chamber, 3157, 3158, 3172, 3802, 3805, 4698, 5491, 5492**.

There was too much conversation, and members who wish to converse should do so outside the Chamber, **4389, 4404**.

Members should speak to the debate and not criticise or argue with members opposite, **418**.

Members should remain silent, **331, 420**; and refrain from **interjecting, 419, 5492**.

Interjections make it impossible for members and Hansard to hear what is being said, **214, 330**.

On a point of order that a member could not hear because of the loud **interjections** of another member, the Chair observed that the interjecting member had heard the comments and that interjections had lessened somewhat, **4698**.

Chatter in the House makes it more difficult for Hansard staff, who do a fantastic job, to report proceedings, **330**.

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DEPUTY-PRESIDENT (THE HON. BERYL EVANS) (*continued*):

Members should keep tempting chats on the benches to a minimum. **4700**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression not required to be withdrawn: [The Premier was] "a joke", **215**.

Expressions required to be withdrawn: ". . . it was the wish of our future monarch to reside inside the trousers of an accomplished horsewoman", **327**. [A member was] "a liar", **2373**.

Petitions: A petition not in conformity with the standing orders was ruled out of order. **4359**.

Points of Order:

Not involved: **215, 330, 3814**

Upheld: Offensive remarks, **327**.

Upheld in part: Offensive remarks, **214**.

Relevance: Members will address the question before the Chair, **215, 3814, 4682, 4683**.

Tedious Repetition: A member was asked to refrain from repetition and return to the bill, **4700**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Division: The Chair had heard two voices calling for a division, **4654, 4655**.

Interjections, Interruptions and **Disorder**: There was too much audible conversation in the Chamber, **4646, 4653**; and the Chair was having difficulty hearing what was being said, **4646, 4653**.

Members who wish to converse should do so outside the Chamber, **4646, 4653**.

The Chair **will** not tolerate an excessive level of noise. Members **will** remain silent and behave with decorum, or the Chair will dismiss the Committee, **4649**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression required to be withdrawn: "shut up and get out of here", **4653**.

Point of Order: Not involved, **4647**.

The HON. DR MARLENE GOLDSMITH:

AS DEPUTY-PRESIDENT:

Chair: Members will direct their remarks through the Chair, **905, 5070**; should be careful about reflecting on the Chair, **3564**; and address members and Ministers by **their** correct titles, **4689**.

Council, **Legislative**: Rulings, Observations and Opinions of the Chair:
DEPUTY-PRESIDENT (THE HON. MARLENE GOLDSMITH (continued):

A member must adhere to the rulings of other occupants of the chair, **3564**.

Documents: The Chair permitted a letter to be incorporated in Hansard should it be in the capacity of Hansard to incorporate it, **4692**.

Interjections, **Interruptions** and **Disorder**: There was too much audible conversation, making it difficult for Hansard, **4592, 4593**.

Points of Order:

Not involved: **233, 3564, 3565, 5077**.

Not upheld: **3565, 3566**.

Quorum: Eight members constitute a quorum, **2394**. When a quorum is not present it is incumbent upon the Chair to order the bells to be rung, but as the Chair was about to do so the quorum was formed, **2394**.

Vote of the House: Members shall not reflect upon any vote of the House. **3565**.

The HON. A. B. **MANSON**:

AS DEPUTY-PRESIDENT:

Offensive and **Objectionable Remarks**, Imputations and Aspersions: Remarks withdrawn voluntarily: "pompous old fart", **928**.

DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (THE HON. D. J. **GAY**):

AS ACTING-PRESIDENT:

Matters of Public Interest: **As** the Government indicated it would agree to the declaration of urgency, a member was permitted to speak only briefly to the matter of urgency, **4465**.

Reports: Pursuant to section **40(30A)** of the Interpretation Act the Clerk will table all statutory instruments subject to disallowance, **2831**; reports received out of session are announced by the Clerk, **2832**.

AS DEPUTY-PRESIDENT:

Adjournment: It is outside the rules of the House to move an amendment to a motion for adjournment under Standing Order **13, 2250**.

24th February, 1993, to 24th December, 1993

Council, **Legislative:** Rulings, Observations and Opinions of the Chair:

DEPUTY-PRESIDENT(THE HON. D.J. GAY) (continued):

On a motion "That this debate be now adjourned until a later hour of the sitting", the Chair referred to page **333** of the twenty-first edition of **Erskine** May's Parliamentary Practice, which states, "When a motion for the adjournment of the House or the debate has been negatived, it may not be proposed again without some intermediate proceeding." The Chair did not accept the motion, **4674**.

The Chair expressed concern about some members reading prepared speeches at such a speed that they were unable to be understood. When appropriate the Chair **will interrupt** those members and suggest they slow their delivery, **3590**.

Chair: Members will address remarks through the Chair, **4618, 4619, 4657, 5795**.

Debate: Members and Ministers will be referred to by their correct titles, **244**; and will not use certain terms when referring to other members in the House, **4635**.

A member was asked to deliver her statement in a manner that could **be** understood, **3588**.

Documents: Standing orders do not require that the source of documents be revealed. It is customary in the Parliament to provide the source of a document that is quoted. Deputy-President **McKay** said, "If a member does not reveal the source from which he is quoting, the **information** lacks any persuasive authority", **2589**.

Members should identify the source of documents from which they are quoting, **4705**.

The Chair suggested that a member seek leave to table documents so that members might peruse them, rather than seek the expensive alternative of having the documents incorporated in Hansard, **5512**.

Interjections, Interruptions and Disorder: Under Standing Order **93** a member is not permitted to **interrupt**, **1789**. However, the Chair exercises discretion and allows interjections if they do not interfere with the contribution of the member with the call. **1789**.

Members **will** desist from interjection, **626, 4613**; as they have had or **will** have an opportunity to contribute to the debate, **242**; and to avoid sidetracking a member, **5527**.

Members will complete contributions more **quickly** if they do not respond to interjections, **4704**.

There was too much audible conversation in the Chamber, **238, 2584, 2585, 4610, 4619**.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

DEPUTY-PRESIDENT(THE HON. D.J. GAY) (continued):

Members who wish to converse should do so outside the Chamber, **551**; making it impossible for Hansard to hear, **4618**.

Members should not engage in private debates, **4618**.

Members should not comment from outside the Chamber, **4692**.

Persons in the public gallery should remain silent during debate, **5510, 5533**.

Offensive and **Objectionable Remarks**, Imputations and Aspersions: Expressions required to be withdrawn: [A member] "pretends to be tolerant . . . but . . . was expressing his hatred", **2581**; "does not take kindly to individuals and activist groups who take action to enforce public laws", **4466**; "Ministers . . . condoned the illegal actions of [a company]", **4466**.

Expressions withdrawn voluntarily: "The nurses saw [a member] **walking** around fully clothed", **5533**.

Members shall not use offensive words against a member of the other House, **1788**; or use unparliamentary language, **1788**.

A member was asked to cease making personal statements, **2561**.

Members who wish to make allegations against any member of either House must do so by way of substantive motion, **4466**.

Points of Order:

Not involved:

555, 556, 557, 4614, 4616, 4703, 5504, 5514, 5515, 5530.

Not upheld:

No Minister in Chamber, **1787**.

Offensive remarks, **1788**.

Refer to Minister by title, **244**.

Relevance, **1787**.

Source of documents, **2589**.

Tedious repetition, **4614, 4615, 5532**.

Upheld:

Offensive remarks, **2581, 4466**.

Relevance, **4616, 4617, 5516, 5529, 5530**.

A member was directed to come to **hi** point of order or resume his seat, **556**.

The Chair may have to direct members to speak to the point of order, **5530**.

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DEPUTY-PRESIDENT (THE HON. D. J. GAY) (continued):

Repeated points of order are vexatious, tiresome and irksome, **4616**.

Questions without Notice: Questions which are too long and provide too much detailed information will be included on the Questions and Answers paper, **1099**.

Members will confine themselves to asking questions rather than commenting on any issue, **4603**.

Relevance: Remarks should address the question before the Chair, **1787, 2561, 4616, 4617, 4618, 4635, 4664, 4672, 4685, 4692, 4696, 4705, 4709, 5504, 5516, 5527, 5529, 5530**; and the Chair will listen to a member's speech for that purpose, **5516**.

Tabling of Papers: Members will seek the leave of the House to table documents, **4463**.

Tedious Repetition: A member was reminded of the provisions of Standing Order **85, 4615, 5515**; and warned that the Chair will pay close attention to debate to prevent breaches of it, **4615**.

AS CHAIRMAN OF COMMITTEES:

Amendments: Both the Government and the Opposition having foreshadowed amendments, the Chair proposed the amendments together, **1569**.

Chair: Members will address the Chair, **5795**.

Division: Casting vote, **1579, 6165, 6167**.

Interruptions, Interjections and Disorder: Members should keep conversations to a minimum, for the Chair and Hansard were having trouble hearing what was being said, **6173**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Member asked to refrain from using the word "bloody", **1569**.

Point of Order:

Upheld:

Address the Chair, **5795**.

PRESIDENT (THE HON. MAX FREDERICK WILLIS):

Adjournment: Pursuant to sessional orders there is no limitation on the subject of debate, **150**.

A member may not speak twice on the adjournment, **5378**.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (continued):

Budget Estimates: Great latitude is permitted in the budget debate. However, it is contrary to standing orders to anticipate debate on a substantive motion on the notice paper, and a member was asked to desist from that line of discussion, **3060**.

It is a longstanding convention of the House that Standing Order **81** is virtually ignored for the debate on the budget estimates and related papers, **3817**.

Business of the **House**: The President will explain procedures in chambers, **1792**.

The House having agreed to restoration of a bill, the President directed the Clerk to remove two orders of the day on the business paper having a similar purpose, **3587**.

Though the House was adjourned until **9 a.m.**, the President took the decision to delay the ringing of the bells until **10 a.m.** as there was a **fire** alarm which required the presence of the **fire** brigade, **5765**.

Chair: Members and Ministers will address the Chair, **1005, 3060, 3578, 3789, 5325, 5525**.

Debate: It is contrary to standing orders to anticipate debate on a substantive motion on the notice paper, and a member was asked to desist from that line of discussion, **3060**.

It is not parliamentary to refer continually to members by their given names, **4384**.

If a statement put forward in a motion is part of the public record it is in order for a member to rebut it, **3566**.

The purpose of members addressing the House is fundamentally to **inform** members of the House and not to have matters recorded in Hansard. It is therefore important that members deliver their speeches with appropriate volume, speed and clarity so that other members are readily able to understand, **5376**.

A member is entitled to reply to an allegation raised by another member, **5537**; but **as** the member had replied to the issue for the fourth or fifth time, he was asked to move to a fresh point, **5537**.

Dissent from Ruling: Motion of dissent negatived, **1578**.

Members must address themselves to the question of dissent and not debate the issue, **1574**.

SESSION 1993

24th February, 1993, to 24th December, 1993

Council, **Legislative:** Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Distinguished Visitors: Delegation from the Russian Federation under the political exchange program, led by Mr Dmitri Rogozin, 210

Delegation from the Parliament of Argentina, led by Senator Leopoldo Bravo, accompanied by the Consul General of Argentina, Carlos Rospide, 311.

Fellowship of the First Fleeters, 1012.

Mr Raphael Goren, Consul-General of Israel in Sydney, accompanied by Mr Dan Meridor, a member of the Knesset and a former Minister for Justice for Israel, 1236.

Members of the Western Australian Parliament, 1350.

Mr Jacob Ankarcrona, Consul-General for Sweden and Dean of the Consular Corps, 5629.

Duan Jin, Consul-General for the People's Republic of China, 1588.

Rt Hon. Sir Julius Chan, Deputy Prime Minister and Minister of Finance of Papua New Guinea, 5784.

His Excellency Major General Moinul Hussain Choudhury Bir Bikram, High Commissioner of Bangladesh to Australia, 6167.

Documents: The President asked a Minister to identify a document from which the Minister had quoted, 226.

If a document is a public document, it should be referred to and paraphrased or certain sections of it quoted which are pertinent to the debate. Alternatively, a member may seek to have it incorporated in *Hansard*. Protracted reading from a document is not appropriate, and a member should seek to paraphrase or point out particular portions of the document, 5506. The President asked that the document be made available to him and to the Minister; and suggested that the member read on to the record the last two paragraphs of the document and give an undertaking to make it available to the Legislative Council office so that it can be copied for the benefit of any members who wish to avail themselves of it, 5507.

A member was asked, if he wished to continue quoting from a document, to relate its relevance to the bill, and to quote extracts rather than read the entire contents, 5539.

The Chair assumed that a member was quoting from a newspaper in support of his argument, 5537.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Interjections, Interruptions and Disorder:

A member should be allowed to complete her remarks **uninterrupted**, 2535.

There was too much **interjection** in the House, 640, 1433, 2364, 3257, 3258, 3553, 3570; **making** it difficult for Hansard to report debate, 1433.

The Chair will not tolerate constant harping, 216; **interjecting**, 3570.

The Chair will not permit interrogation, 3585, 5521. Debate is not a process of interrogatories, 2403. A member was asked to desist from **interjecting**, 5459.

The Chair will not allow question time to degenerate into an abusive interrogatory session, 3658.

Rather than allow the debate to go on ad nauseam, the Chair **asked** a member to cease **interjecting**, 3568.

It might be conducive to debate if a Minister saves remarks until he speaks to the bill, 1797.

Members will not converse across the table, 3060, 3789; when the Chair is considering a point of order, 5539.

Cross-Chamber exchanges were prolonging debate, and members were asked to desist, 5539.

Members will stop having dialogue about the scriptures, 5499.

Members who wish to converse should do so outside the Chamber, 111, 526, 6018.

Members will not address remarks to persons in either the President's gallery or the public gallery, 1005.

Excessive conversation in the Chamber made it difficult for the President to hear, 122. Excessive noise made it difficult to hear a Minister's answer, 220.

Dissent from a ruling by the President is a very serious matter and it is important that the President hear what is said, 1574.

Chatter made it impossible to hear a question, 910; or what was being said, 4590; or to hear the contribution of a member with impaired voice, 2548; and members should chatter **sotto voce**, 2548. There was too much chatter in the Chamber, 5630.

People in the public gallery are not **permitted** to **interrupt**, 5486, 5495; or react to what is said on the floor of the Chamber, 5487; and further **interruption** may result in the gallery being cleared, 5495.

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PRESIDENT (THE HON. M. F. WILLIS) (continued):

People in the gallery who wish to conduct audible conversation should leave the Chamber, 5536.

Members will not converse with people in the public gallery, 2155.

The President had difficulty hearing an answer to a question, 222, 633; what was being said, 897, 912, 1571; or a request for the call, 898.

The Leader of the Opposition should listen to an answer and then consider whether he wants to ask a supplementary question, 2137.

A member was directed to resume her seat [during division], 1365.

Matters of Public Importance: **A** member is required to establish a degree of urgency sufficient for the House to debate the motion, 3123.

Often it is necessary for a member to give some indication of the substance of the debate to follow in order to establish a degree of urgency necessary for the House to agree to debate the substance, but a member's statements should bear on the question of urgency rather than on the substantial issue. 3123.

Members: **A** member was admitted to the floor of the House in a wheelchair and would address the House from a seated position, 5517.

Notices of Motions: **A** notice of motion was contrary to the terms of Standing Order 52, which provides that a notice of motion may not be set down for a day later than four weeks from the day of giving the notice, and was not published in the business paper, 3020.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression requested to be withdrawn: [**A** member would] "vote for the bill simply to keep the Domain view from my office", 1795; "moribund", 6033.

Expression withdrawn voluntarily: [**A** member had] "had a whiff too many" and was "suffering from worms", 1653.

Expressions not required to be withdrawn: [**A** council was influenced by the] "white shoe brigade", 1800.

Standing Order 31 provides that no member shall digress from the subject-matter of any question under discussion and that all imputations of improper motives and all personal reflections on members shall be deemed disorderly. Rulings of Presiding Officers extend that standing order to include members of the other place and provide that reflections against members of either House must be made by way of substantive motion, 3126.

Council, **Legislative:** Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (continued):

A member was asked to desist from making certain references to the Queen, 1796.

Traditionally "father of the House" is a form of compliment and term of respect. In the interests of sexual equality the President supposed that must be extended to the longest serving female member, 528.

What was said by a member was not meant to be purposefully misleading the House and therefore transgressing. The remark was taken to mean that the member had either unwittingly, or was in danger of, misleading the House, 3582.

It is unparliamentary for members to refer to one another by Christian names, 530; to accuse another member of being immoral, 3553; to say to another member that it is a matter for that member to decide whether his or her actions are moral, 3553.

Points of Order:

Not involved:

151, 528, 639, 1005, **1660**, 1774, 1798, 2363, 3125, 3128, 3129, 3553, 3554, 3572, 5522, 5535, 5537, 5807, 6033, 6138, 6140.

Not upheld:

Matter of public importance, 3123.
Member misrepresented, 3128.
Offensive remarks, 1800, 3582.
Pronunciation of word, 3129, 3130,
Question anticipated debate, **1660**, 1774.
Relevance, 150, 1802, 3550, 3551, 3553, 3817, 6140.

Upheld:

Member speaking too fast, 5376.
Question anticipated debate, 1572, 1573; raised a matter before the House, 3766.
Relevance, 5375, 5537, 5538, 5807, 6131.

Upheld in part:

Quoting, 5506.
Relevance, 3569, 3784, 5505.
Remarks reflect on a member, 3126.

A point of order is not an issue for debate, 5536, 6131.

If a member wishes to suggest she has been misrepresented, a point of order is not the appropriate procedure to use, 3550.

Members will not interject while the President is listening to a point of order, 1802, 5505.

Procedure: Sessional orders provide that after 4.15 **p.m.** Government business takes precedence. However, business of the House before the House takes precedent of Government business, 3264.

24th February, 1993, to 24th December, 1993

Council, **Legislative:** Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Under Standing Order **106** the President put four questions seriatim, **3586**.

Questions Without Notice: A member asking a question was reminded that it is the responsibility of Ministers, not members, to answer questions, **526**.

A question was ruled out of order as it raised a matter before the House, **3766**.

A question which anticipated debate on bills (the introduction of which had been the subject of notice of motion) was out of order, **1572, 1573**. The President noted a ruling of President Lackey on the issue but took direction from the standing orders of the House and from page **327** of the twenty-first edition of Erskine May, **1572**.

Page **328** of Erskine May refers to the fact that when considering whether to permit a question the Speaker of the House of Commons must have regard to the probability of the matter anticipated being brought before the House within a reasonable time. **1660**.

Ministers are at liberty to answer questions in whatever manner they please, **639**.

The President's duty is to listen to the question and the answer, **521**.

The Chair cannot tolerate constant carping, **521**.

Relevance: Members should ensure their remarks are relevant, **1795, 1800, 1802, 3550, 3551, 3565, 3568, 3572, 3573, 3574, 5536, 5537**; and link comments to the question before the Chair, **1802, 5505**.

A member might avoid further points of order by quite clearly demonstrating with each argument just how it relates to the bill, **5535**.

A member is entitled to reply to an allegation raised by another member, **5537**; but as the member had replied to the issue for the fourth or fifth time, he was asked to move to a fresh point, **5537**.

Special Adjournment: The Clerk brought to the attention of the President that when the motion for the adjournment was moved there would be felicitations, and the President agreed to bend the **rules** a little by starting the 15-minute timer at the conclusion of the felicitations to accommodate members who might wish to speak on the adjournment in accordance with sessional orders. However, as felicitations had been dramatically cut short, the President proposed to enforce the sessional orders and commence the time of the adjournment debate forthwith, **5807**.

Suspension of Standing and Sessional Orders: Members should seek to establish why standing orders should be suspended and not debate the substantive issue, **6131**.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Tedious Repetition: A member was reminded about tedious repetition, **3554, 3567, 3568, 3572, 3577, 5536**.

Televising and Photographing of Proceedings: Permission was given to television stations to film a day's proceedings and for a *Sydney Morning Herald* photographer to take photographs during the proceedings, **4359, 5776**.

Permission was given for filming of the debate on the Anti-Discrimination (Homosexual Vilification) Amendment Bill and debate on the police administration motion to be moved by the Hon. E. P. Pickering and for a print media photographer to take photographs during the proceedings of the House, **5323, 5456**.

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