

SESSION 1994

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TO

PARLIAMENTARY DEBATES

(HANSARD)

1 March 1994 to 5 December 1994

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- MR I. D. GLACHAN**, Appointment, **3075**.
- MR B. R. HAZZARD**, Appointment, **8**.
- MR K. J. MOSS**, Appointment, **8**.
- MR B. W. RIXON**, Appointment, **8**.
- MR A. A. TINK**, Appointment, **8**; Resignation, **3075**.
- MR K. M. YEADON**, Appointment, **8**.

MR I. D. GLACHAN:

AS ACTING-SPEAKER:

Chair:

Members will address their remarks through the Chair, **4027, 4028, 4029, 4721**; and desist from arguing across the Chamber, **5914**; and if they continue to ignore the directions of the Chair, they will be removed from the Chamber, **4029**.

Members will not flout the rulings of the Chair and will confine their remarks to the subject matter of the questions before the Chair, **5427**.

The Chair needed no assistance from a member to rule on a point of order. **5915**.

Debate:

Members should make only brief reference to comparisons and return to the leave of the motion as quickly as possible, **3978**.

A member was not permitted to introduce new material and was asked to confine his remarks to the motion, **3979, 5427**.

Ministers should be addressed by their correct titles. **3764**.

Members should confine their remarks to facts. **4028**; and not to hypotheses or to circumstances as they imagine them to be, **4029**.

A member was permitted to refer to the content of a newspaper article, provided he did not claim that the article was factual, **5428**.

A Minister who had made passing reference to unrelated matters was asked to confine his **remarks** to the question before the Chair, **5429**.

Though considerable latitude had been extended to members, they were reminded of the obligation not to stray too far from the question before the Chair, **5915**.

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

ACTING-SPEAKER (MR I. D. GLACHAN)
(continued):

Distinguished Visitors: His Excellency Mr Saburo Tanaka, Consul General for Japan, **4026**.

Interjections, Interruptions and Disorder:

Debate was rapidly getting out of hand. There was too much interjection and exchange across the table. A serious amendment had been moved to a serious motion, and members should make some effort to **confine** their remarks to the matters before the Chair, **4030**.

Members should cease **interjecting**, **4028**.

A member was advised that his time for speaking had almost expired, **4030**.

Private conversations across the Chamber are precluded by the rules of debate, **4721**.

Members wishing to conduct meetings should do so outside the Chamber, **5788**.

Members will not converse across the Chamber, **5789**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

Remarks asked to be withdrawn: "crook" **4028**; "hand in the till" **4029**.

The Chair was not able to rule whether the term "crap" should be withdrawn because it did not hear it used in the debate, **5908**.

Points of Order:

Not involved: **3619, 4028**.

Upheld: **4028, 4029**.

Not Upheld:
Attack on private individuals, **6117**.
Relevance. **5909, 5915**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Amendments:

The Chair requested a member to hand to the clerks a signed written copy of an amendment, and then sought to clarify the amendment, **6103**.

An amendment was **ruled** out of order as being outside the scope of the bill, **6273**.

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

MR B. R. HAZZARD:

AS ACTING-SPEAKER:

Chair:

Comments should be directed through the Chair, **731, 1530, 2337**.

Standing orders provide that members who seek the call should wait for acknowledgment from the Chair before commencing their contributions. Members should not move to the lectern and commence speaking before that acknowledgment, **4711**.

Debate:

Though some latitude had been given to all members who had participated in the debate, a member was approaching the limit of that latitude and was asked to return to the **ambit** of the bill as soon as possible, **4711**.

A member, who had left the lectern, was deemed to have completed her contribution, **4908**.

Members should be referred to by their correct titles, **5590**.

Interjections, Interruptions and Disorder:

Members will desist from interjecting, **437, 2337, 3563**; or reduce the level of conversation, **5237**.

Excessive interjection does not help in maintaining the decorum necessary to ensure a reasonable flow of debate. Having issued a number of warnings, the Chair will call members to order if interjection goes beyond the bounds of the cut and thrust of debate, **2338**.

Exchanges between a Minister and member will not be tolerated, and further exchanges will result in both members being placed on three calls to order immediately, **2339**.

The level of audible conversation was excessive, **730**; and members should pay the member with the call the courtesy of remaining silent during **his** contribution, **4038**.

A member who was addressing the rear of the Chamber, thus causing difficulties for **Hansard**, was asked to direct his comments to the Chair. **4716**.

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ACTING-SPEAKER (MR B. R. HAZZARD)
(*continued*):

Members, who seemed not to want to listen to a contribution, were asked to allow Hansard the opportunity to report the proceedings, **5237**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

Expressions not required to be withdrawn: "rabble", **1492**; "the youngster", **2338**.

A member who seeks to impugn other members of the House must do so by way of substantive motion, **2988**.

The Chair did not direct a Minister to withdraw and apologise for comments that were no more and no less offensive than other comments made in the cut and thrust of debate. **5239**.

Order and Decorum:

The Chair was disappointed about the tone of debate. Members should exhibit decorum and attempt to confine their remarks to the leave of the motion, **5590**.

The Chair did not wish to be unduly restrictive. however, it insisted that members of the public in the gallery refrain from using binoculars to view the proceedings of the House. The parliamentary attendants were directed to take appropriate action should it become necessary, **5236**.

Members should not let their enthusiasm for the debate cause them to lose sight of the rules of the House, **5697**.

The level of exuberance of members reached the stage at which the Chair warned that it would have to call some members to order. A number of members were in grave danger of being removed from the Chamber should they be called to order again.

Members should allow the member with the call to be heard in silence, **5699**.

Points of Order:

Not Involved: **435, 1492, 2338, 2339, 2339, 4035, 4713**.

Not Upheld:
Offensive remarks, **1530**.
Relevance, **1662**.

Upheld:
Address the Chair, **1530**.
Disorder, **2338**.
Relevance, **1663**.

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

ACTING-SPEAKER (MR B. R. HAZZARD)
(*continued*):

Upheld in Pact: Relevance, **1922**.

A member was asked to address the Chair on the point of order, **4713**; and not debate the issue, **1667**.

Relevance:

Members should address the question before the Chair, **440, 1663, 1667**.

Though **interjection** may have elicited the response [the subject of a point of order], the member was asked to return to the leave of the bill, **1667**.

As the subject matter of a bill was specific, members were directed to confine their remarks to that subject matter and not to unrelated matters, **5418**.

Tabling of Documents: Only Ministers may table documents, **4710**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Amendments:

As the Committee was considering the **first** of a number of circulated amendments, members should direct their comments **specifically** to the amendment being considered, **4585**.

An amendment was ruled in order as it was relevant to the subject matter of the bill under consideration, **4587**.

Divisions:

Casting vote, **1932, 6151**.

The Chair **clarified** whether a member was calling for a division, and ordered the bells to be rung, **2510**.

Interjections, Interruptions and Disorder:

The Chair had difficulty hearing proceedings, and Hansard was experiencing similar difficulty, **1934, 2509**.

Members should be courteous and keep the level of conversation to an absolute minimum. **1934**.

Those who wish to continue their conversations should leave the Chamber, **1934, 2435, 2509**.

There was too much **interjection**, **2511**.

If members of the Opposition **interject** as a chorus, all members of the Opposition will be put on three calls to order, **2511**.

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Assembly, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
TEMPORARY CHAIRMAN (MR B. R. HAZZARD)
(*continued*):

A member was extended latitude to remain at the lectern to examine and deal with amendments being moved, 2204.

It assists the Chair if members remain seated and move towards the lectern only when seeking the call, 2204.

The level of conversation in the Chamber was too high. 2435. 2509.

Points of Order:

Not Upheld: Disorderly behaviour, 2204.

Relevance: Members should confine remarks to the question before the Chair, 2205.

A member was directed to address the point of order, or to confine his remarks to the **ambit** of the amendment before the Committee, 4584.

MR B. W. RIXON:

AS ACTING-SPEAKER:

Chair: Members will direct remarks through the Chair, 721, 2319, 3962; and if they do so there will be fewer interjections, 721.

Debate:

It being the turn of a Government member to speak, the call was given to a Government member, 4588.

Members should confine their remarks to the question before the Chair, 3387, 5906; and make only passing reference to peripheral matters. 4705.

Members should address their remarks through the Chair, 2319, 5661.

No point of clarification was involved, 5815.

Interjections, Interruptions and **Disorder**:

There was too much audible conversation in the Chamber, 4588.

Members who wished to converse should do so outside the Chamber, 744, 1498, 1501, 1670, 4588, 4916.

Members were requested to refrain from interjecting so that the contribution of the member with the call could be heard. 2319. 3387.

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

Members **walking** about the Chamber should resume their seats or leave the Chamber, 3738.

A member was asked to refrain from commenting, 3962.

A member was asked to continue her contribution to debate, 4899; or resume her seat, 4899.

A member was directed to resume her seat. 4846.

Though members were not obliged to pay close attention to the member with the call, they should show courtesy to the honourable member with the call, 1935; and should not interrupt the contribution of that member, 4899; but as there was silence, the member should continue her speech. 4899.

Offensive and Objectionable Remarks,
Imputations and Aspersion:

Whether matter is factual or otherwise is not for the Chair to decide, but should be a matter for discussion during debate, 192, 1504.

Expressions not required to be withdrawn: "you frustrate me", 1668.

The Chair does not have authority to rule on disputed statements in speeches, 2059.

Points of Order:

Not Involved: 745, 1202, 2059, 2479, 3739, 3741. 4844.

Upheld in Part:
Committee debate, 2421.
Interjections made hearing difficult, 1501.
Relevance. 734.

Not Upheld:
Attack on member, 2479.
Members conversing, 1670.
Member's statement untrue, 1504.
Offensive remark. 192.
Relevance, 192, 720, 746, 1805, 2490.

Upheld:
Member having already spoken in debate, 6099.
Members should not read prepared speeches, 3463.
Unparliamentary language, 5658.

Members should address the point of order and not debate the matter, 2421.

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

The Chair did not require the assistance of a member to decide on a point of order, **3741**.

The arrangement for members to speak having been clarified, the Chair gave the call to a member of the Opposition, **4846**.

Private Members' Statements: A private member's statement should relate to an issue of importance to the member's electorate. Comments on issues that are not so **directly** related are not permitted during private members' statements, **2479**.

Relevance:

A point of order on relevance became academic when debate was adjourned, **192**.

A member was making only passing comment on matters other than the question before the Chair, **720, 746, 1805, 2490**.

In a wide-ranging debate covering a number of issues a member had strayed from the subject of the debate, **743**.

A member had finished dealing with the topic and was allowed to continue, **1669**.

Committee debate is narrow and limited, **2421**.

Members should understand the substance of the bill and not stray too far from it, **3961**.

MR A. A. TINK:

AS ACTING-SPEAKER:

Chair: Members and Ministers will address **the** Chair, **532, 1606**.

Interjections, Interruptions and Disorder:

Members who had participated in debate should listen in silence to the member with the call, **519**.

A member was asked to desist from **interjecting**, **1472**.

A member was directed to resume his seat, **1614**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression required to be withdrawn: "**This** man is corrupt", **2331**.

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

Points of Order:

Not Upheld:

Offensive remarks, **1606**.
Remarks inaccurate, **1613, 1614**;
misrepresentation, **1816**.

Upheld:

Private member's statement, **427**.
Relevance, **2082**.

Personal Explanation: A member seeking to make a personal explanation should seek leave to do so at the conclusion of debate, **748**.

Private Members' Statements: The purpose of private members' statements is to raise matters that fall more directly within the member's electorate or matters of a very specific electorate nature. Private members' statements are not to be used to canvass a matter which is obviously of statewide importance. A matter concerning the Independent Commission Against Corruption **may** be raised if it is **linked** specifically to a local factual issue, **427**.

Procedure:

A member seeking to make a personal explanation should seek leave to do so at the conclusion of debate, **748**.

A member should seek leave to move for the suspension of standing and sessional orders, **2500**.

Relevance: Members will restrict comments to the question before the Chair, **532, 1606, 2082**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Amendments: Members should not debate foreshadowed amendments, **2197**.

Interjections, Interruptions and Disorder: Members should remain quiet or leave the Chamber, **2196**.

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

AS DEPUTY-SPEAKER:

Amendments: The Chair examined circulated amendments and, guided by established practice, **precedent** and reference to "A Guide to Procedure in Committees of the Whole House", ruled amendments to be subversive to the long title and to be introducing a new principle, **1817**.

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

Chair:

Members should address remarks through the Chair, **729, 1258, 1261, 1481, 1525, 2010, 2013, 3562, 5776.**

A Minister should allow a member to address his remarks through the Chair, **1481.**

A member was warned about **making** comments disrespectful to the Chair, **247.**

Debate:

Ministers and members should be addressed by their correct titles or electorates, **1485, 3562, 5999.**

A member, who was **speaking** in reply, was entitled to respond to matters raised in the debate, but the Chair reminded the member of a ruling by Speaker **Ellis** about reflections on members of the judiciary, **4833.**

Extensions of Time: A motion suspending standing orders and setting specific times for a debate precluded an extension of time, **1524.**

Interjections, Interruptions and **Disorder:**

A member was directed to cease interjecting, **1258, 2652, 5776.**

After being called to order a member was **directed** to resume **his** seat, **3058.**

Members wishing to leave the Chamber should do so quietly and quickly, **4838.**

Members wishing to converse should do so outside the Chamber, **4927.**

It is a well-established convention of the House that members are entitled to respond to **interjections**, **5668.**

Members should confine their remarks to the leave of the question before the Chair, but may—as is the inherent right of all members of this House—respond vigorously to interjection, **5822.**

Offensive and Objectionable Remarks, Imputations and Aspersions: Expressions required to be withdrawn: [A Minister was] "a little thug", "a bully boy", **1485.**

Order and Decorum:

Members were reminded of the necessity for decorum in the Chamber at all times, even when a division is called for, **4838.**

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

A member was directed to resume his seat, **5776.**

Points of Order:

Not Involved: **4839.**

Not Upheld: Relevance, **1525, 2013, 4833, 5982.**

Upheld:

Attack on member, **3562.**

identification of documents, **5231.**

Offensive remarks. **1485.**

Relevance, **532, 1522, 5822.**

Upheld in Part: Attack on member. **1523.**

A member was given the opportunity to speak to a point of order on which the Chair had already ruled. **1522.**

A member was directed to resume his seat and warned that his contribution would be discontinued for seeking to ignore a member who sought to take a point of order. **3562.**

Members wishing to take a point of order should stand, address the Chair on the point of order and make sure their point of order is substantive. **Otherwise** the point of order will be taken as frivolous and the offending member may be removed from the Chamber. **4839.**

Procedure: **As** the occupant of the Chair had changed during the debate, Mr Deputy-Speaker was not aware of the cut and thrust of the entire debate. Though the motion before the House was precise, the Chair erred on the side of discretion but asked a member to confine remarks to the motion, bearing in mind the rule of the House that **attacks** on other members should be made by way of substantive motion. If the member was **rebutting** comment made earlier in the debate, the rebuttal should be concluded as quickly as possible before returning to the motion, **1523.**

A member was ordered to identify a document before quoting from it, **5423.**

Relevance:

A member's remarks were irrelevant. **1522.**

As members who contributed to debate had traversed a great deal of territory, making statements of a political nature, a member was entitled to refer to any matters raised previously but was asked to return to the scope of the bill. **2013.**

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

Though a member was not directed to, he was asked to consider concentrating on the provisions of the question before the chair, **2983**.

AS CHAIRMAN OF COMMITTEES:

Amendments: An amendment that was outside the leave of the bill was ruled out of order, **5469**.

Chair: The Chairman reported to the Speaker the following point of order: That the Chairman was in error in ruling that the proposed amendment inserting a new clause **27** and schedule **3** was not relevant to the subject matter of the bill, **5470**.

Debate: Debate must be restricted to the scope of the amendment, **6160**.

Divisions: Casting vote, **2610**.

Interjections, Interruptions and **Disorder:**

There was far too much audible conversation in the Chamber. **5464**.

Members wishing to converse should do so outside the Chamber, **5466**.

Points of Order:

Upheld: **4856**.

A member was warned against mentioning again a specific matter, the Chair having already ruled on the matter, **4856**.

Procedure:

In certain cases the Chairman is not bound to accept a motion that he report a ruling to the Speaker for the latter's determination. They are rulings which are given in accordance with the standing orders and long established practice of the **Committee**, including those given by the Chairman in **1928**, as reported at page **1105** in volume **113** of *Hansard*. The Chair refused to accept the motion, **1817, 1818**.

in view of rulings by the Chair that amendments were out of order and outside the leave and scope of a bill, and having ruled against a motion of dissent, the Chairman was of the opinion that a motion, "That you do now leave the Chair, report progress, and seek leave to sit again tomorrow", was one of delay and likely to cause obstruction, and therefore did not accept the motion, **1817, 1818**.

The Chairman ruled out of order a motion, "That the debate be now adjourned", **1817**.

Relevance: Remarks of a member were ruled out of order as they did not relate to estimates committee proceedings. **4855**.

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

MR SPEAKER (THE HON. KEVIN RICHARD ROZZOLI):

Amendments:

The Leader of the Opposition foreshadowed that he would seek the leave of the House to move to amend the date in his motion. If the amendment were carried, what happened to the original motion would be immaterial. If it were lost, the Leader of the Opposition may seek leave to amend **his** motion. If leave were granted by the House, the adjustment may be made to the date, **80**.

Amendments must be within the scope of the motion, relevant and not subversive of the principle, **3839**.

Although an amendment put a different slant on the expression of opinion that the House was called upon to make, it was not necessarily subversive of the basic principle of the motion before the House; therefore, it was ruled to be in order, **3839**.

The **Chair ruled** in order an amendment but reminded members of the parameters of the form of amendments that appear to negate directly original motions, **3995**.

The Chair would not proceed with debate on an amendment until it was handed a copy of the amendment in writing, signed by the mover. **5414**.

For an amendment to be valid a written copy must **first** be handed to the Chair. It would be an insult to the House for a member to move an amendment and leave the Chamber without bothering to hand a written copy of the amendment to the Chair, **3999**.

A member was asked to give the Chair a signed copy of an amendment, **5566**.

The Chair ruled that the House had on a prior occasion deliberated on a motion that expressed the same sentiment as that sought in a proposed amendment. Though a member had indicated it was his intention to move an amendment, he had not done so and until such time as he moved or sought to move the amendment, he should confine his comments to the leave of the motion before the House. When he formally moved the amendment the Chair would rule whether it was in order, **4876**.

An amendment was **ruled** out of order on the basis that any matter on which the House has already made a decision cannot be debated in the same session of Parliament. The amendment, though narrow in scope, was contained within the broader scope of a motion dealt with by the House on a previous occasion, **4878**.

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

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

After being notified of an objection to a ruling of the Chairman of Committees, the Speaker ruled out of order an amendment which had no close relationship to the aims and **objects** of the bill and because members could avail themselves of other procedures to give effect to such a provision, if it was the will of the House, **5471**.

Members may give consideration to amendments in Committee at which time they will be dealt with, **6273**.

Business of the House:

A member was directed to address the House on why a matter should be given precedence in the business paper, **3832**.

A member was reminded of the provisions of Standing Order **125**. **3438**.

Chair:

Members should address remarks through the Chair, **298, 311, 405, 702, 935, 1038, 2041, 2042, 2342, 2625, 5690, 6004, 6019**.

If members wished to remain in the Chamber, they should respect the authority of the Chair, **3822**.

Members should be careful to show respect to the Chair. **3998**.

A member flouted a ruling of the Chair, and was asked to return to the matter raised in the ministerial statement, **1825**.

Intejction while the Speaker is on his feet flouts the authority of the Chair and warrants admonition more serious than the usual call to **order, 1629, 1630**; and a member was placed on three calls to order, **1629, 1630, 1736**.

It is a basic tenet of discipline in the House that members remain seated and quiet while the Speaker is on his feet, **1742**; and not interject, **2450**.

Interjection will not be tolerated while the Chair is standing and breaches of that order will be dealt with severely in future, **1630**.

When the Speaker is on his feet all members must remain silent. The Chair regards with disfavour members who continue to **interject** and make noise when the Speaker is on his feet. **402**.

It is grave abuse of the authority of the Chair for members to interject while the Speaker is on his feet.

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

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

The Chair has no wish—unless pushed beyond tolerance—to remove any member from the debate and, therefore, the opportunity to make an individual determination on the motion. Debate must be conducted in an orderly and proper fashion, and that includes observing the basic rule that when the Speaker is on his feet, all members resume their seats and remain silent, **4880**.

Members were warned of the consequences of flouting the directions of the Chair immediately after a direction was given. The proceedings of the House must proceed in an orderly fashion and members must obey the instructions of the Chair, **3446**.

It is debatable whether or not the restriction to speak through the Chair means that the member has to face the Chair all the time. The Chair observed that since televising of proceedings commenced some members have tended to look away from the Chair. However, of greater importance is the general intention and **direction**, and a member was ruled to be **speaking** within the tradition of the House, **507**.

The Chair does not appreciate flippant comments, **720**.

A member was asked to observe the instructions of the Chair. **3995**.

It was extremely disorderly for members to interject when the Chair had asked for their cooperation so that it may rule on a point of order. Any member **interjected** while a question was being read again, ran the risk of leaving the Chamber forthwith for gross breach of the authority of the Chair, **4551**.

A member who was deliberately flouting the ruling of the Chair was directed to return to the leave of the motion or to resume his seat, **4877**.

A member was placed on three calls to order for failing to give due recognition to the authority of the Chair, **4880**.

It is not the function of the Chair to determine the text of motions that are put before the Chamber. It is the responsibility of the Chair to uphold the integrity of debate, **4880**.

The Chair regarded the following statement as a gross reflection on the fairness of the Chair: "I have been trying to ask a question for days". As the member has probably exceeded her quota of questions for the week, she should consider herself fortunate to have received the call. The member was directed to ask her question, **6263**.

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

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

Consideration of Urgent Motions:

Procedures on **urgent** matters being in a trial phase, Mr Speaker reminded members of the time limits applying to the debate, **410**.

Sessional orders allow for consideration of only one urgent motion each day. The House may choose to consider only one motion if notice is given of more than one, **3835**

The time allocated to a member should be used to explain why the member's motion should be given priority over other business of the House. **5807**.

Members should speak directly to the reason that their motion should take precedence over other business of the House, **6010, 6011**; and not to motions with which theirs is in competition. It is for the House, on the merits of the argument presented, to establish the priority of such matters, **5808**.

There was no purpose in the House debating a matter about which the Government had given a firm indication of acceptance, **6134**.

Debate:

Members and Ministers should be referred to by their **correct** titles, **200, 2275, 3596, 3699, 3995, 3998, 4002, 5268, 5554, 5678, 5680, 5768, 5881**; or by the names of their electorates, **2278, 3699, 3958, 5260, 5546, 5549, 5680, 5865, 6004**.

There was an increasing tendency on the part of all members to use familiar forms of address when referring to other members. Standing orders provide that members should be referred to by the names of their electorates or the offices they hold. Though at times such familiar references add humour to proceedings, they also tend to lower the standard of debate, **5679**.

Members should be conscious of the restrictions on a debate and on speaking in reply, **180**.

A Minister was directed to address his comments through the Chair, **5143**.

A member was reminded of his right of reply. **3624**.

When **speaking** in reply a member may address only questions raised by those who spoke in the debate, **181, 311, 442, 505, 820, 2028, 3625, 5011, 6101**; and **cannot** introduce fresh material, **181, 311, 442, 505, 2028, 5011, 5268, 5814**; which has little relevance to the subject matter of the motion, **5814**; and a member was **directed** to address only appropriate matters in reply, **181, 505**; to address

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

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

only those matters raised in the course of debate and not to introduce new material, **5011**; warned not to canvass this ruling, **505**; and warned that **flouting** of this **ruling** would result in the member being directed to resume his seat, **442**.

A member speaking in reply was ruled to be addressing matters raised by other members in the debate, **443**.

A member **speaking** in reply may not refer to other debates, **505**.

A member was advised that his time for speaking was limited to **20** minutes, **5553**.

A member who was referring in reply to matters contained in the member's second reading speech but not raised in the debate by other speakers was permitted to emphasise those matters. However, **the** member should not repeat the second reading speech or introduce additional material based on some matter in the second reading speech. **181**.

Standing orders provide that members shall not read their speeches. Tolerance extended to the member leading in the debate will not be extended to other members. **308**.

Members can say whatever they wish. If their comments are without veracity, other mechanisms will see them called to account. It is not for the Speaker to ask a member to substantiate claims made by the member, **310**.

In debate a member may allege virtually what he likes and it is recorded in that form, whether or not there is truth in the allegation. If it is not accurate, the matter can be taken up in another form at another time, **1753**.

A member was warned not to infringe the anticipation rule by discussing legislation yet to come before the Parliament, **2090**.

It was competent for the House to express an opinion on any matter, **3839**.

A member was reminded of the forms of the House as they relate to tedious repetition and was asked to observe those forms for the remainder of his contribution, **3993**.

Latitude that is traditionally extended to members in debate on censure motions is not a licence for the course suggested by the mover of the motion, the cooperation of members was sought to allow the debate to proceed with decorum, **4879**.

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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, in the spirit of proper parliamentary debating, to observe the correct rules of debate. **4880.**

A member was directed to return to the leave of the motion. **2173.**

The Chair was concerned about the level to which debate had degenerated, **5009, 5011**; and if the member with the call wished to attack another member, that member should do so by way of substantive motion, **5009.**

Debate may proceed on the basis that members may contribute what they wish provided they observe the standing orders and precedents of the Parliament. Continual interjection and points of order that are not capable of being sustained do not assist in the progress of debate, **5011.**

Participation by members in debate should not be by way of interjection but by way of proper contribution when they are given the call, **6091.**

A Minister was directed to return to the reasons a motion should not take precedence over other matters before the House, **6265.**

A member was directed to desist from referring to matter outside the scope of debate on the special adjournment, **6336.**

Divisions:

Casting vote, **81, 2024, 5791.**

Because of a discrepancy in pairing arrangements, a division was called off and the division bells were rung again, **4020.**

As a result of an irregularity in the pairs, Mr Speaker called off the division and restated the question, **3568.**

Statements being made by the member with the call or by the Chair are the primary matters that should be listened to by members who wish to know what is going on. Members should not plead that because of their inattention or excessive noise at a particular moment they were not able to hear. It is not for the Chair or the member with the call to speak above the level of audible conversation. Tolerance will not be extended in future to members who are not following proceedings or are having discussions with their colleagues. It behoves all members to conduct themselves in a proper fashion in the Chamber so

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

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

that they can hear. The Chair was prepared to restate the question on this occasion but warned that it could not allow such irregularities in proceedings to recur, **408.**

Documents:

Members who wished to quote from documents should identify the documents, **166, 1214**; and a Minister who had been so instructed had not proceeded far enough for the Chair to know whether he was flouting the ruling, **1214.**

It was for the Minister to decide whether to table documents from which he had been quoting. All he must do is verify the source of the information he is giving, **1633.**

A Minister was asked to answer the question about tabling a document, **3449.**

A member was asked to identify the source of the document from which he was quoting, **166.**

Private members may not table documents, **166.**

A point of order that the House was entitled to have authenticated a document from which a member was purporting to quote and entitled to an accurate description of the text, became academic when the member's time for speaking expired, **2627.**

The Chair generally does not approve of members displaying material in the House, mainly because there is no way in which the visual element of what is being shown can be recorded in *Hansard*. A Minister should not use material that obviously **cannot** be recorded in *Hansard*, although Ministers may table documents if they wish, **5537.**

Members should not read large portions of documents on to the record. If they cared to paraphrase the content, the House would understand the message they wished to convey, **6094.**

Extensions of Time: A motion did not provide for extensions of time, and the Chair informed the House of the time limits applying, **702.**

Interjections, Interruptions and Disorder:

Chair

Members should not **interject** when the Speaker is on his feet. **2450.**

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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 placed on three calls to order for interjecting while the Chair was on his feet, **6001**.

Conversation

There was too much audible conversation in the Chamber, **72, 197, 203, 297, 400, 401, 407, 681, 683, 684, 685, 1216, 1454, 1455, 1739, 1824, 1881, 1882, 1887, 2029, 2032, 2160, 2162, 2279, 2280, 2281, 2452, 2612, 2943, 2945, 2948, 3081, 3438, 3577, 3691, 3827, 3982, 3988, 4041, 4044, 4671, 4675, 4719, 4862, 4865, 4869, 4998, 5000, 5136, 5137, 5142, 5243, 5254, 5256, 5259, 5260, 5439, 5441, 5540, 5864, 6132**; which made it difficult to hear what was being said, **297**.

Members who wished to converse should do so outside the Chamber, **72, 203, 684, 813, 1051, 1545, 3542, 3984, 3988, 4869, 4872, 5152, 5444, 5875**; the business of the House is continuing and other members may wish to listen to it in silence, **4872**.

Members should not converse across the Chamber, **298, 311, 702, 1216, 4566, 5048**.

Members who wished to listen to debate would prefer to listen in silence, **684**; and not against a background of conversation, **4719**.

Members should remain silent, **685, 3076**; if they wished to remain in the Chamber, **4041**.

Members will cease conversing and direct their remarks through the Chair, **4566, 5048, 5142**; and show courtesy to the member who has the call, **5243**.

Members should desist from conversations that prevent other members from hearing what is being said in the House, **3577**.

Excessive audible conversation in the Chamber makes the Chair ponder whether members **attach** much gravity to a matter. It is the responsibility of the Chair to maintain order. If the level of conversation persists, the Chair will be more strict than normal in calling to order **offending** members, **1824**.

Excessive comment in the Chamber makes it impossible for the Chair to hear what is being said by the Minister with the call. Members who wish to leave the Chamber should do so quickly and quietly so the business of the House can continue unhindered, **3702**.

Interjection

There was too much interjection, **15, 67, 70, 197, 296, 301, 398, 401, 409, 551, 682, 719, 754, 810,**

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

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

932, 936, 1038, 1043, 1210, 1448, 1465, 1629, 1736, 1737, 1738, 1741, 1825, 1885, 1887, 2154, 2162, 2281, 2450, 2453, 2455, 2615, 2619, 2945, 3080, 3348, 3352, 3443, 3444, 3577, 3580, 3591, 3691, 3823, 3824, 3982, 5261, 5409, 5435, 5439, 5537, 5547, 5553, 5864, 6256, 6262.

Members were asked to desist from interjecting, **702, 1360, 1361, 1799, 2658, 3439, 5134**; remain silent, **398, 719**; leave the Chamber, **1801**; or risk removal from the Chamber, **719, 2658**.

There was no reason for outburst of interjection, **3076, 3345, 3355**.

The level of interjection made it impossible for the Chair to rule on a point of order, **3994**.

Members were warned to heed the advice of the Chair and to cease interjecting, **4672**.

The Chair had given ample warning about the level of interjection, and those warnings extended to Government members as well as Opposition members, **5140**.

Excessive interjection made it difficult for the Chair to hear what was being said, **198, 1448, 3352**; and for the Minister to hear exactly what was said, **3352**.

The Chair was reluctant to call a Minister to order for inciting members to interject, **404**.

The level of interjection, though not of the nature of an outburst, was unacceptable. The exchange of interjections across the Chamber without purpose could not be condoned, **1210**.

Excessive interjection gives a bad impression of the conduct of the Chamber to those sitting in the public gallery. It does nothing to enhance the dignity of the Parliament or facilitate the progress of question time. Members should use restraint and decorum to allow the Minister to complete his answer in silence, **2281**.

The Chair will not tolerate certain types of interjection, **70**.

Members were asked to exercise decorum, **70, 2947**.

The level of interjection was intolerable. Excessive interjection created a bad impression with members of the public. Members were asked to exercise decorum and allow question time to proceed in a more orderly fashion, in keeping with the dignity of the Chamber. When members

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

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

responded inappropriately. Mr Speaker deemed all members who had been called to order to be on three calls, and warned that if they were called to order again they would leave the Chamber, **301**.

Members should desist from contributing to a barrage of interjections, **3088**; as they do nothing to improve the standard of question time, the flow of questions or the number of questions asked. **1360**.

Traditionally, the member speaking may respond to interjections if the member so wished. However, if there were continual interjections, debate would rapidly degenerate into something far removed from the matter before the Chair. Members were requested to cease interjecting to allow a Minister to complete his answer [with reasonable expedition], **3083**.

Neither the gravity that members attach to the subject matter of the debate, nor their interest or otherwise in it, could excuse the barrage of interjections to which the House had been subjected. Members were asked to listen in silence to the present speech and subsequent speeches, **3088**.

Members were warned of the consequences of flouting the directions of the Chair immediately after a direction was given. The proceedings of the House must proceed in an orderly fashion and members must obey the instructions of the Chair, **3446**.

Members should not indulge in exchanges across the Chamber, **2450**.

The type of response from some members was entirely unwarranted. Members were asked to observe decorum in the Chamber to allow a Minister to conclude his answer, **2947**

A Minister was asked to reserve his comments for his contribution to debate, **3447**.

The business of debate would proceed more satisfactorily if the rules of debate, which provide that only one member may speak at a time, were followed, **3448**.

Interjections do nothing to enhance the quality of debate in the Chamber. Members with the call are entitled to be heard in silence. Whether or not statements made by that member stir the hearts and emotions of those listening, for whatever reason, they do not give members licence to interject. Members who may feel the need to release some tension should seek such release outside the Chamber. The Chair exhorted all members to maintain a certain amount of **discipline** for the remainder of the debate, **3625**.

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

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

Interjections made debate difficult. The member with the call was directed, as he seemed reluctant to do so, to attend to the leave of the question and to reply to matters raised in the debate, **3625**.

The purpose of debate would be fulfilled more explicitly if members cooperate. Members were asked to observe the cardinal rule that the member with the call is the only member at that time with the right to speak, **3701**.

A member was asked to ignore interjection and complete his contribution as quickly as possible, **3701**.

A member was directed to resume his seat. **3701**, **3984**, **3999**, **4678**; unless he wished to continue to address the issue before the House, **4878**.

The level of interjection emanating from both sides of the Chamber made it difficult for question time to continue in an orderly fashion and for Hansard and others to hear what was being said. **3982**.

The level of interjection was intolerable and debate was being conducted in a childish fashion by some members. **Unruly** members would be called to order, and if a member who was not contributing to the barrage of interjection was called to order, so be it. If a member was called to order for a third time, the Chair would have no hesitation in ordering the removal of that member from the Chamber. It is essential that debate be conducted in a proper manner. If members could not contain themselves, they would leave the Chamber, **3995**.

A Minister was asked to desist from interjecting. Unless there was cooperation from both sides of the House, debate could not proceed in a satisfactory fashion, and that would not reflect credit on any member, **3995**.

Members should remain silent while the business of the House was continuing. Members wishing to leave the Chamber should do so quickly and quietly. **4040**.

A member was reminded that he/she had an opportunity to contribute to debate at a later time if **he/she** wished to do so, **1601**, **1801**, **1998**, **4042**, **4567**, **4568**, **5146**, **5226**, **6016**, **6137**.

The cooperation of all members was required for debate to proceed in proper fashion. Members should cease interjecting and listen to the member with the call in silence, **5006**.

Members should cease interjecting and conversing while a member was speaking. If members could

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

not hear what was being said, they would not be able to make a choice between two motions that seek to reorder business. **5134.**

The warnings of the Chair that members would be called to order for relatively **minor** matters were extended to Opposition and Government members, **5138.**

In order for the Chair to rule correctly when matters are raised by members for its determination, it must hear what is being said by those presenting the opposing arguments. It was virtually impossible for the Chair to hear, let alone understand what is being put when members persist in interjecting, **5138.**

A member was directed to ignore interjections and address remarks through the Chair, **5543, 6268, 6271.**

The Chair understood that tempers may be frayed and emotions heightened when a motion of no confidence was moved in a Minister. However, the level of interjection did not enhance the dignity of the House. The cooperation of all members was required if debate was to proceed in an orderly fashion. The Chair would not hesitate to call to order members who continued to interject. Members wishing to remain in the House to vote on the motion should heed that advice, **5543.**

Members were warned that they retained the calls to order imposed on them earlier in debate, **5569, 5809.**

The level of interjection was unacceptable. A considerable number of members called to order were deemed to be on three calls to order, **6128;** and the Chair warned that if any one of them attracted the attention of the Chair again that member would leave the Chamber, **6128, 6132.**

The Chair tried, with a patience beyond what should be expected of it, to be fair to all members. It issued a warning that if any one of the members on three calls to order attracted the attention of the Chair again, that member would be removed from the Chamber, **6130.**

A Minister who was placed on three calls to order was advised that if he wished to remain in the Chamber to vote on a bill, he should heed the warnings of the Chair, **6269.**

The prefatory remarks of a member were in order as the member was about to **link** his comments to the leave of the bill, **6272.**

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

Order and Decorum

Members should not take unexpected **interruptions** from the gallery as an excuse for behaviour that those in the gallery might not regard with approval, **198.**

Members will desist from childish echoing of the Minister's words, **300.**

Because the attention of the Chair was momentarily diverted did not give members the right to carry on like small children and to disrupt debate very soon after being warned about their behaviour. Though traditionally the Chair has no feelings—it merely has the objective of keeping order—the time was approaching when the Chair's tolerance would be overtested. The cooperation of members was sought to allow the business of the House, which includes the Chair's consultation with the Clerk, to continue without a barrage of interjection, **4882.**

The level of interjection was intolerable, creating a bad impression with members of the public. Members were asked to exercise decorum and allow question time to proceed in a more orderly fashion, in keeping with the dignity of the Chamber, **301.**

Statements being made by the member with the call or by the Chair are the primary matters that should be listened to by members who wish to know what is going on. Members should not plead that because of their inattention or excessive noise at a particular moment they were not able to hear. It is not for the Chair or the member with the call to speak above the level of audible conversation. Tolerance will not be extended in future to members who are not following proceedings or are having discussions with their colleagues. It behoves all members to conduct themselves in a proper fashion in the Chamber so that they can hear. **408.**

Members were severely trying the patience of Mr Speaker by making it difficult to hear submissions on a matter of privilege to determine whether there had been a prima facie breach of privilege, **2620.**

The House was called to order, **198, 683, 687, 1038.**

On a point of order that a Minister had thrown a document across the table of the House, Mr Speaker observed that the document was placed on the table with a little more force than usual and

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

that the action of the Minister was not **necessarily** an action that the Chair looked upon with favour. The Chair deplored the practice, which had developed over the years, but ruled no point of order was involved. **208.**

On a point of order that an Opposition member had flouted a warning by the Chair about throwing material across the Chamber, Mr Speaker observed that the Opposition Whip had expressed great indignation at such behaviour and that it was unfortunate that the member should repeat the behaviour so quickly after the Chair's warning, **209.**

The Chair did not object to members being in good humour, but **interruption** to questions occasioned by that enjoyment was not in keeping with the decorum of the House, and members should restrain themselves and listen to the answer in silence, **1738.**

The Chair was not averse to any show of good humour by members, provided that it was appropriate and decorously restrained, **3083.**

Members were asked to exercise decorum, **754, 1357, 1448, 1742, 1825, 3691, 6001**; and allow a matter to continue to conclusion in a satisfactory manner, **754, 1825.**

Disorderly behaviour lowers the dignity of the House and of individual members. Members were asked to cooperate to allow question time to proceed in an orderly fashion, **3693.**

Members wishing to leave the Chamber should do so quickly and quietly, **1045**; as members wishing to hear the business of the House should be able to do so, **3446.**

During the taking of notices of motions it is important that the clerks and Hansard hear them being read, **1045.**

It is against the standing orders to stand in the aisles and converse. Members, other than the Leader of the House and the Whips, should remain seated while in the Chamber, or leave the Chamber, **1455.**

Outbursts will not be tolerated by the Chair and should not be condoned by any member who has regard for the Parliament. Members will restrain themselves or leave the Chamber, **2037.**

Though debate had been lengthy, it should be concluded in an orderly fashion. Members should listen in silence to the member with the call. **3624.**

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

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

A member who waved a rag in debate was out of order. **2172.**

A member who was questioning a ruling of the Chair was **directed** to resume his seat, **3354, 3442.**

For a member to display a newspaper in the Chamber in a particular way was unacceptable behaviour, **3693.**

The behaviour of members was nothing short of disgraceful. The behaviour of the Leader of the Opposition was not an example that other should follow. Members were urged to be sensible, use decorum and allow question time to proceed in an orderly fashion, **3693.**

The tolerance of the Chair was exhausted as members had not shown proper consideration for other members. The Chair intended to be much tougher on indiscretions, **3825.**

Members have no authority to walk around the Chamber while another member is addressing the House, **3984.**

A member was directed to resume his seat while a point of order was being addressed, **3995.**

A repeat of an outburst from the gallery would result in the attendant removing those responsible, **4563.**

The standing orders do not allow members, other than the member with the call, to remain on their feet other than for the purpose of entering and leaving the Chamber. The practice should cease, **4847.**

The Chair has no wish to prevent any member from participating in the proceedings of the House, but it has a responsibility to maintain order. Members were warned that the penalty for indulging in deliberately disruptive behaviour may be more severe than a simple call to order, **4864.**

Members were deemed to be on three calls to order, and all members were likely to feel the wrath of the Chair if there was a repetition of disorderly behaviour, **2037.**

Debate of a sensitive nature can be conducted properly only if members exercise decorum and a measure of discipline. The mover of a motion asked that members give due consideration to the gravity and seriousness of the subject matter of the

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(*continued*):

motion and that debate be conducted accordingly. The Chair advised that though there is no compulsion on members to follow the course suggested by the mover of the motion, the cooperation of members would allow the debate to proceed with decorum, **4879**.

If members wished the business of the House to proceed in an orderly fashion and the Chair to be in a position to make a determination on allegations of misrepresentation or behaviour of an objectionable nature, they should remain silent and not interject. The considerable number of members who were already on from one call to order to three calls to order were deemed to be on three calls to order. The Chair has a responsibility to maintain order in the House. If members continue to offend, they will leave the Chamber. **5139**.

On occasions when the House had been particularly disruptive the Chair warned members that responsibility for the disruption may fall indiscriminately on any member who was offending at any one time. Though the Chair hesitated to use such measures, it would do so if members continued to **interject** collectively, **5138**.

The business of the House would proceed more quickly and in a more orderly fashion if all members were silent. **5251**.

Members who do not observe the procedures of the House will be removed from the Chamber, and members should **direct** their remarks through the Chair, **5413**.

Members were reminded that it was important to maintain the decorum and dignity of the House. **6001**.

The proceedings of the House will be conducted in an orderly and proper fashion with decorum and dignity, otherwise a bad impression is created among people in the public gallery and those who may watch the proceedings on television, **5439**.

Considerable latitude had been extended to members. Had the Chair been less tolerant, there would be few members still in the Chamber. The Chair sought the cooperation of all members to allow debate to proceed in an orderly fashion. If members could not contain themselves, they should leave the Chamber immediately, **5553**.

People in the public gallery have no right to intervene in the proceedings. Further **interruption** or intervention may result in the Chair having the public gallery cleared, **5800**.

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

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

The Chair directed members of the public who were interfering in the proceedings of the House to leave the public gallery immediately. It was difficult for the Chair to deal with a situation over which it had little physical control. The task was not made easier by members **interjecting** and continuing to engage in conversation while the Chair was on its feet. The Chair advised those members of the public who remained in the gallery that such behaviour was unacceptable and would not be tolerated. Members of the gallery may not participate or interfere in any way in the proceedings of the Parliament. It behoves all people in the gallery to be of good behaviour and not to interfere with the proceedings of the Parliament, **5862**.

If members expect a certain amount of tolerance from the Chair about a matter that is of passing interest to members of the House, they should not test that tolerance by engaging in outbursts of **interjection**, **5871**.

The Chair reminded members that calls to order imposed during question time applied to proceedings immediately following question time. **6133**.

A member of the public was ordered to leave the public gallery. It was with deep regret that the Chair ordered the galleries to be cleared, because in a democratic society members of the public should have the opportunity to observe the proceedings of the Parliament. However, the Parliament assembles to deliberate on matters concerning the State, and if the presence of members of the public interferes with the capacity of the Parliament to deal with its business, the needs of the Parliament must prevail. The capacity of Parliament to continue to deal with its business and the security of its members are paramount considerations. Members were advised that because, theoretically, each person in the public gallery at any one time was present as the guest of a member of Parliament, members were responsible for their conduct. Members were asked to remind their guests of the necessity to be **well** behaved and remain silent at all times, **6006**.

Points of order

Points of order will be heard in silence, **2619**, **2620**. **3829**.

It was **difficult** for the Chair to follow submissions on a point of order when members were **interjecting**, and a member was asked to state his point of order, **402**.

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(*continued*):

It was difficult for the Chair to consider and determine properly points of order unless it heard the facts, **2620**.

A point of order trifled with the House, and the member was called to order for taking up the time of the House with a spurious point of order, **403**.

Question time

Questions and answers will be heard in silence, **683, 685, 687, 813, 1216, 1744, 2033, 2154, 2450, 2612, 2943, 3577, 5000**; so that members can hear what is being said, **685, 2450**; and to enable question time to proceed in an orderly fashion, **685**.

Members were asked to cease interjecting to allow the Minister and the House to hear the question, **3577**.

In the interests of the smooth conduct of question time, members should listen to answers in silence, **3348**.

Members were asked to cooperate to allow question time to proceed in an orderly and decorous fashion, **3076**.

A member was directed to give the House the benefit of his question, **5255**.

Members without the call should remain silent, **197**.

The Chair was reluctant to call a Minister to order for inciting members to interject, **404**.

A Minister had ample time to respond to interjections. He should come back to the question before the House, **3349, 3585**.

The Chair requested that members, having given some vent to their more exuberant feelings, would discipline themselves for the remainder of question time, **3581**.

It was against the proper conduct of question time and the principles of debate in the Parliament if the member with the call could not be heard. Members were asked to cooperate for the remainder of question time and to Listen to whoever has the call, **3349**.

Members were warned that the Chair would be severe on those who interrupted the flow of question time, and any member who flouted the rules of the House would be removed from the House, **6001**.

A Minister was directed to conclude his answer as soon as possible, **2945**.

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

The Chair's function was to ensure that proceedings continue in an orderly manner, and to that extent the Chair did not wish to be unduly harsh on any individual member. However, collective disruption d i s h e s the standing of the Chamber in the eyes of the community. Members who had been called to order were deemed to be on three calls to order and asked to co-operate to ensure question time proceeded in a much more peaceful and dignified fashion, **404**.

Members were warned that if the level of disorder continued the Chair may deem those who had been called to order to be on three calls to order, **3080**, which is the practice the Chair invokes in question time, **3088**.

A member who was interjecting was reminded of his opportunity to contribute to debate at a later time, **3593**.

Members' interjections and responses to them may prevent additional questions being asked in question time, **683**.

A Minister strayed from the relevance of the question, and was asked to return to the question or resume his seat, **70**.

A Minister was asked to return to answering the question. The Chair was anxious that question time conclude as it had continued well past its normal finishing time, **3585**.

Members on an extensive list of names of those who had been called to order on one or more occasions were deemed to be on three calls to order, **940, 2162, 3445, 3985, 4869**; were warned that if they wished to remain for the duration of question time they must conduct themselves in an orderly fashion, **940**; and were warned that any of them who attracted the attention of the Chair again would leave the Chamber forthwith, **204, 205, 940, 2162, 3445**; for the remainder of the day, **4869**.

Members who persisted in **unruly** interjection would immediately be placed on three calls to order, **3579**.

Members' tiredness after a long day did not excuse behaviour that impeded the House in carrying out its duties, and members were asked to co-operate to enable question time to proceed in an orderly fashion, **1629**.

Members who offended against the rules of the House by interjecting immediately after the Chair

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(*continued*):

has called for order would be placed immediately on three calls to order, **3439**

Question time would proceed much better if the Minister was heard in silence, **296**.

If question time is to proceed in an orderly fashion, it must do so within the rules of debate, which accord only the member with the call the right to be heard, **3439**.

If question time is to proceed, it must do so in an orderly fashion. Members of the public in the gallery and members in the Chamber would like to hear what is being said. Certainly Hansard would like to hear what is being said so it can be recorded. Members should remain silent while another member is addressing the House, **3691**.

Members should reserve their energies for matters more important than **making** interjections at question time, **2453**.

Excessive audible conversation made it difficult to hear a Minister's answer. Though members disinterested in the answer might want to conduct conversations, those in the public gallery would like to hear what is being said, and Hansard would like to record debate, **297**.

The level of interjection was intolerable, creating a bad impression with members of the public. Members were asked to exercise decorum and allow question time to proceed in a more orderly fashion, in keeping with the dignity of the Chamber, **301**.

People in the gallery wish to hear the answer and Hansard would like to record what is being said. Interjection of a certain type does nothing to uphold the dignity of the Chamber or to enhance the reputation of the Parliament or its members. Members were reminded that the proceedings were being televised. Members were asked to exercise self-discipline in maintaining a better standard of decorum and warned that the Chair would take strong action if the occasion required it. **1039**.

The Speaker will ensure that question time proceeds in an orderly fashion. The Chair does not want a repetition of outbursts, **1209**.

Members were asked to cooperate to allow question time to proceed in an orderly and decorous fashion, **3076**.

Continuing interjection made it difficult to hear questions, **1211**.

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(*continued*):

Question time is an opportunity for asking questions and obtaining answers. If members and Ministers are to hear and understand what is said, questions and answers must be heard in silence. Members were asked to co-operate, **401**.

Question time is eroded by interjections, **1628**

The Chair sought decorum to enable question time to proceed in a more orderly fashion, **197, 5864**.

Members were asked to exercise more decorum in their responses to answers given by Ministers and in their reactions when questions are asked, **933**.

After a three-week recess members were enthusiastic and energetic, but the Chair asked them to restrain their enthusiasm and energy for consequential matters instead of disrupting question time, and to exercise decorum until the end of question time, **1038**.

After a reasonable break from the sittings of the House members should be sufficiently refreshed not to be under tension that can cause **unruly** behaviour and should allow question time to be conducted with some dignity so that all who wish to hear may do so, **2940**.

As it was early in question time Mr Speaker did not wish to resort to placing members who had been called to order thus far on three calls to order. However, members were warned that those who offended with similar outbursts would be dealt with severely. **2940**.

Mr Speaker sought co-operation to enable question time to proceed in an orderly and decorous fashion, **5864**; and in as silent a manner as is possible until the end of question time, **2619**.

Members should desist from contributing to a barrage of **interjections**, which do nothing to improve the standard of question time, the flow of questions or the number of questions asked, **1360**.

The level of interjection was unacceptable. It impedes the proper flow of question time, restricts the number of questions that can be asked, and does nothing to enhance the dignity of the Parliament or to raise the reputation of members in the eyes of the public, and members were asked to co-operate by allowing the remainder of question time to continue in an orderly fashion and with reasonable decorum. **1452**.

Interjections from the Opposition were quite unacceptable and contrary to parliamentary order

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(continued):

and general decorum. The Chair is obliged to maintain order and to ensure proper and orderly debate. Mr Speaker was aware of the sensitivities and feelings of members in regard to the recent passing of one of their colleagues and asked the Minister to be guarded in what he said and the Opposition to show respect in the sensitive matter. The barrage of interjections did nothing to restore dignity and decorum, and lack of dignity was the very thing the Opposition was complaining about, **1453**.

Excessive interjection gives a bad impression of the conduct of the Chamber to those sitting in the public gallery. It does nothing to enhance the dignity of the Parliament or facilitate the progress of question time. Members should use restraint and decorum to allow the Minister to complete his answer in silence, **2281**.

The Chair allowed certain latitude because of the good humour in the Chamber, but members were asked to co-operate so that the remainder of question time could proceed in silence, **2455**.

Members should not behave like children. Interjections were disgraceful and totally out of keeping with the dignity of the House, **2455**. Members who had been called to order were deemed to be on three calls to order and warned that they should co-operate if they wished to remain in the Chamber for the rest of the session, **2455**.

After a long sitting week, and with considerable business remaining to be dealt with. Mr Speaker asked members to co-operate to ensure that question time proceeded in an orderly fashion so that everyone could hear what was being said, **2615**.

The Hansard team, who had been recording the debates and proceedings of the Parliament [for four days] and had had very little break in that time, must be very close to the end of their tether. Members should cooperate because it was very difficult for the Hansard team to take down what was being said over so much interjection, **2615**.

The Chair does not object to members being in good humour, but interruption to question time occasioned by that enjoyment is not in keeping with the decorum of the House, and members should restrain themselves and Listen to the answer in silence, **1738**.

The good humour of members after a reasonably lengthy and heavy sitting week does not assist in ensuring that the maximum number of questions are asked and answers given. Members should restrain themselves. If they listen to the answer in silence,

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(continued):

question time will proceed in a much more orderly fashion, **2033**.

Excessive interjection is not conducive to question time proceeding in an orderly fashion, **1630**.

Members who had been called to order were deemed to be on three calls to order, **1630, 1635**. If any of those members were again disorderly, the Chair would select at random a member who is amongst those being disorderly and that member would leave the Chamber, **1630**.

A Minister should be allowed to answer the question in silence, **683**.

Members should remain silent while a member asks a question, **1211, 1216**.

Calls to order recorded during question time were applied until the completion of the taking of formal business, **814, 2163, 2620**.

Members should restrain themselves until the end of question time, **1043**.

Continual interjection unnecessarily prolongs question time, **5870, 6006**. That the House is in reasonable humour is no excuse for conduct that delays proceedings, **3584**.

The Chair advised members that though, in the interests of maintaining proper order in the House, it had exercised a degree of tolerance regarding a member who had been called to order a fourth time, members were not to regard that tolerance and consideration as licence to flout the authority of the Chair lest they learn that on appropriate occasions the Chair is as firm as it is tolerant. Members who had been called to order were deemed to be on three calls to order, **3586**.

The level of interjection emanating from both sides of the Chamber made it difficult for question time to continue in an orderly fashion and for Hansard and others to hear what was being said, **3982**.

Excessive interjection was making it difficult for the Chair to hear members speaking from the back of the Chamber. Members on a long list of members who had been called to order on one or more occasions were deemed to be on three calls to order, **3985**.

Because of the level of interjection question time was extremely difficult. The list of members who had been called to order was long. The Chair

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

sought the cooperation of members to allow question time to continue in a proper and orderly fashion. Questions that had been asked should be able to be answered, and everyone—including people in the public gallery and Hansard—had a right to hear the questions and the answers, **4553**.

A number of members were warned that they were on three calls to order. If the level of interjection persisted, one of their number might suffer the consequences of a fourth call to order. If members wished to remain in the House for the remainder of the day, they should cooperate, **4554**.

Loud and constant interjection was unacceptable behaviour in the Parliament and was not regarded with any level of approval by observers of the Parliament. Such behaviour lowers the dignity of the Parliament. **All** members should be reminded that the dignity and conduct of members were very much in the public eye. It would well behove members to reconsider their behaviour in the Chamber and to consider the setting of an example for others to follow. Such interjection will not be tolerated. If members wish to stay in the Chamber for the rest of the day, they should heed the advice of the Chair, **4671**.

The Chair would take more stringent action to curb any transgressions if members continued to ignore warnings about the level of interjection, **4862**.

It is a time-honoured convention that responses to interjections need not be directed solely to the member from whom the interjection emanated, **5002**.

There was no precedent to support the contention that a Minister's right to respond to interjection was negated by a submission that there had been no interjection since a previous point of order. However, a Minister had had reasonable **opportunity** to respond to interjection that generated his response and was directed to return to the leave of the question, **5002**.

The good humour of members does not necessarily go astray in the conduct of the business of the Parliament. However, such humour can get out of hand. Members were asked to cooperate to allow question time to proceed in an orderly fashion, and to cease interjecting to allow the Minister to complete his answer, **5003**.

Question time can proceed in an orderly fashion only if members observe the general rules of decorum and debate. Members were warned that the Chair would not hesitate to call members to order for relatively minor matters if they resorted to interjection to

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

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

deliberately disrupt proceedings. Only the member with the call was entitled to speak, **5136**.

Hansard and members of the public in the gallery were having **difficulty** hearing the proceedings. Members who deliberately flouted the Chair's general directions and persisted in conversation, though it may not of itself be of a particularly disruptive nature, would be called to order. Those members who were on a number of calls to order were at **risk** of being removed from the Chamber if they persisted with the pattern of conversation, **5260**.

The level of interjection made it difficult for Hansard and people in the public gallery to hear the proceedings. Continual **interjection** often encourages Ministers to give much longer answers than they otherwise would, **5262**.

Question time cannot proceed in an orderly fashion if members continue to interject, nor can the Chair rule on a point of order if it cannot hear the argument, **5535**.

Members should cooperate to allow question time to proceed in an orderly and decorous fashion, **1742**, **5537**.

Ministers' answers would conclude sooner if there was no interjection, **5538**.

Members were asked to cooperate for the remainder of question time. A considerable number of members were already on from one call to order to three calls to order. There were also many general calls to order. Should there be further interjection, **the** Chair would not hesitate to place on three calls to order members who had been previously called to order, **5540**.

Although an outburst of interjection may have contained an element of humour, it did not enhance the dignity of the House, **5680**.

The Chair would not tolerate childish behaviour from members. Members already called to order were deemed to be on three calls to order. If there was a repeat of concerted interjection, the Chair may **well** choose one member of those offending at the time and that member will leave the Chamber, **5683**.

The Chair would take more stern action if members persisted in flouting directions about the level of audible conversation in the Chamber, **5804**.

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

Childish outbursts do little to enhance the dignity or reputation of the Parliament. Members who interjected in such a way would be called to order. Members wishing to leave the House early needed **only** to continue their present behaviour. If they wished to remain for the rest of the day's proceedings, they would be well advised to be silent for the remainder of question time, 5868.

The Chair would not tolerate a repeat of an outburst of interjection, 5870.

Members were well aware of conventions with regard to the answering of questions and responses to interjections. If members did not wish to prolong question time or did not wish a Minister to stray from the subject matter of the question asked, they should not interject, 6007.

Because of the level of interjection and audible conversation members would be called to order for indiscretions that might not on other occasions attract the attention of the Chair. It was essential towards the end of a session that the business of the House proceed in an orderly fashion. The Chair was concerned about the impression created in members of the public in the gallery about the behaviour of members of Parliament. The behaviour of members who demonstrate considerable rudeness by interjection and conversing while another member is speaking does not enhance the dignity of the Parliament, 6124.

In the knowledge that the sittings of the House had been long and tiring the Chair extended to members a degree of tolerance. However, the limit of that tolerance had been reached. If the level of interjection was not reduced the Chair would call members to order for indiscretions that might not on other occasions attract the attention of the Chair. The cooperation of members was sought to allow question time to proceed in an orderly fashion, 6258.

Though it was reluctant to do so, the Chair would place all members on three calls to order if the level of interjection was not reduced, 6262.

There being far too much interjection, members who had been previously called to order were placed on three calls to order, 6263.

Ministerial Statements:

A Minister may make a ministerial statement on any subject within the Minister's jurisdiction, 1823.

Ministerial statements are not governed by standing orders but by the established practice of the House.

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

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

The House chose to allow a matter to proceed by way of ministerial statement, and the Chair allowed considerable tolerance in an endeavour to arrive at a sensible solution to a difficult problem. A ministerial statement was a satisfactory way to pursue the matter. The Opposition would have the same time to reply as the Minister took to make the ministerial statement. If that was not adequate, the House would explore other means of addressing the problem. The prime purpose in debating the matter was to find a solution. That is the **principle** which guides the Chair in determining the way the matter proceeds, 1823.

The member replying to a ministerial statement is restricted to matters raised within the statement and cannot cover the general topic dealt with. A member who was flouting this ruling was asked to return to matters mentioned in the ministerial statement. 1825. **2164.**

An answer was not a ministerial statement. The matters being addressed by the Premier arose from a resolution of the House. Ministerial statements apply to matters of government policy, that is, government initiatives concerning policy matters. A matter that arises from a resolution of the House cannot be construed to be government policy. The Premier was giving facts sought by the question, 2613.

Notices of Motions:

On application, the Chair restored to the business paper a private member's bill, notice of which was given that day, 74.

A point of order was taken when the motion mentioned by a member speaking to the point of order was before the House. It related to the replacement of a motion on an earlier business paper. As it had remained on the business paper unchallenged for some time, Mr Speaker took the attitude that it was beyond the point of challenge, **304.**

The number of issues raised in the motion of which notice had been given, and those aspects that may apply to questions without notice, do not necessarily relate to the terms of reference for a select committee. As the motion was being read the Speaker became concerned about its length and the way it was framed, but refrained from ruling on that issue. Before the motion was confirmed on the business paper there would be ample time for it to be examined and checked against precedent. If deemed acceptable, it would be printed in the business paper for the next day. If Mr Speaker

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was concerned about the matter, he would discuss it with the member who gave notice of the motion and the member who took a point of order before making a final decision, **304**.

When dealing with notices of motions and other items of business members should clearly indicate to the Chair a wish to seek the call, **941**.

Mr Speaker undertook to review a notice of motion on which a point of order was the subject of a point of order that it included substantial argument. **1888**.

A notice of motion was out of order in that it did not contain a long title, **2037**.

Mr Speaker reminded members that it is the practice of the Chair to consider the elements of a notice of motion which it is suggested may be out of order, and that if the notice is not within the **forms** of the House, it will be struck out, **3446**.

Obituaries: Mr Edward Hams **Humphries**, a former member of the Legislative Assembly. **8**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

Serious allegations against members of Parliament can be made only by way of substantive motion, and a member was asked to desist from such line of contribution, **308**.

Attacks on members of Parliament should be made by way of substantive motion. However, questions regarding the probity of members of Parliament have traditionally been allowed. Provided the Minister gives factual material in accordance with the answer, there is little the Chair can do to intervene. If it goes beyond that point, it should be the subject of a substantive motion, **1212**.

Whether a word used in debate is unparliamentary depends on the context of the debate in which it is used. A member's quote from a recent edition of the **Good Weekend** magazine, as a quotation and in context, was perfectly acceptable, **819**.

A comment that a Minister had been denied leave to table a document "because he has already been peddling it in the press gallery" was part of the cut and thrust of debate in the Chamber, **1211**.

Being unable to ascertain the precise words complained of, Mr Speaker refrained from determining a point of order, **2041**.

A member with the call may rebut an **interjection**, **2086**.

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

Expression withdrawn **voluntarily**: [a member] "stole the file". **1747**

Expression not required to be withdrawn: "You dolt!", **1822**; [A member] "let [**Pacific** oysters] loose". **2086**.

Expressions required to be withdrawn: [A Minister's] "mates in Government have been knocking off [money] from taxpayers", **1892**; [A Minister's] "incontinence", **3598**; [A member's nickname is] "Spoons". **4879**.

There is no **qualification** to withdrawal and apology, **1892**.

It is a longstanding rule of the House that a member who wishes to make an attack on another member must do so by way of substantive motion. Though traditionally a certain amount of latitude was given to members during question time to raise matter concerning the conduct of other members, members should bear in mind that there is a limit to that latitude, **3695**.

It has long been a practice of the House that members from both sides of the House ask penetrating questions relating to the performance of individual members and aspects of their conduct. However, a Minister was warned that he was limited to giving factual information and that if he wished to do otherwise, he should proceed by way of substantive motion, **3825**.

It ill behoves any member to cast aspersions on another member. **Standing** orders clearly provide that members should be referred to by the name of their electorate, as there are no two electorates that bear the same name, **4867**.

A member who wishes to attack another member must do so by way of substantive motion. Traditionally, remarks in passing do not fall in the category of those that would require the member who used them to move a substantive motion. However, if a member **finds** such remarks offensive, he may seek their withdrawal. **4879**.

The Chair had received contradictory statements from members from both sides of the Chamber; therefore, as the Chair did not hear the words complained of, the Chair was not in a position to determine whether the words [How much money did the National Party get?] should be withdrawn. **5138**.

A member was asked to withdraw [How much money did the National Party get?] and apologise, **5138**.

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

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(continued):

The Chair, not having heard the words complained of, was not able to require the withdrawal of language described as "disgraceful", **6011**.

The Chair would not direct the withdrawal of references that were common in the cut and thrust of debate, **6014**; or the remark that "any Government member would find joy in someone throwing a brick at the home of the Federal Minister for Transport", **6024**.

A member withdrew the remark that because a Minister did not take objection to an assertion in debate it was obvious that the Minister lied, **6015**.

A member was asked to temper his language. The Chair would not tolerate accusations flying backwards and forwards across the Chamber. Members were asked to exercise decorum, **6016**.

Personal Explanations:

A member may not debate the subject of a personal explanation but should confine remarks to the **manner** in which the member alleged his character had been impugned. Subsequently, the Chair observed that the member was beginning to debate the matter and directed the member to continue with **his** personal explanation or resume his seat.

The member was subsequently **directed** to resume his seat, **756**.

A member should make his personal explanation and not make any supplementary comment or debate the matter, **1045**.

Personal explanations should be brief. A member must indicate how his character has been impugned, without debating the issue or amplifying it in an unacceptable way, **2621**.

Any member has the right to make a personal explanation and to do so without **interruption**, **3701**.

When **making** a personal explanation members must concentrate on the factual elements of the explanation and not make comment or supplementary remarks, **3700**.

A member, having chosen to respond by way of personal explanation, should be aware of the restrictive limitation of that procedure, **3700**.

A member may make a personal explanation to show how a matter impugns the integrity or character of the member but not for the purpose of refuting an allegation, **6134**; raised in the cut and thrust of

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

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

debate. If members were able to make personal explanations about the factually inaccurate statements of other members, the House would be forever hearing personal explanations, **5144**.

A member was allowed to continue so long as what the member wished to add was factual and was directly relevant to the way in which his character was impugned, **6134**.

The Chair was happy to discuss with a member the elements of personal explanations at the appropriate time, **5144**.

A member was allowed to continue his personal explanation as it did not constitute a forensic examination of the subject matter, **3701**.

Points of Order:

Not Involved: **208, 302, 310, 811, 1203, 1211, 1633, 2173, 2276, 2450, 2954, 2955, 3445, 3578, 3698, 3823, 3832, 3833, 3974, 3998, 4554, 4670, 5009, 5142, 5145, 5148, 5254, 5261, 5439, 5537, 5547, 5549, 5679, 5682, 5805, 5808, 5869, 5875, 5881, 6004, 6137, 6260, 6262, 6268**.

Not Upheld:

Anticipation rule, **5134**.

Answer not relevant, **197, 198, 1213, 1633, 1887, 2614**; not responsive to question, **549, 550, 4550, 5002**; raised matter already determined by the House, **1212**; a ministerial statement, **2613**; debating the matter raised, **4867**.

Correct title to be used, **2278**.

Documents: circulated in press gallery, **1211**; must be identified, **1214**; not required to be tabled, **3450**.

Jurisdictional validity, **3839**.

Member reading speech, **306**; **making** unsubstantiated allegations, **310**.

Ministerial statement, **1823**.

Ministers' requirements for answering questions, **5677, 5870**.

New material in reply, **442**.

Offensive remarks, **819**.

Personal explanation, member debating the issue, **3701**.

Privilege not involved, **2620, 4678**.

Question not supplementary, **2154**; argumentative, **2450**; sought assistance, **2450**.

Relevance, **181, 1753, 1825, 2461, 3447, 3701, 4882, 5009, 5011, 5876, 6006, 6124**.

Statement inaccurate, **2090**.

Supplementary question, **5686**.

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

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Upheld in Part:

Answer not relevant, **300, 1631, 1742**.
Relevance, **180, 1889, 1890, 2460, 2626**.

Upheld:

Amendment procedure, **80**.
Anticipation rule, **3985**.
Answer sought opinion. **71**; departed from question, **2281, 2285**.
Attack on member, **1211**.
Correct title use, **2275, 3958**.
Consideration of Urgent Motion, **6011**.
Documents to be identified, **166**.
Ministerial statement. **1825**.
Offensive remarks. **308, 1892**.
Personal Explanation. **6134**.
Relevance, **442, 1640, 1749, 1750, 2168, 3584, 5696, 5808**.
Remarks through Chair, **2625**.
Reordering of General Business, **5676**.
Reply to debate, **180, 181, 311, 505, 2028, 2164**.

Ministers and members should address the point of order, **1823, 3701, 4864, 5002**; and not debate the subject matter of it, **302, 1203, 3700, 5679, 5808, 6133**.

Points of order were becoming superfluous to the matters being raised, and the Chair heard one more member on the current point of order before ruling on it, **550**.

Members were warned of the consequences of taking spurious points of order, **3580, 3591, 3693**.

A member was placed on three calls to order after **taking** a spurious point of order. **3987, 4550, 5535**.

A point of order was without substance, **2620, 5547**; or spurious, **2154, 2450, 5802**; and a member **taking** a spurious point of order was called to order. **2450**.

The Chair **will** entertain only sensible points of order, **2450**.

It is a custom of the House that a member with the call resume his seat **while** a point of order is being taken, **2450**.

As the time for speaking of the member with the call had expired, it was somewhat academic for the Chair to hear the member on a point of order, **3568**.

A member was directed to state the point of order without debating the matter. **5538**.

A point of order cannot be based on whether a member is making comments that are inaccurate.

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However, it was a valid point of order that a barrage of interjection made it difficult for those in the Chamber to hear what is being said. When it was impossible to hear the contribution of a member, offence may be taken on the basis of what a member thought he heard. **3995**.

Ministers and members were directed to give the Chair the benefit of the point of order, **3701, 5547, 5802**; not to indulge in discussion with other members across the Chamber, **3996**; and not to debate the matter, **5538**.

To determine a point of order the Chair directed that a question be restated. It was extremely disorderly for members to **interject** when the Chair had asked for their cooperation so that it may rule on a point of order. If any member interjected while the question was being read again, that member would run the risk of leaving the Chamber forthwith for gross breach of the authority of the Chair, **4551**.

The Chair, having ruled on a point of order, was not prepared to take **anything** further on the point of order. **4671**.

A member who made a spurious point of order could thank the Chair for its indulgence and charity that he remained in the Chamber, **4678**.

Members were asked to remain silent to allow the Chair to hear a member on a point of order, **4864**.

Matters of fact may be refuted by debate but do not constitute the substance of a point of order, **5006, 5010, 5148**.

There was no substance to a point of order that matters raised during question time cannot be referred to in subsequent debate. The Chair has ruled on numerous occasions that matters may be raised during question time for the purpose of eliciting facts that may be used in subsequent debate. If that were not in order, questions would have to be ruled out of order as infringing the rule of anticipation, **5010**.

Members should ensure that their points of order are valid, **5011**; and were cautioned against attempting to make points of order without validity, **5011**.

A member was ordered to direct a point of order to the Chair and not indulge in conversation across the Chamber, **5262**.

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(continued):

Although excessive interjection made it difficult for the Speaker to hear a point of order, nothing heard by the Chair enabled upholding the point of order, **198**.

Points of order must have substance if they are to receive the approval of the Chair, **5679**; and should be valid and not spurious, **5680**.

A point of order was academic because the member's time for speaking had expired, **5814**.

Privilege:

Before accepting a motion regarding privilege the Chair must consider whether a prima facie case of privilege had been made out. Mr Speaker, by agreement with the member concerned, deferred ruling on this question until considering the matter and precedents in detail, **1448**.

Mr Speaker considered whether the following wording of a solicitor's letter received by a member in relation to the serving of a subpoena constituted a breach of the privileges of the Parliament:

To minimise any embarrassment please arrange for a member of your staff to contact our office within the next 24 hours to make arrangements for the service of the Subpoena for Production at a time convenient.

Mr Speaker's inquiries revealed that the words are in common use by solicitors in this State and were not especially directed to the member, and therefore ruled that there was no prima facie breach of parliamentary privilege. As the member raised in chambers with the Speaker a further matter as a possible breach of privilege. Mr Speaker instituted extensive research into an extremely complex area of the law in regard to the boundary between the jurisdiction of the House and the competence of the law courts. As the subpoena had been withdrawn, Mr Speaker did not adjudicate on the matter but advised that he would continue his research as a source of guidance to the House, should the circumstances arise at a later time, **1735**.

A member had not established a prima facie breach of privilege in terms of whether the rights of members had been impeded in the carrying out of their duties in the House. The right of privilege principally attaches to the right of members to freedom of speech. The duty of the security staff is to maintain proper security of the Parliament and to perform certain other duties, and Mr Speaker undertook to examine matters addressed generally by a member to ensure that action was taken correctly and properly in accordance with the maintenance of parliamentary security. **2621**.

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

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

Mr Speaker undertook to look into a matter of privilege, privacy and breach of security involving photographers with telescopic lenses scanning the back walls of Parliament from the Domain, **2621**.

Procedure:

The Leader of the Opposition foreshadowed that he would seek the leave of the House to move to amend the date in his motion. If the amendment was carried, what happened to the original motion would be immaterial. If it was lost, the Leader of the Opposition may then seek leave to amend his motion. If leave was granted by the House, the adjustment may be made to the date, **80**.

Serious allegations against members of Parliament can be made only by way of substantive motion, and a member was asked to desist from such line of contribution. **308**.

A member must seek leave of the House to move for the suspension of standing and sessional orders to consider a motion requiring documents referred to by a Minister in question time to be tabled, **1637**.

The matter affected by a point of order was the subject of a postponement procedure. When a notice of motion is called on or mentioned during the call-over, the member who gave notice of it may seek postponement of the particular notice of motion, in the same way that any other motion or matter before the House may be reordered or postponed. Standing Order 113A provides that certain notices of motions shall lapse if not moved on the day called on, however the Chair is of the opinion that the standing order is to be applied where the member does not move or seek postponement of the motion on the appropriate day or does not seek to postpone it at the call-over, **2457**.

Any member has the right to deny leave. Leave is denied if there is only one dissenting voice on the question of leave. Until a motion is read, neither the House nor any individual member is able to determine whether or not to grant leave. To resolve a matter Mr Speaker proposed to recommit the question. On each previous occasion that a matter was recommitted that had been done to make the House fully aware of what was happening so that it could make an informed decision, **2500**. **2501**.

The Chair was in error in giving the call to a member who was asked to resume his seat. **4684**.

There is no provision for the incorporation of material with respect to private members' bills, **3545**.

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

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

Though it has been the practice over the years for members of Parliament to exhibit a certain amount of visual material within the Parliament, the restriction on the display of visual material is based on the fact that the official record of the Parliament is in words and no other form. The displaying of graphs or other material in the Parliament could not be placed on the record, **3581**.

It was against the rules of the Parliament for a transcription device to be in the Chamber. Members can place their faith in Hansard to give them a complete and accurate record of what occurs in the Chamber, **3693**.

To directly mention a matter which will soon be considered by the House is to infringe the anticipation rule, **3985**.

The sub judice rule protects litigants who are before the court. The general rule applied in the House is that it is undesirable to canvass issues that touch on matters that are before the court. The House applies the sub judice rule in the interests of the integrity of the legal system and of a fair hearing for litigants whose matters are before the court. A member was cautioned that though he may be able to raise in the course of debate matters that reflect upon ethical standards of other members of the House, he should be careful not to comment on the evidentiary matters which may be before the court and upon which the court will have to determine the guilt or otherwise of persons before it. The Chair left it to the member and his sense of integrity, fairness and justice not to intrude into areas that may force the Chair to invoke the sub judice rule, **3996**.

When debating a motion pursuant to Standing Order **54**, which is for the production of papers, there is no latitude to canvass matters that are not contained in the papers members seek to be produced, **5008**, **5009**.

The Chair advised a member of an absolute dichotomy between a request for production of papers and a resolution of the House and suggested, in the interests of procedural clarity, that the member amend his motion, **5567**.

The Chair advised members to review their practices in relation to the security of their stationery and the signing of correspondence. **3627**.

Questions upon Notice: An error was made in proof Questions and Answers paper No. **12** on page **769**. The answers to questions numbered **593**, **594** and **596** were supplied by the due date and consequentially Ministers were not required to be called, **1365**.

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

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

Members were reminded of the new routine of business and Standing Order **80**, that notices of questions shall be handed to one of the clerks at the table before formal business is entered upon, **4997**.

Questions without Notice: Question time will proceed until **10** questions are answered, irrespective of the length of Ministers' answers, **5441**.

Form

A question was ruled out of order. **71**, **3697**, **4999**.

A question was ruled not to have breached the sub judice rule, as it did not **relate** to evidentiary matters before a court, **4677**.

A question that sought an opinion was ruled out of order, **3822**.

A member was asked to conclude his question, which seemed to be getting lengthy, **3352**.

It is not within the jurisdiction of the Chair to rule on the quality of questions, **72**.

The Chair was not amused by a tag ("Answer that!") attached to a question, **813**.

Questions regarding the probity of members of Parliament have traditionally been allowed. **1211**

The Chair was unable to determine, until hearing the answer, whether the question fell into the category of raising a matter already determined by the House, **1212**.

It is not unusual for a member who has been interrupted in asking a question to restate the whole question, **2154**.

A member should ask only one principal question and the question should seek facts. The gravity of the matters raised in the question does not make the question any more valid or compliant with the standing orders if it does not otherwise **conform**. Stringing a number of questions together within the one question may well lead to the question being ruled out of order or to its being restricted to the **first** part of the question. **2450**.

The Chair ruled in order a question that was based on Opposition statements that reflected upon government policy, **3354**.

Questions should not seek an opinion but should seek facts or action. A question should give no

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(*continued*):

more information than is necessary to make the question sensible, **2450**.

A question which was not in the form of **seeking** an opinion, although not well worded, was allowed, **2450**.

Part of a question, though similar in nature to an earlier question, was allowed as it elicited facts in regard to a different matter. The second part was ruled out of order as it was identical to an earlier question, **3697**.

The Chair ruled in order a question—the gist of which was **difficult** to understand as it had been broken into several parts as a result of interjection—because the Minister indicated he understood it and was willing to answer it. **3353**

The Chair has control over questions that are asked but not necessarily over the way Ministers choose to answer the questions. **3697**.

The sessional order provided for the answering of **10** questions, not the **asking** of **10** questions, **3829**.

Questions that are lengthy and of many parts, though they may be related to the one subject matter, are in danger of being ruled out of order. **4673**.

The giving of information in questions is outside the precedents of the Parliament. The attention of members was drawn to the ruling of Speaker **Kelly** in *Parliamentary Debates 1976-78*, page **2420**, which states that prefacing questions with the words "are you aware" is tantamount to giving information, **4864**.

Traditionally, questions that seek to elicit information for the purpose of **furthering** debate about **matters** currently before the House are in order. However, Ministers should exercise considerable caution when referring to matters that touch on bills that are currently before the Parliament, **5258**.

A question was ruled in order as the conventions of the House allowed for a certain amount of information to be provided in a question for the purpose of **establishing** the background of the subject matter, **5259**.

For more abundant clarity the Chair asked a member to repeat his question, and directed members to remain silent, **5680**.

Supplementary

It is not within the jurisdiction of the Chair to rule on

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

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(*continued*):

the quality of questions. The only criteria to guide the Chair on the question asked are that the supplementary question must come from the member who asked the preceding question and that it must arise from the answer. Whether the subject matter of the supplementary question was fully dealt with in the previous answer is not for the Chair to determine. It is really for the member who asks a supplementary question to determine that. Equally, if the Chair allowed the question asked, **10** questions will have been asked and that will mean that another member [whose question was ruled out of order but who was informed by the Chair that if he rephrased his question he may be given the call later] would not be able to ask [his rephrased] question before tomorrow. The use by members of the supplementary question procedure as a ruse to prevent a member from the other side asking the last question of the day is a matter for their own consciences, **72**.

A question was ruled to be supplementary, **2154**.

A Minister was permitted to give a supplementary answer at the end of question time, **5256**.

Minister's latitude

The Chair has no authority to direct Ministers how to answer questions, **302**; and Ministers may answer as they see fit, **302**, **1213**, **1744**, **3825**.

A Minister was asked to return to answering the question, **687**, **1742**, **2281**, **2285**, **3445**.

A Minister was asked to answer a question, **683**, **3353**, **3693**, **3824**.

A Minister was asked to conclude his answer, **3445**; and resume his seat, **3445**.

A Minister's answer was ruled in order, **5252**.

The Chair expressed concern at the length of time a Minister had been **taking** to answer a question and asked the Minister to conclude his answer as speedily as possible. **811**.

Attacks on members of Parliament should be made by way of substantive motion. However, questions regarding the probity of members of Parliament had traditionally been allowed. Provided the Minister gave factual material in accordance with the answer, there was little the Chair could do to intervene. If it went beyond that point, it should be the subject of a substantive motion, **1211**.

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(continued):

Part of a Minister's answer seemed to be a dissection of the nature of the body mentioned in the question, but the Minister subsequently strayed from the subject matter of the question and was asked to return to the question, **1742**.

No standing order or practice of the House determines the length of a Minister's answer. The main stricture on a Minister is that the answer be relevant to the question asked. It is also a longstanding tradition of the House that Ministers and others who have the call may respond to **interjections**. If members do not want to prolong answers, they should not interject, because interjections are the main cause of lengthy answers. **2619**.

There was nothing in the question or in the Minister's answer that prompted the Chair, in accordance with precedence, to declare the response a ministerial statement. **3078**.

The Chair does not have the right to direct a Minister on the contents of an answer, **3693**.

Minister's answers should be relevant to the question asked. That gives the Minister answering the question fairly wide ranging latitude, **3828**.

Ministers are required to make comments in their answers relevant to questions asked of them, **3829**.

A Minister was **well** aware of the rules of relevance that applied to the answering of questions, and though he had strayed a little from the original question, the Chair was confident that he would return to the leave of the question, **3987**.

A Minister was able to give illustrative examples but not dwell on side issues. Unless the Minister could draw closer together the threads of what he was saying and relate them to the question, he should conclude his answer, **4551**.

Ministers may answer questions in whatever fashion they choose. The Chair has no authority in the matter. **4670**.

The Chair ruled that a Minister's answer was directly relevant to the question asked, **4671**.

The Chair suggested that a Minister demonstrate the relevance of his answer, **4673**.

The **Chair** was not able to make a judgment about the matters being raised by a Minister in her answer. However, if the Minister were to stray too far, the Chair would direct her to return to the leave of the question, **5534**; until then the Minister should address the subject matter of the question. **5534**.

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(continued):

Though a Minister's answer did not amount to a prolonged attack on a member, which would require the Minister to proceed by way of substantive motion, the Chair was concerned about the length of the answer and the Minister was directed to return to answering the question, **5538**.

Sessional orders guarantee **10** answers are provided to questions. The time taken by Ministers to answer questions, though still important, is not quite so relevant as it was prior to present sessional order. **5677**.

Traditionally, a degree of latitude is extended to Ministers when answering questions. However, in recent times the rules relating to relevance have been tightened. A Minister was asked to return to the **ambit** of the question or resume his seat, **5678**.

Ministers should refrain from deliberately avoiding the obvious intention of question time: the provision of information, **5679**.

To curtail Ministers' answers would be totally contrary to tradition and convention and would unnecessarily restrict the supply of information. However, the Chair did not regard favourably the development by Ministers of matter far removed from the scope of the question, thus prolonging answers unnecessarily, **5680**.

Whether the subject matter of a question was within the jurisdiction of a Minister to answer was best determined by the Minister. If it was not, the Minister could advise the House of that fact. If it was within the jurisdiction of the Minister, the Minister may respond in any way he wished, **5802**.

Relevance

Elements of a question invited comment along the lines being made by a Minister, who was asked to ensure his remarks were relevant to the question asked, **197**.

A Minister whose answer drifted from the subject of the question was requested to return to the subject matter of the question asked, **300**.

A Minister who was presumed to have been making passing reference in response to interjections was directed to provide the necessary linkage between his remarks and the question or return to the subject matter of the question, **549**. The Chair was unable to rule on whether the Minister had demonstrated the linkage. The Minister, who had spoken only a few words and was yet to show the linkage, was asked to draw his answer to a

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conclusion as quickly as possible. Subsequently, Mr Speaker noted that the Minister had established the linkage, but asked the Minister to **return** to the subject matter of the question or resume his seat if he had finished answering the question, **550**.

Answers should be generally relevant to questions. The Minister's comments were relevant to the subject matter which was the basis of the question. Whether the facts given in an answer satisfied the question was a matter which had been long debated in the Chamber. The Minister may answer as he sees fit, **1213**.

A member who had been **making** passing reference to an unrelated matter was directed to return to the leave of the motion, **5810**.

Relevance:

Members and Ministers must confine remarks to the question before the Chair, **310, 405, 1174, 1640, 1889, 1890, 2188, 2626, 5267, 5898, 6096, 6265, 6268, 6269**.

Though debate may be lengthy and complex, the remarks of members must be pertinent to the substance of the bill or motion before the House, **3958**.

Debate having strayed beyond the leave of the motion and a point of order not having been taken earlier, Mr Speaker was reluctant to place too much constraint on debate, but requested a member to address the leave of the motion, **1749**. However, the Chair did not intend to allow the debate to be widened to the merits or demerits of former **Agents-General**, and ruled a member's remarks to be outside the leave of the motion, **1750**.

Though a motion referred to a grant of legal aid, but not a Legal Aid Commission grant, it was appropriate for the member to discuss the relativity of grants from various sources, and the Minister may draw attention to those matters at a later stage, **3447**.

In debate a member may allege virtually what he likes and it is recorded in that **form**, whether or not there is truth in the allegation. If it is not accurate, the **matter** can be taken up in another form at another time, **1753**.

On a point of order that a member was **asking** a Minister to answer matters that came within another Minister's portfolio, the Chair was unable to resolve conflicting assertions by a Minister and a member on whether certain departmental procedures occur. Mr Speaker asked the member [**speaking** in reply] to

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address matters raised in the debate and not introduce new matters, **1754**.

What comes within the leave of a [condemnation] motion is not easily determined because certain elements as to what may be regarded as whatever took place to avoid the service of the summonses are open to interrogation. The essence of the motion is in those steps that were taken to create the circumstances mentioned in the motion. Whether or not they are correct is not a matter for the Chair to determine, and a member was asked to concentrate on the essence of the motion, **2626**.

A member was warned that unless he introduced new material rather than traversed ground that had been covered several times, the Chair may invoke Standing Order **157, 3122**.

A member was **directed** to return to the leave of the amendment, which was narrow in its implications, **3837**.

The conduct of a member, which had been mentioned by all contributors to the debate, was ruled to be relevant and the member with the call was allowed to continue, **4001**.

A member who was making a passing reference only to a matter not connected to the motion should return to the question before the Chair, **5006**.

A member was cautioned against continuing to refer to matters outside the leave of the questions before the Chair, **5148**.

A member had not made a single comment relevant to the question and was asked to return to the motion, **3589**.

A member, who had strayed considerably from the leave of a bill that related specifically to the continued detention of one person only, was informed that he was not at liberty to canvass matters relating to numerous other people who might otherwise be in similar circumstances, **5222**.

A member was invited to flout the ruling of the Chair at his peril and was directed to remain within the leave of the question before the Chair, **5222**.

A Minister was replying to a question that sought matters of fact, **5441**.

A Minister was allowed to continue his contribution but was asked not to stray too far from the leave of the motion, **5574**.

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The subject matter of a bill being specific, debate should not be wide ranging but restricted to the leave of the bill, **6270**.

The leave of the question before the House was **determined** by the member who placed the question before the House. It was not the fault of the Chair that a bill was couched in restrictive **terms**; that was the prerogative of the member who introduced the bill. **6271**.

Tabling of Documents:

The House was faced with a dilemma. The Leader of the Government stated that the resolution of the House [under Standing Order **54**] involved constraints that made it **difficult** for the Government to present photocopies of the files within a reasonable time. A suggestion that certain documents could be made available in the interim was contrary to the **terms** of the resolution. Mr Speaker therefore left the chair and invited the Leader of the Government and the manager of Opposition business to discuss the matter in chambers, **1822**.

If latitude is allowed on a motion under Standing Order **54** requiring tabling of papers, a member had probably exhausted it and should return to the leave of the motion, **1889**. The member infringed **this** ruling, **1890**. What is produced in other papers is irrelevant to the papers the subject of the motion, **1890**. The Minister was allowed the same tolerance as had been extended to the member moving the motion. The Minister was directed to return to debating the motion, **1890**.

Because of the volume and nature of documents and papers tabled, Mr Speaker advised that they would not be available for inspection until the Procedure Office had labelled and registered them, **2154**.

To facilitate agreement on a motion under **Standing Order 54**, Mr Speaker suggested that a Minister seek leave to amend **his** amendment. **2168**.

Private members may not table papers, **2169, 3990, 4561, 6117**.

A member was not required to verify the authenticity of a document; identification of a document was sufficient. **3990**.

Procedure requires Ministers to seek the leave of the House to table documents, **5875**.

There was no need to incorporate a letter in *Hansard*; it was sufficient that the letter be tabled, **5885**.

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Televising of Proceedings: A second camera in the Chamber was for the purpose of taking file footage, **2456**.

Unanswered Questions upon Notice: An error was made in proof Questions and Answers paper No. **12** on page **769**. The answers to questions numbered **593, 594** and **596** were supplied by the due date and consequentially Ministers were not required to be called, **1365**.

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assent **3691**

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Assembly: *int.* 2998 **2R** 3637 5155 **3R** 5157
assent 5799

Council: *int.* 2354 **2R** 2354 2909 2932 **3R**
2933 *o.s.* 5105 assent 5732

HEALTH ADMINISTRATION (MEDICARE) AMENDMENT
BILL:

Assembly: **2R** 1049 *Com.* 1054 **3R** 1081 *o.s.*
942 1054 1208 assent 1735

Council: *int.* 1034 **2R** 1088 **3R** 1092 assent
1679

HEALTH LEGISLATION (MISCELLANEOUS

AMENDMENTS) BILL:

Assembly: *int.* 1237 **2R** 1237 1673 **3R** 1676
o.s. 1775 assent 2939

Council: *int.* 1679 **2R** 1685 1696 *Com.* 1699
3R 1700 assent 2873

HEALTH LEGISLATION (MISCELLANEOUS

AMENDMENTS) BILL (No. 2)

Assembly: *int.* 6048 **2R** 6048

HOMEFUND LEGISLATION (AMENDMENT) BILL:

Assembly: *int.* 165 **2R** 165 1180 1604 1996
2421 *Com.* 2435 **3R** 2457 *o.s.* 2433 2437

Council: *int.* 2394 **2R** 2402

HOMEFUND MORTGAGES (REVIEWS AND APPEALS)

BILL:

Assembly: *int.* 3544 **2R** 3544 3956 4824 *Com.*
4834 **3R** 5134 *o.s.* 4836

Council: *int.* 5079 **2R** 5196

HOMEFUND RESTRUCTURING BILL:

Assembly: assent 8

Council: *o.s.* 1001 assent 19

HOSPITAL DEVELOPMENT PROJECTS REVIEW BILL:

Assembly: *int.* 902 **2R** 902 1169

INDEPENDENT COMMISSION AGAINST CORRUPTION

(AMENDMENT) BILL:

Assembly: *int.* 3627 **2R** 3627 4719 *Com.* 4733
3R 4872 *o.s.* 4739 6158 6275 6278

Council: *int.* 4772 **2R** 4772 6071 *Com.* 6080
3R 6085 *o.s.* 6085 6221 6386

INDEPENDENT COMMISSION AGAINST CORRUPTION

(COMMISSIONER) BILL:

Assembly: *int.* 3095 **2R** 3095 4703 **3R** 4719
o.s. 4739 assent 4997

Council: *int.* 4657 **2R** 4657 **3R** 4666 assent
4947

INDUSTRIAL RELATIONS (CONTRACTS OF CARRIAGE)

AMENDMENT BILL:

Assembly: *int.* 1170 **2R** 1170 1593 2413 *Com.*
2417 **3R** 2457 *o.s.* 1457 2421 2513 2585

assent 2939

Council: **2R** 2394 *Com.* 2399 **3R** 2399 *o.s.*
2399 2514 assent 2873

INDUSTRIAL RELATIONS (PROTECTION FOR

EMPLOYEES OF SUBCONTRACTORS) AMENDMENT

BILL:

Assembly: **2R** 183 504 **3R** 508

Council: *int.* 456 **2R** 3906

INDUSTRIAL RELATIONS (SICK LEAVE) AMENDMENT

BILL:

Assembly: **2R** 903 **3R** 913

Council: *int.* 867

IRRIGATION CORPORATIONS (ENVIRONMENTAL

ASSESSMENT) AMENDMENT BILL:

Assembly: *int.* 5222 **2R** 5222

Bills (continued):

IRRIGATION CORPORATIONS BILL:

Assembly: *int.* 1642 **2R** 1642 1782 2501

Com. 2504 **3R** 2593 *o.s.* 2504 2511 2661
assent 2939

Council: *int.* 2532 **2R** 2533 *Com.* 2537 **3R**
2539 *o.s.* 2539 assent 2873

IRRIGATION LEGISLATION (FREEHOLD TENURES)

AMENDMENT BILL:

Assembly: *int.* 5710

Council: *int.* 5066 **2R** 5066 5611 **3R** 5612

JOHANN POHL (COMPENSATION) BILL:

Assembly: *int.* 1591 **2R** 1591

JUDGES' PENSIONS (AMENDMENT) BILL:

Assembly: *int.* 951 **2R** 951 1365 **3R** 1366

o.s. 1552 assent 2275

Council: *int.* 1327 **2R** 1434 **3R** 1435 assent
2219

JUSTICES (FINE DEFAULT) AMENDMENT BILL:

Assembly: *int.* 2218 **2R** 2218 2649 **3R** 2650

Council: *int.* 1827 **2R** 1860 2097 2109 **3R**

2111 *o.s.* 2563 assent 2873

KATHERINE WENTWORTH (ADMISSION AS LEGAL

PRACTITIONER) BILL:

Assembly: *int.* 3952 **2R** 3952

LAKE MACQUARIE STATE RECREATION AREA BILL:

Assembly: **2R** 3553 3964 4836 5237 5244

Com. 5247 6107

Council: *int.* 6196

LANDFILL DEPOTS (MORATORIUM) BILL:

Assembly: *int.* 5651 **2R** 5651 5907

LAW OF EVIDENCE BILL (pro forma)

Assembly: *int.* 8

Council: *int.* 20

LEGAL AID COMMISSION (AMENDMENT) BILL:

Assembly: *int.* 1246 **2R** 1246 1366 1389

Council: *int.* 888 **2R** 888 1010 *Com.* 1027

3R 1033

LEGAL PROFESSION (ADMISSION) AMENDMENT

BILL:

Assembly: *int.* 4821 **2R** 4821

LIQUOR (AMENDMENT) BILL:

Assembly: *Com.* 2496

Council: *Com.* 2548

LIQUOR (AMENDMENT) BILL (COGNATE):

Assembly: *int.* 1755 **2R** 1755 2470 2483

Com. 2496 **3R** 2593 *o.s.* 1754 2499 2661
assent 2939

Council: *int.* 2532 **2R** 2539 *Com.* 2548 **3R**

2549 assent 2873

LIQUOR (FURTHER AMENDMENT) BILL (COGNATE):

Assembly: *int.* 2993 **2R** 2993 3110 **3R** 3115

o.s. 3390 assent 3691

Council: *int.* 3287 **2R** 3292 3304 *Com.*

3308 **3R** 3310 assent 3641

LOCAL GOVERNMENT (BOARDING AND LODGING

HOUSES) AMENDMENT BILL:

Assembly: *int.* 3956 **2R** 4820 6093 *Com.*

6097 **3R** 6097 *o.s.* 6248

Council: *int.* 6071 **2R** 6172 **3R** 6173

LOCAL GOVERNMENT LEGISLATION

(MISCELLANEOUS AMENDMENTS) BILL:

Assembly: *int.* 1778 **2R** 1778 2593 *Com.*

2601 **3R** 2627 *o.s.* 1754 2612 2661 assent
2939

Council: *int.* 2539 **2R** 2549 **3R** 2553 assent

2873

Bills (continued):**LOTTERIES AND ART UNIONS (AMENDMENT) BILL:**

Assembly: *int.* 968 **2R** 968 1262 **3R** 1267
o.s. 1480 *assent* 2275
 Council: *int.* 1301 **2R** 1412 **3R** 1416 *assent*
 2219

MARITIME SERVICES (OFFSHORE BOATING)**AMENDMENT BILL:**

Assembly: *int.* 952 **2R** 952 1047 **3R** 1049
o.s. 1208 *assent* 1735
 Council: *int.* 1034 **2R** 1096 **3R** 1097 *assent*
 1679

MENTAL HEALTH (AMENDMENT) BILL:

Assembly: *int.* 1242 **2R** 1242 2050 2062 **3R**
 2077 *o.s.* 1242 2218 *assent* 2939
 Council: *int.* 2094 **2R** 2129 **3R** 2139 *assent*
 2873

MICHAEL BLACK (COMPENSATION) BILL:

Assembly: *int.* 3541 **2R** 3541

MINE SUBSIDENCE COMPENSATION (AMENDMENT) BILL:

Assembly: *int.* **957 2R 957** 1058 1067 **3R**
 1067 *o.s.* 1208 *assent* 1735
 Council: *int.* 1034 **2R** 1095 **3R** 1096 *assent*
 1679

MINES RESCUE BILL:

Assembly: **2R** 1067 **Com.** 1076 **3R** 1076 *o.s.*
 942 1404 *assent* 2275
 Council: *int.* 1082 **2R** 1333 **3R** 1336 *assent*
 2219

MINING LEGISLATION (AMENDMENT) BILL:

Assembly: *int.* 4739
 Council: *int.* **3795 2R 3795** 4625 **3R** 4630

MOONEE BEACH NATURE RESERVE BILL:

Assembly: *o.s.* 1173
 Council: *o.s.* 1123

MOTOR ACCIDENTS (AMENDMENT) BILL:

Assembly: *int.* 2218 **2R** 2218 2512 **3R** 2513
assent 2939
 Council: *int.* 1827 **2R** 1863 2094 **3R** 2097
o.s. 2514

MOTOR VEHICLES TAXATION (AMENDMENT) BILL (COGNATE):

Assembly: *int.* 2956 **2R** 2956 3344 3364 3453
 3469 3851 3860 4588 4693 4701 4849 **Com.**
 4849 **3R** 4861 *o.s.* 5405 *assent* **5799**
 Council: *int.* 4767 **2R** 5201 **Com.** 5201 **3R**
 5389 *o.s.* 5204 *assent* 5732

MYALL LODGE (ADDITIONAL LAND) BILL:

Assembly: *int.* 2412 **2R** 2412

NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL:

Assembly: *int.* 4606 **2R** 4692 5050 **3R** 5051
assent 5799
 Council: *int.* 3909 **2R** 3909 4523 **3R** 4524
o.s. 5052 *assent* 5732

NATIONAL PARKS AND WILDLIFE (ABORIGINAL OWNERSHIP) AMENDMENT BILL:

Assembly: *int.* 3045 **2R** 3045

NATIVE TITLE (NEW SOUTH WALES) BILL:

Assembly: *int.* 1549 **2R** 1549 2208 **Com.** 2215
3R 2215 *o.s.* 2464 *assent* 2939
 Council: *int.* 2151 **2R** 2360 2374 **3R** 2375
assent 2873

NEW SOUTH WALES CANCER COUNCIL BILL:

Council: *int.* **4797 2R 4797**

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assent 1735
 Council: *int.* 1034 **2R** 1083 **3R** 1086 *assent*
 1679

PARLIAMENTARY APPROPRIATION BILL (COGNATE):

Assembly: *int.* 2956 **2R** 2956 3344 3364
 3453 3469 3851 3860 4588 4693 4701
 4849 **Com.** 4849 **3R** 4861 *o.s.* 5405 *assent*
 5799
 Council: *int.* 4767 **2R** 5201 **Com.** 5201 **3R**
 5389 *o.s.* 5204 *assent* 5732

PARLIAMENTARY ELECTORATES AND ELECTIONS**(METHOD OF VOTING) AMENDMENT BILL:**

Assembly: *int.* 5688 **2R** 5688 **3R** 5693 *o.s.*
 5237
 Council: *o.s.* 5186

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Council: *int.* 5646

PARLIAMENTARY SUPPLY BILL (COGNATE):

Assembly: *int.* 3115 **2R** 3115 *o.s.* 3347 **3R**
 3115 *assent* 3691
 Council: *int.* 3287 **2R** 3291 **3R** 3292 *assent*
 3641

PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION)**AMENDMENT BILL:**

Assembly: *int.* 2410 **2R** 2410 *o.s.* 3703

PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION)**AMENDMENT BILL (No. 2)**

Assembly: *int.* 4821 **2R** 4821 *o.s.* 5533

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Assembly: *int.* 1235 **2R** 1235 1398 **3R** 1404
o.s. 1394 1552 *assent* 2049
 Council: *int.* 1354 **2R** 1435 **3R** 1440 *assent*
 1971

POLICE SERVICE (RECRUITMENT) AMENDMENT**BILL:**

Assembly: *int.* 3095 **2R** 3095 5047 5108
Com. 5112 **3R** 5133 *o.s.* 5114 5649 *assent*
 5799
 Council: *int.* 5079 **2R** 5527 **3R** 5531 *assent*
 5732

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Assembly: *o.s.* 410
 Council: **2R** 886 3905 *o.s.* 366

POST-CONVICTION INQUIRIES (QUASHING OF**CONVICTION) (JOHANN ERNST SIEGFRIED POHL)****BILL:**

Assembly: *o.s.* 74

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 Council: *int.* 2933 **2R** 2933 3391 **3R** **3400**
o.s. 6168

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Council: int. 1405 **2R** 1871 **3R** 1874 *assent* 2873

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Council: int. 5079 **2R** 5635 **Com.** 5644 6219 **3R** 5646 *o.s.* 5646 6219

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Council: int. 4545 **2R** 4612 **Com.** 4614 **3R** 4615 *assent* 4947

PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL'S ACCESS) AMENDMENT BILL:
Assembly: int. 3542 **2R** 3542

PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL:
Assembly: 2R 508 3048 **3545** **Com.** 3548 **3R** 3964 *o.s.* 3552
Council: int. 3895

PUBLIC HEALTH (SALE OF TOBACCO TO JUVENILES) AMENDMENT BILL:
Assembly: 2R 5783 5784 **6097** **Com.** 6102
Council: int. 6196

QUEANBEYAN SHOWGROUND (VARIATION OF PURPOSES) BILL:
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Assembly: int. 1755 **2R** 1755 2470 2483 **Com.** 2496 **3R** 2593 *o.s.* 1754 2499 2661 *assent* 2939
Council: int. 2532 **2R** 2539 **Com.** 2548 **3R** 2549 *assent* 2873

REGISTERED CLUBS (FURTHER AMENDMENT) BILL (COGNATE):
Assembly: int. 2993 **2R** 2993 3110 **3R** 3115 *o.s.* 3390 *assent* 3691
Council: int. 3287 **2R** 3292 3304 **Com.** 3308 **3R** 3310 *assent* 3641

RESIDENTIAL TENANCIES (AMENDMENT) BILL:
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MANUFACTURED HOME ESTATES) AMENDMENT BILL:
Assembly: int. 6158 **2R** 6317 **3R** 6325 *o.s.* 6325
Council: int. 5603 **2R** 5603 5856 5921 **Com.** 5926 **3R** 6052 *o.s.* 5933 6373 **6400**

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Assembly: int. 2956 **2R** 2956 **3344** 3364 3453 3469 3851 3860 4588 4693 4701 4849 **Com.** 4849 **3R** 4861 *o.s.* 5405 *assent* 5799
Council: int. 4767 **2R** 5201 **Com.** 5201 **3R** 5389 *o.s.* 5204 *assent* 5732

ROYAL COMMISSION (POLICE SERVICE) AMENDMENT BILL:
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Council: int. 5920 **2R** 5938 **3R** 5942 *assent* 6448

ROYAL COMMISSION (POLICE SERVICE) BILL:
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Council: int. 4666 **2R** 4784 **3R** 4788 *assent* 4947

RURAL LANDS PROTECTION (AMENDMENT) BILL:
Assembly: int. 1777 **2R** 1777 3097 3108 **Com.** 3110 **3R** 3357 *o.s.* 1754 3110 3627 *assent* 3691
Council: int. 3310 **2R** 3527 **Com.** 3531 **3R** 3532 *assent* 3641

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Council: int. 3911 **2R** 3911 4528 **3R** 4529 *o.s.* 5105 *assent* 5732

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 1679
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AS DEPUTY-PRESIDENT:

Chair: Members will address the Chair, **1438, 1962.****Interjections, Interruptions and Disorder:** A member was directed to cease interjecting, **1438, 1961.****Points of Order: Not involved: 803, 1962, 5754.****The HON. R. T. M. BULL:**

AS DEPUTY-PRESIDENT:

Adjournment: A member cannot speak twice on the same subject, **295.****Points of Order: Not involved: 367.****The HON. BERYL EVANS:**

AS DEPUTY-PRESIDENT:

Chair: Members will address the Chair, **276, 1147.****Debate:**Members will be referred to by their correct title, **1146.**A member was asked to return to the question before the Chair, and to accept that ruling or resume her seat, **3424.****Divisions:** Casting vote, **1700.****Offensive and Objectionable Remarks, Imputations and Aspersions:** Members who take exception to remarks that they consider reflect on them personally may seek withdrawal of those

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

remarks but cannot seek withdrawal of personal reflections on persons outside the Chamber, **3424**; and a member was asked to continue her contribution and not to introduce personalities into the debate. **3424**.

Interjections, Interruptions and Disorder:

Members should not converse across the Chamber, **276, 1147**.

The Chair found it impossible to hear what was being said or to take note of what was happening because of discussions across the Chamber, **1147**.

Members should refrain from interjecting, **478, 5857**.

Excessive interjections and/or conversations make it impossible for Hansard to record debate. **273, 4653**.

Members wishing to engage in conversation should leave the Chamber. If they wished to remain, they should be quiet. **4653**.

A member was asked to desist from chewing gum, **2227**.

Points of Order:

Not Involved: **478, 1146, 3426, 4652**.

Upheld: Relevance, **274, 276**.

Relevance: Members will address the question before the Chair, **273, 274, 276, 1147, 5513, 5857**.

The HON. DR **MARLENE** GOLDSMITH:

AS DEPUTY-PRESIDENT:

Chair:

Members will address the Chair, **642, 2253, 3004, 3005, 3007, 5494, 5495, 5496, 5508, 5957**.

Members should not reflect on the Chair, **3005**.

Divisions: Casting vote, **1978**.

Interjections, Interruptions and Disorder:

There was too much noise in the Chamber, **643, 5396, 5508**; and too much audible conversation. **2561, 6207**.

A member was reminded that he/she may contribute to debate at a later time if he/she wished, **2228, 3006, 5396, 5496**.

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

Members may reply to interjections; however, when doing so they should address the reply through the Chair. **5496**.

The level of discussion made it difficult for the Chair to hear the debate, **5640, 5748**; and members were asked to consider Hansard, **2562, 5396, 6207**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

Expressions withdrawn voluntarily: "idiot", **3005**; "Tutti **Frutti** Pezzutti", **5494**.

Expression directed to be withdrawn: "loudmouth" **5957**.

Though it was **unparliamentary** to use offensive words about a member of another Chamber, the Chair would have to be persuaded that the term "idiot" was offensive. **3005**.

It was not customary to **call** members names, and the term "Tutti **Frutti** Pezzutti" was ordered to be withdrawn, **5494**.

Points of Order:

Not involved: **3007, 5749**.

Not Upheld: Relevance, **5935**.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

Chair: Members should address their remarks through the Chair, **6408**.

Divisions: Casting vote, **1978**.

Interjections, Interruptions and Disorder: The level of audible conversation in the Chamber was **making** it difficult for Hansard to report the proceedings, **6414**. If members wish to engage in conversation, they should do so outside the Chamber, **6407, 6414**.

Offensive and Objectionable Remarks, Imputations and Aspersions: Expression withdrawn voluntarily: "How much did [the title of Reverend] cost?", **1977**; "idiot", **3005**.

The HON. D. F. MOPPETT:

AS DEPUTY-PRESIDENT:

Chair: When **making** their contributions, members should address the Chair, **3900, 3901**.

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DEPUTY-PRESIDENT (THE HON. D. F. MOPPETT)
(continued):

Debate: A member should table a document before inquiring about its incorporation into *Hansard*, **3324**.

Interjections, Interruptions and Disorder:

Members should restrict their conversation to assist Hansard and the Chair to hear debate, **3669**.

Members should moderate their interjections, **3901**; and may make a contribution to the debate at a later stage, **3901**.

Members were asked to receive the last speech of a member with the decorum appropriate to the occasion, **5077**, **5079**.

Points of Order:

Not Involved: **1330**, **3821**, **3902**.

Not Upheld: Relevance, **5947**.

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

AS DEPUTY-PRESIDENT:

Chair: A member was directed to cease giving advice to the Chair [by interjection], **1352**.

Debate: A member was asked to speak slowly so that Hansard and members could understand. An adjournment debate enabled members to put issues to the House, but not in a manner that members could not understand, **3435**.

A member was directed to address remarks through the Chair, **4545**.

Members will refer to Ministers as "the Honourable", **4742**.

Members were asked to receive the last speech of a member with the decorum appropriate to the occasion, **5365**.

Interjections, Interruptions and Disorder:

The use by members of mobile phones in the Chamber is not appropriate, **2912**.

The Chair was in charge of proceedings in the House and would not accept instruction from a member about whether there was substance in another member's point of order. **3511**.

Members were asked to desist from interjecting, **4546**; and reminded that they would have an opportunity to contribute to debate at a later time, **1944**, **2222**, **3515**, **3521**, **5507**.

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

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

A member was reminded that he had already contributed to debate, **5364**.

Members should confine their remarks to the bill and address their comments through the Chair, rather than at one another, **5383**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

A member was asked to specify the remarks he wished withdrawn. **1351**.

Expression required to be withdrawn: "You are lying". **1352**.

Expression not required to be withdrawn: a member "supports the **unsworn** statement made by that murderer . . .", **1352**; "You [a Minister] are making it up", **3510**.

A member was asked not to use **unparliamentary** language, **4759**.

Order and Decorum: The behaviour of members in the gallery was unacceptable. Members who wished to behave in such a fashion should leave the Chamber, **3511**.

Personal Explanations:

A member who complained about the accuracy with which he had been quoted had the right to make a personal explanation, **1352**.

The comments of the member in reply to the point of order were regarded as a personal explanation, **3511**.

Points of Order:

Not Involved: **2222**, **2226**, **2543**, **3511**, **5063**, **5383**, **5754**.

Upheld:

Offensive remark, **1352**.
Relevance, **5745**.

The Chair would decide whether a point of order was involved, **2543**, **3511**.

Members should speak to the point of order and not debate the issue. **5745**.

Questions Without Notice:

As there was a question **already** before the House, members were not **permitted** to ask further questions. **3506**.

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1 March 1994 to 5 December 1994

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

Questions that demand technical answers and numerous figures would be better placed on the Questions and Answers paper, **3508**.

A question was ruled out of order as it related to legislation that was before the House, **4755**.

Detailed and lengthy questions **seeking** detailed responses should be placed on notice. It was left to the discretion of the Minister as to whether he wished to respond to the question, **5181, 5182, 5184**.

A member was asked to desist from **making** comments while the Minister was answering a question. **3509**.

Relevance:

Members should restrict remarks to the question before the Chair, **2383**.

A member was reminded that remarks must relate to the matter before the House. **3022, 5746**.

A member was allowed to continue his contribution as the matter being referred to was germane to public debate, **5506**.

AS CHAIRMAN OF COMMITTEES:

Amendments:

An amendment was **ruled** out of order on the ground that it was not relevant to the subject matter of a bill as provided for under Standing Order **175**. As a consequence a second amendment could not stand alone and was also ruled out of order, **5527**.

A member was asked to hand the Chair a written copy of an amendment, **5931**.

Conscience Vote: A conscience vote is normally brought forward by the Government or the Opposition. It is not a decision for the Chairman, **2548**.

Debate:

Members were reminded that they would have an opportunity to contribute to debate at a later time, **2257, 4647**.

The Committee of the Whole cannot consider a motion to adjourn debate. However, it may consider a motion to report progress, **6433**.

Divisions: Casting vote, **1029, 1032, 1033, 1721, 1724, 1725, 1726, 1728, 1729, 1730, 2538, 5099, 5103, 5930, 5931, 5933**.

Council, Legislative: Rulings, Observations and Opinions of the Chair *(continued)*:
CHAIRMAN OF COMMITTEES (THE HON. D. J. GAY) *(continued)*:

Interjections, Interruptions and Disorder:

Members were asked to exercise vocal restraint, **3427**.

The level of noise in the Chamber was unacceptable, **5524**; and the level of conversation in the Chamber was far too high, **2149, 6422**.

Members should limit their conversations. It is crucial for members and for Hansard to be able to hear what is being said in Committee, **5524**.

Members who wish to contribute to debate should wait until they are given the call. The task of Hansard is becoming almost impossible, **6437**.

The Chair had been remarkably tolerant of members. Constant **interjection** makes it difficult for Hansard to report the proceedings. Members who wish to contribute to the debate should seek the call. **6438**.

Points of Order:

Not involved: **6433**.

Not Upheld: When considering reports of Estimates Committees in Committee members must refer to the relevant budget line item, **5203**.

Relevance: A member was directed to return to the **ambit** of the motion, **6430, 6431, 6432, 6433**.

PRESIDENT (THE HON. MAX FREDERICK WILLIS):

Adjournment:

The call on the adjournment debate will be allocated in rotation amongst the parties represented in the House, **23**.

The President was unable to accept an amendment, **6220**.

Chair:

Members and Ministers will address the Chair, **46, 350, 633, 770, 1405, 1701, 2229, 2272, 2383, 2545, 5920**.

It was not in order for a Minister to make a personal reflection on the Chair, but the Chair heard no such reflection, **1695**.

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Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (continued):

Debate:

Members and Ministers will be referred to in the correct manner, **366, 5627**.

The Chair would not tolerate members referring to other members in debate or by way of interjection in an unparliamentary fashion by their given names, **5173, 5627**.

Though debate on the budget estimates and related papers is wide ranging, the sensibilities of some members may be allayed if references in debate were connected to a line item in the budget, **3797**.

Members were reminded that those who seek the protection of the standing orders must be prepared to abide by them, **3924**.

Though debate was heated, it was not to get out of hand, **4776**.

The purpose of debate is not to engage in interrogation, **5518**.

As a member had already spoken in reply, the debate was closed, **6071**.

Debate must be conducted in the English language, **6379**.

A member had already spoken to a motion; therefore, the member could not speak again, **6446**.

The President assumed that a member intended to move an amendment, **5616**.

Distinguished Visitors:

She **Mengxiao**, Vice Minister of the China Law Society, **256**.

His Excellency Alexander Losyukov, Ambassador for the Russian Federation, and the Consul-General, Mr **Vladimir** Kulagin, **2093**.

Spiros Giatras, member for Euboea in the Parliament of Greece, **2880**.

Todor Petrov, a member of the Parliament of the former Yugoslav Republic of Macedonia, **2910**.

Saburo Tanaka, Consul General for Japan, **3400**.

The Rt Hon. Sir Peter Emery, and a delegation from the Parliament of the United Kingdom, **3400**.

Mr Brian **Kilmartin**, Consul for Poland in the State of Queensland, **3776**.

Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (continued):

His Excellency Sir Frederick **Reiher**, **KBE**, CMG, High Commissioner for Papua New Guinea, accompanied by **Ms Perpetua** Haiveta, Consul for Papua New Guinea, **3785**.

Mr **Efstathios** Daras, Consul General for Greece in Sydney, **4515**.

His Excellency Edward J. **Perkins**, Ambassador for the United States of America, **4612**.

Mr **Samroeng Laksanasut**, Consul-General for Thailand, **5625**.

His Excellency Graham Fortune, High Commissioner for New Zealand, **5722**.

Rt Hon. the Earl of Cromartie, a member of the House of Lords and the Parliament of the United Kingdom, accompanied by the Countess of Cromartie, **5942**.

Dr Chaiyong **Satjipanon**, Consul-General for Thailand, **5948**.

The Hon. He **Zhukang**, Chairman of the **Jilin** Provincial People's Congress, **6392**.

Divisions: Casting vote, **1034**.

Interjections, Interruptions and Disorder:

Conversation

if members addressed the Chair rather than members opposite there might be fewer interjections, **633**.

The processes of the House would be better served if honourable members kept their discussions to a low level of audibility, **1308**.

Members making speeches are entitled to be heard in silence, albeit that silence will be relative, **3923**.

Members wishing to engage in conversation should do so outside the Chamber, **4662**.

Interjection

There was too much interjection in the House, **47, 2106, 3288, 5628**.

The level of interjection was much too high, **3656, 5521**; and unacceptable, **5850**; as was the level of background chatter, **3790**; and noise, **5848**.

Members were **directed** to cease interjecting, **62, 1564, 1589, 1701**; to keep interjections to a low level, **1006**; to not indulge in dialogue with other

1 March 1994 to 5 December 1994

Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

members, **2383**; or interchange across the floor, **5627**.

Members were asked to desist from interjecting as the President was having difficulty hearing a member with a quiet voice, **159, 160**; and a Minister whose voice was affected by a cold, **3016**.

The President had **difficulty** hearing a Minister's answer, **5088, 5630, 5949, 6181**; because of the level of interjections, **1006, 5374**.

If members interjected too loudly, the President might have to resort to standing orders, **2926**.

Hansard was having difficulty reporting the Minister's answer, and members were asked to contain the level of interjection, **1134, 3403**.

Hansard has the **difficult** task of reporting the proceedings, **1695, 3289, 5725**; and members were entreated to keep interjections to a modest level, **3289**.

Hansard has the unenviable task of trying to record debate, and members were asked to co-operate, **1563**.

The President's tolerance of interjections was **running** short, **2374**.

Debate was degenerating as a result of rather trite interjections, **4641**.

Incessant interjection across the Chamber must cease. It is not only absurd; it totally interrupts question time and makes it extraordinarily **difficult** for Hansard and the Chair to hear the proceedings, **5953**.

Members should curtail their comments and interjections, **6065**.

Order and Decorum

There was too much noise in the **President's** Gallery, **5528**.

The President could not hear a member's question, **5731**.

A Minister was entreated to cease arguing across the table. **5728**.

Members will not indulge in interrogatories with other members, **2545**.

It would behove the conduct of the House if honourable members paid attention to debate and were not waylaid by other pursuits, **1682**.

Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

There was too much audible conversation, **2552**.

The President had difficulty hearing a member because of the level of chatter in the Chamber and behind the Chair. **2149**.

Members should read newspapers in the reading room rather than in the House, **3014**.

People in the gallery should remain quiet or leave the gallery, **4773**.

It is contrary to the standing orders for members to **interject** whilst a member has the call. The Chair accepted that this tends to be honoured more in the breach than in its observance. However, when such activity reaches a height at which no-one, particularly members of Hansard, can hear the proceedings and the House dissolves into a disorderly rabble, the Chair is forced to take some action. Members should give consideration to the proper dignity and operation of the Chamber, **5628**.

Members wishing to speak should seek the call, **484, 634**.

Question Time

If proceedings are interrupted which causes the Chair to continually call for order, few questions will be asked and few answers given, **5628**.

The member who asked the question was entitled to hear the answer, **5728**.

The President and Hansard were having **difficulty** hearing the Minister, **875, 1692**; over the noise of those trying to assist her, **875**.

Excessive interjection during question time does not assist Ministers to answer questions, and members should keep their comments to themselves, or at least within reasonable bounds, **2106**.

Answers should not be interrupted by **cross**-questioning by the member who asked the question, **2230**.

The purpose of question time is for honourable members to ask questions of Ministers relating to the administration of government and important public affairs. It is not an opportunity for honourable members to indulge in interrogatories during the Minister's answer, **2371**.

The President will not allow question time to become a series of interrogatories, and entreated a Minister not to indulge in banter. **2524**.

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

A Minister did not require the assistance of other members, **3656**; to answer a question, **2931, 5483**.

Members should listen to answers to questions without debate, **2931**

A Minister should be allowed to complete her answer without **interruption, 473**.

It facilitates question time if the Minister answers the question and not the interjections and if members desist from excessive **interjections, 1564**.

Members should allow the Minister to answer the question, **1847**, and members who ask questions should let the Minister answer without **interjection, 1955**.

The Chair will not allow question time to degenerate. Members were entreated to moderate their language and their **interjections, 5725**.

The President had **difficulty** hearing a member's question. **3402, 5953**; and a Minister's answer. **6065**.

A Minister did not require assistance from other members to answer a question, **3403**.

Members should allow Ministers to answer questions. **3301**.

A Minister was entitled to silence when answering a question, **3401**.

Ministers would conclude answers more quickly if members desisted from **interjection, 3301**.

Question time was not an opportunity for members to engage in slanging matches, **4620**.

Questions must be addressed to one Minister relating to that Minister's portfolio or to the portfolio represented by that Minister. If a member has a question relating to another Minister for another Minister, it will have to be the subject of a second question, **5953**.

Ministers' answers should be heard in silence, **6063**.

The House wants to hear the Minister's answer, not constant dialogue across the Chamber, **6062**.

Notices of Motions: Members, excluding Ministers or members giving contingent notices of motions, may give notice of only one general business notice of motion on each call from the Chair, **20**. It is in order for a member to give the same notices of motions that have been given by another member, **20**.

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

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

Obituary:

The Hon. Major Edward **Harris Humphries**, a former member of the Legislative Council, **19**.

The Hon. Robert **Reginald** Downing, AC, QC, a former member of the Legislative Council, **2873, 2877**.

Offensive and Objectionable Remarks, Imputations and Aspersions:

A member was cautioned against using unparliamentary language: "bloody" [hastily-thought-out decision], **4665**.

Suggestions or implications that a member or Minister is lying is a breach of the standing orders, as the claim impinges upon the integrity of that member or Minister, **3659**.

Expression required to be withdrawn: "redneck", **1959**; "dishonourable [member]". **3923**.

Expression not required to be withdrawn: "[he made grants], trying to buy votes", **3427**.

Standing Order 79 refers to the irreverent use of the name of Her Majesty or the Governor in debate and does not circumscribe the capacity of the House to consider any **form** of motion. The **form** of an amendment to a motion was not covered by that standing order, **46**.

The President, being unable to recall the precise words used, suggested that the question containing them be asked again, **131**.

The expression "National Party **mafia**" is not unparliamentary because it refers to the general and not the particular, which is the basis upon which members may take objection, **1022**.

The expression "doing a deal" is not unparliamentary; it means negotiating or coming to an arrangement, **6383**.

A member who feels he has been misrepresented has the opportunity to seek leave to make a statement at the appropriate time, **1145**.

A member was asked to withdraw a comment that another member was dishonourable, **3923**.

That a member says of another member that he is misleading the House does not necessarily imply that the member who is accused is deliberately **misleading** the House. **4639**.

The withdrawal of offensive remarks is not conditional; either the member withdraws or does not withdraw. **6376**.

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Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Personal Explanations:

Members should not canvass issues but should merely make a correction, if that is the intent, **2109**.

The purpose of a personal explanation is not to canvass views expressed by another member. The sole purpose of a personal explanation is to correct a misquotation or a misinterpretation of something that the member seeking to make the personal explanation believes occurred. **5188**.

Petitions: A petition, being a photocopy, was ruled out of order under Standing Order **36**, **1307**.

Points of Order:

Not Involved: **46**, **133**, **257**, **363**, **366**, **367**, **1022**, **1145**, **2221**, **2546**, **3288**, **3427**, **5628**, **5731**, **5848**, **5947**, **6382**.

Not Upheld:

Answer irrelevant, **2108**.

Her Majesty's name, **46**.

Member misrepresented, **1145**.

Notices of motions, **20**.

Relevance, **2359**, **5518**.

Upheld: Relevance, **6380**.

Members will address the point of order, **46**.

Procedure:

The President clarified that a member who rose to speak had been nominated by his leader to speak on the leader's behalf, **1125**.

Sessional orders quite clearly state that a party leader or a member nominated by that leader may respond, and it is not for the President to seek to question the integrity of a member who has been nominated by his leader and who makes a statement from the floor of the House, **1126**.

Pursuant to a point of order, the President put separate questions on the second reading of cognate bills. **2547**.

Sessional orders provide that on the motion for the adjournment of the House a member may speak on matters not relevant to the motion but may not refer to matters otherwise not in order. Although the matter that a member was speaking about was totally irrelevant to the adjournment of the House, the speech was not out of order, **6087**.

A member was in order moving a motion pursuant to Standing Order **108**, which provides "The Previous

Council, Legislative: Rulings, Observations and Opinions of the Chair (*continued*):
PRESIDENT (THE HON. M. F. WILLIS) (*continued*):

Question shall be put in the form "That the Question be now put", **6447**, **6448**.

The President informed the House that leave was refused by a magistrate at **Burwood** Local Court to allow the Crown Solicitor to appear as **amicus curiae** to address matters concerning parliamentary privilege, **3304**.

The President informed the House that the Crown Solicitor had been instructed to appear as **amicus curiae** to protect the privileges of Parliament after the Hon. S. B. Mutch had advised that he had received a subpoena to produce documents in a court case, **3495**.

The President reminded members that their rooms were private to them and that they should not breach the privacy of others. and reminded media representatives that the rules of the House allowed them to enter the rooms of Ministers and members only by invitation; and that ignorance of the rules if not accepted as a valid excuse, **3792**.

The President advised members to review their practices in relation to the security of their stationery and the signing of correspondence, **3793**.

Questions without Notice:

A member was asked to come to her question, and was subsequently deemed to have asked it, **774**.

Members questions should not be too detailed, **3659**.

A member was directed to ask his question, **3403**, **4519**, **4520**.

Members will ask questions, not make statements, **1843**.

A member was advised to put a question on notice, **2237**.

A member's question was close to being directed to be put on notice. **2373**.

Ministers are entitled to answer questions in whatever way they deem appropriate, **30**, **363**.

Ministers may answer questions if they wished or they may request that the questions be placed on notice. **3659**.

Ministers are not obliged to answer questions if they do not want to. Similarly, Ministers may answer questions in any manner they please. **5726**.

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

Unfortunately, precedents and presidential rulings are that Ministers' answers need not necessarily have **anything** to do with the questions, **2108**.

It would behove the processes of the House if the Minister returned to his answer to the question, **265**.

A Minister was directed to answer the question, **1320, 4620**; and not the interjection, **5948**.

A Minister should be permitted to answer the question. **3015. 3401**.

The President seriously questioned whether a question was supplementary but permitted the Minister to answer it if the Minister wished to do so, **270**.

A member was not permitted to ask a supplementary question, **2372**.

It is not proper for members to ask **Ministers** for detailed statistical information that they **cannot** be expected to have at their command, **2930**.

A question was allowed though it approached the type of question appropriate to be placed on the questions and answers paper, **4516**.

Questions must relate to matters of public concern and interest and to the administration of government, **6186**.

A question was in order as it related to the duties of publicly elected figures, **6186**.

Relevance: A member was reminded of the standing orders regarding relevance, **2359**.

Sub Judice Rule: A member who had said in his question that the matter was on appeal before the courts should take great care not to breach the sub judice rule, **1565**.

Suspension of Standing and Sessional Orders: Members should restrict themselves to argument on the question of suspension, **257**.

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