



# Standing Orders and Procedure Committee

REPORT 1/56 – AUGUST 2015

CHANGES TO THE STANDING AND SESSIONAL ORDERS,  
AND THE CITIZENS' RIGHT OF REPLY PROCEDURE

REPORTS  
COMMITTEES

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LEGISLATIVE ASSEMBLY  
OF NEW SOUTH WALES



LEGISLATIVE ASSEMBLY

STANDING ORDERS AND PROCEDURE COMMITTEE

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AND THE CITIZENS' RIGHT OF REPLY PROCEDURE

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The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

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# Membership

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## Terms of reference

The Standing Orders and Procedure Committee has been appointed to inquire into, and report on any matter relating to the Standing Orders or the procedures of the House and its committees.

## Speaker's foreword

At a meeting of the Standing Orders and Procedure Committee held on 25 August 2015, the Committee considered a number of proposed minor changes to the Standing and Sessional Orders, as well as amendments to the resolution providing for a Citizens' Right of Reply procedure.

### *Minor changes to the Standing and Sessional Orders*

Mostly, these changes are considered necessary in order to correct minor typographical and grammatical errors. In some instances, minor changes are considered necessary in order to update the rules so that they accurately reflect changes which have occurred in our parliamentary processes.

For example, it is proposed that Standing Orders 2 and 23 be amended so that Members have the option of making a "pledge of loyalty or oath".

These amendments would reflect the changes made to s12 of the *Constitution Act* in the 55th Parliament. This allows Members of Parliament and Ministers the option of making an oath, or affirmation of allegiance, to the Sovereign as an alternative to the pledge of loyalty to Australia and the people of New South Wales.

Another example of updating the rules so that they accurately reflect current practice, would be the proposal to rescind the restriction on holding a division on any question before 10:30 am on a sitting day, as prescribed by Standing and Sessional Order 187.

This restriction was originally introduced in 1994, at a time when the House was trialling new sitting hours, with 9.00 am starts on Wednesdays and Thursdays. Prohibiting divisions before 9.30 am allowed Members, particularly those from rural and regional electorates, some leeway if they were delayed when commuting to the House.

When the House moved to a 10.00 am start in 1996, the half hour provision moved with it to become no divisions before 10.30 am. It is the view of the Committee that the prohibition, while useful at a time when the House commenced at 9.00 am and regularly sat late into the evening, has now become redundant with our current 10.00 am starts and family friendly hours.

For similar reasons, the Committee also supports the removal of the restrictions on quorum calls prior to 10.30 am on a sitting day as prescribed by SO 45(2).

The Committee also considered the current provisions for Community Recognition Statements. It is the Committee's view that the two 15 minute periods currently provided for in Sessional Orders should be extended to 20 minutes. This increase is recommended as it recognises the popularity and effectiveness of these statements as a means by which Members acknowledge the work of individuals or groups in their electorates.

*Citizens' Right of Reply procedure*

In addition to considering changes to the Standing and Sessional Orders, the Committee also examined the resolution providing for a Citizens' Right of Reply procedure during the last Parliament.

The House published its first Right of Reply response in November 2013. With the procedure having run its full course, on reflection some minor amendments are considered necessary to "fine tune" the resolution for the 56<sup>th</sup> Parliament.

It should be noted that no changes are proposed which would fundamentally alter the right of a person, or corporation, to seek a Right of Reply, however certain parts of the resolution should be amended in order to reflect the current practices of this House.

Accordingly, the Committee is pleased to recommend to the House:

That the changes to the Standing and Sessional Orders and the Citizens' Right of Reply procedure adopted by the Standing Orders and Procedure Committee on 25 August 2015 be adopted by the House.

**The Hon. Shelly Hancock MP**

Chair

# List of recommendations

## **RECOMMENDATION 1**

That the House adopt the proposed changes to the Standing and Sessional Orders.

## **RECOMMENDATION 2**

That the House adopt the amended Citizens' Right of Reply procedure.

## Chapter One – Changes to the Standing Orders

**TABLE: SUMMARY OF PROPOSED CHANGES**

Standing Order	Proposed change
<b>SO 2</b> Meeting of new Parliament	Change the scope as Members now have the option of taking an <b>oath of allegiance</b> .
<b>SO 3</b> Meeting for a new session	Change the order so the House conducts some business <b>before</b> the speech or commission.
<b>SO 15</b> Absence of Speaker	Change the scope so that the Deputy Speaker can perform the Speaker's duties <b>without</b> the need for a prior announcement by the Clerk.
<b>SO 19</b> Temporary Speakers	Change the terminology from Acting Speaker to <b>Temporary Speaker</b> .
<b>SO 23</b> Pledge or oath other than on first sitting day	Change the scope as Members now have the option of taking an <b>oath of allegiance</b> .
<b>SO 42</b> Quorum – Chair's discretion	Change the grammar so that it reads " <b>a second or any subsequent</b> " instead of "any second or subsequent".
<b>SO 45(2)</b> Restrictions on quorum calls	Delete the part which <b>prohibits quorum calls before 10.30 am</b> .
<b>SO 80</b> Matters not open to debate	Change the scope so that <b>inaugural speeches</b> are included in the list.
<b>SO 91</b> Speaking to privilege	Change the grammar so it reads "prepared <b>a</b> notice".
<b>SO 110</b> Matters of public importance	Change the scope so that there are <b>no divisions</b> during matters of public importance.
<b>SO 131</b> Question Time	Change the grammar in the 10 questions provision from "whichever is the later" to "whichever is the <b>longer</b> ".
<b>SO 132</b> Written Questions	Change the scope so " <b>on a sitting day</b> " gives clarity to the procedure for lodging questions.
<b>SO 139</b> Notices of Motions - alterations	Change the scope so that an amended notice must be handed in <b>at least one sitting day</b> before the motion is moved.
<b>SO 187</b> Divisions – restrictions on	Delete the rule so that <b>a division can be conducted before 10.30 am</b> .

**SO 2: MEETING OF NEW PARLIAMENT – PROCEDURE FOR FIRST DAY**

Current Standing Order	Proposed change
<p><b>Meeting of new Parliament after a General Election</b></p> <p>2. On the first day of a new Parliament after a General Election the proceedings shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) Members shall assemble at the time and place specified in the Governor’s proclamation calling Parliament together and the Clerk shall read the Proclamation and announce the receipt of writs of election and the list of Members elected.</li> <li>(2) The House shall await a message from the Commissioner(s) appointed by the Governor for the Opening of Parliament.</li> <li>(3) The House shall attend at the place named in the message to hear the commission read. The House shall then return to its own Chamber.</li> <li>(4) The Commissioner(s) appointed by the Governor for administering the pledge to Members shall be announced, and the commission read by the Clerk.</li> <li>(5) The writ of election of each Member, with the return endorsed, shall be produced by the Clerk.</li> <li>(6) Members shall make a pledge of loyalty as prescribed by law and sign the roll.</li> <li>(7) The House shall then elect a Speaker (see SO 10 and Constitution Act 1902, section 31B)</li> <li>(8) Until a Speaker is elected, the Clerk shall preside and in any debate shall decide any point of order and determine which Member is entitled to address the House.</li> <li>(9) A Minister may then inform the House when the Governor will summon the House for the hearing of the Governor’s reasons for calling the Parliament together. The House may then adjourn to that hour.</li> </ol>	<p><b>Meeting of new Parliament after a General Election</b></p> <p>2. On the first day of a new Parliament after a General Election the proceedings shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) Members shall assemble at the time and place specified in the Governor’s proclamation calling Parliament together and the Clerk shall read the Proclamation and announce the receipt of writs of election and the list of Members elected.</li> <li>(2) The House shall await a message from the Commissioner(s) appointed by the Governor for the Opening of Parliament.</li> <li>(3) The House shall attend at the place named in the message to hear the commission read. The House shall then return to its own Chamber.</li> <li>(4) The Commissioner(s) appointed by the Governor for administering the pledge <b>or oath</b> to Members shall be announced, and the commission read by the Clerk.</li> <li>(5) The writ of election of each Member, with the return endorsed, shall be produced by the Clerk.</li> <li>(6) Members shall make a pledge of loyalty <b>or oath</b> as prescribed by law and sign the roll.</li> <li>(7) The House shall then elect a Speaker (see SO 10 and Constitution Act 1902, section 31B)</li> <li>(8) Until a Speaker is elected, the Clerk shall preside and in any debate shall decide any point of order and determine which Member is entitled to address the House.</li> <li>(9) A Minister may then inform the House when the Governor will summon the House for the hearing of the Governor’s reasons for calling the Parliament together. The House may then adjourn to that hour.</li> </ol>

### SO 3: MEETING FOR A NEW SESSION

Current Standing Order	Proposed change
<p><b>Meeting for a new session</b></p> <p><b>3.</b> On the first sitting day of a new session the proceedings shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) Members shall assemble at the time and place specified in the Governor's proclamation and the Clerk shall read the proclamation.</li> <li>(2) The Speaker shall read the prayer and acknowledgement of country and the House shall await a message from the Governor summoning the House to hear the Governor's opening speech or the commission read opening the session.</li> <li>(3) On receipt of the message the House shall attend at the place appointed.</li> <li>(4) After hearing the speech or commission read, the Speaker shall report and table the speech or the commission.</li> <li>(5) Before the speech or commission is reported the House shall conduct some business of a formal nature without notice, in assertion of its rights.</li> </ol>	<p><b>Meeting for a new session</b></p> <p><b>3.</b> On the first sitting day of a new session the proceedings shall be as follows:</p> <ol style="list-style-type: none"> <li>(1) Members shall assemble at the time and place specified in the Governor's proclamation and the Clerk shall read the proclamation.</li> <li>(2) The Speaker shall read the prayer and acknowledgement of country and the House shall await a message from the Governor summoning the House to hear the Governor's opening speech or the commission read opening the session.</li> <li>(3) On receipt of the message the House shall attend at the place appointed.</li> <li><b>(4) Before the speech or commission is reported the House shall conduct some business of a formal nature without notice, in assertion of its rights.</b></li> <li>(5) After hearing the speech or commission read, the Speaker shall report and table the speech or the commission.</li> </ol>

### SO 15: ABSENCE OF THE SPEAKER, DEPUTY SPEAKER AND ASSISTANT SPEAKERS

Current Standing Order	Proposed change
<p><b>Absence of or vacancy in the offices of Speaker, Deputy Speaker and Assistant Speaker</b></p> <p><b>15.</b></p> <ol style="list-style-type: none"> <li>(1) In the absence of the Speaker on a day when the House is sitting the Clerk shall inform the House and the Deputy Speaker shall perform the duties of the Speaker until the Speaker resumes the Chair.</li> <li>(2) In the absence of both the Speaker and Deputy Speaker on a day when the House is sitting the Assistant Speaker shall perform the duties of the Speaker.</li> </ol>	<p><b>Absence of or vacancy in the offices of Speaker, Deputy Speaker and Assistant Speaker</b></p> <p><b>15.</b></p> <ol style="list-style-type: none"> <li>(1) In the absence of the Speaker on a day when the House is sitting <b>the Deputy Speaker shall perform the duties of the Speaker.</b></li> <li>(2) In the absence of both the Speaker and Deputy Speaker on a day when the House is sitting the Assistant Speaker shall perform the duties of the Speaker.</li> </ol>

<p>(3) In the absence of the Speaker, Deputy Speaker and Assistant Speaker on a day when the House is sitting, a Temporary Speaker shall perform the duties of the Speaker.</p>	<p>(3) In the absence of the Speaker, Deputy Speaker and Assistant Speaker on a day when the House is sitting, a Temporary Speaker shall perform the duties of the Speaker.</p>
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### SO 19: TEMPORARY SPEAKERS – NOMINATION BY THE SPEAKER

Current Standing Order	Proposed change
<p><b>19.</b> The Speaker shall nominate, at the commencement of each Parliament, not more than 5 Members as Temporary Speakers who, in the absence of the Deputy Speaker and Assistant Speaker, may exercise the powers and duties of the Speaker, and who shall be referred to whilst in the Chair as Acting Speaker.</p>	<p><b>19.</b> The Speaker shall nominate, at the commencement of each Parliament, not more than 5 Members as Temporary Speakers who, in the absence of the Deputy Speaker and Assistant Speaker, may exercise the powers and duties of the Speaker, and who shall be referred to whilst in the Chair as <b>Temporary</b> Speaker.</p>

### SO 23: SWEARING OF MEMBERS, ROLL, REGISTER, LEAVE OF ABSENCE

Current Standing Order	Proposed change
<p><b>23.</b></p> <p>(1) Any Member not present on the first day of a new Parliament shall, at a subsequent sitting make the pledge of loyalty as prescribed in law and sign the roll.</p> <p>(2) A Member returned at a by-election may be escorted into the Chamber by Members and shall make the pledge of loyalty and sign the roll.</p>	<p><b>23.</b></p> <p>(1) Any Member not present on the first day of a new Parliament shall, at a subsequent sitting make the pledge of loyalty <b>or oath</b> as prescribed in law and sign the roll.</p> <p>(2) A Member returned at a by-election may be escorted into the Chamber by Members and shall make the pledge of loyalty <b>or oath</b> and sign the roll.</p>

### SO 42: QUORUM – CHAIR’S DISCRETION ON FURTHER QUORUM

Current Standing Order	Proposed change
<p><b>42.</b> The Speaker has discretion to proceed with business or order that the bells be rung on any second or subsequent quorum call on any one sitting day.</p>	<p><b>42.</b> The Speaker has discretion to proceed with business or order that the bells be rung on a second or <b>any</b> subsequent quorum call on any one sitting day.</p>

### SO 45: RESTRICTIONS ON QUORUM CALLS

Current Standing Order	Proposed change
<p><b>45.</b> Members shall not be permitted to call attention to the want of a quorum:</p> <ul style="list-style-type: none"> <li>(1) During Private Members’ Statements;</li> <li>(2) Before 10.30 am on any sitting day; or</li> <li>(3) On Friday sittings.</li> </ul>	<p><b>45.</b> Members shall not be permitted to call attention to the want of a quorum:</p> <ul style="list-style-type: none"> <li>(1) During Private Members’ Statements; or</li> <li>(2) On Friday sittings.</li> </ul>

### SO 80: MATTERS NOT OPEN TO DEBATE

Current Standing Order	Proposed change
<p><b>Matters not open to debate</b></p> <p><b>80.</b> The following matters are not open to debate nor amendment:</p> <ul style="list-style-type: none"> <li>(1) Adjournment of debate.</li> <li>(2) Adjournment of the House.</li> <li>(3) Extension of time.</li> <li>(4) Leave of the House.</li> <li>(5) Motion that a Member be suspended.</li> <li>(6) Motion that a Message be sent to the Legislative Council.</li> </ul>	<p><b>Matters not open to debate</b></p> <p><b>80.</b> The following matters are not open to debate nor amendment:</p> <ul style="list-style-type: none"> <li>(1) Adjournment of debate.</li> <li>(2) Adjournment of the House.</li> <li>(3) Extension of time.</li> <li>(4) Leave of the House.</li> <li>(5) Motion that a Member be suspended.</li> <li>(6) Motion that a Message be sent to the Legislative Council.</li> </ul>

<p>(7) Motion that leave of absence be granted.                  (8) To withdraw or postpone an order of the day.                  (9) Personal explanation.                  (10) "That inspection of the paper be restricted to Members only and that no copies or extracts thereof be permitted".                  (11) "That visitors be ordered to withdraw".                  (12) "That the bill be declared urgent".                  (13) "That the order of the day be discharged and the bill be withdrawn".                  (14) "That the Committee report be printed".                  (15) "That the Member for .... be further heard".                  (16) "That the Member for .... be not further heard".                  (17) "That the Member for .... be now heard."                  (18) "That the petition not be received".                  (19) "That the question be put as separate questions...".                  (20) "That the question be now put".                  (21) "That the question be not now put".                  (22) "That the Member's speaking time be extended".</p>	<p>(7) Motion that leave of absence be granted.                  (8) To withdraw or postpone an order of the day.                  (9) Personal explanation.                  (10) "That inspection of the paper be restricted to Members only and that no copies or extracts thereof be permitted".                  (11) "That visitors be ordered to withdraw".                  (12) "That the bill be declared urgent".                  (13) "That the order of the day be discharged and the bill be withdrawn".                  (14) "That the Committee report be printed".                  (15) "That the Member for .... be further heard".                  (16) "That the Member for .... be not further heard".                  (17) "That the Member for .... be now heard."                  (18) "That the petition not be received".                  (19) "That the question be put as separate questions...".                  (20) "That the question be now put".                  (21) "That the question be not now put".                  (22) "That the Member's speaking time be extended".  <b>(23) Motion to permit a Member to make an inaugural speech.</b></p>
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**SO 91: SPEAKING TO PRIVILEGE**

Current Standing Order	Proposed change
<p><b>Privilege or contempt suddenly arising in the House</b></p> <p><b>91.</b> A Member may rise on a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House. In order to move a substantive motion immediately or to request the Speaker to have a notice placed on the Business Paper with precedence, the Member must satisfy the Speaker (in a statement limited to 10 minutes) that:</p>	<p>...</p> <p>(3) The Member has prepared a notice of motion and the matter should proceed forthwith or have precedence for the next sitting day.</p>

<p>(1) The matter is one suddenly arising, relates to a matter then before the House and should be dealt with at the earliest opportunity;</p> <p>(2) There is a prima facie case; and</p> <p>(3) The Member has a prepared notice of motion and the matter should proceed forthwith or have precedence for the next sitting day.</p>	
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### SO 110: MATTERS OF PUBLIC IMPORTANCE

Current Standing Order	Proposed change
<p><b>Matters of public importance</b></p> <p><b>110.</b> The procedure for matters of public importance is as follows:</p> <p>(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12.00 noon on days when the House discusses a Matter of Public Importance and immediately published.</p> <p>(2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.</p> <p>(3) At least 30 minutes prior to the time for Question Time -</p> <p style="padding-left: 40px;">(a) the Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.</p> <p style="padding-left: 40px;">(b) the Speaker, by placing a notice on notice boards, shall inform Members of the matter.</p> <p>(4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.</p>	<p><b>Matters of public importance</b></p> <p><b>110.</b> The procedure for matters of public importance is as follows:</p> <p>(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12.00 noon on days when the House discusses a Matter of Public Importance and immediately published.</p> <p>(2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.</p> <p>(3) At least 30 minutes prior to the time for Question Time -</p> <p style="padding-left: 40px;">(a) the Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.</p> <p style="padding-left: 40px;">(b) the Speaker, by placing a notice on notice boards, shall inform Members of the matter.</p> <p>(4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.</p>

<p>(5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.</p> <p>(6) The following time limit shall apply:              Member submitting matter - 7 minutes              Member next speaking - 7 minutes              One other Member - 5 minutes              Reply - 5 minutes              Total - 24 minutes</p> <p>(7) At the conclusion of the discussion no question shall be put.</p> <p>(8) There shall be no dissent from the ruling of the Speaker in relation to the operation of this Standing Order.</p>	<p>(5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.</p> <p>(6) The following time limit shall apply:              Member submitting matter - 7 minutes              Member next speaking - 7 minutes              One other Member - 5 minutes              Reply - 5 minutes              Total - 24 minutes</p> <p>(7) At the conclusion of the discussion no question shall be put.</p> <p>(8) There shall be no dissent from the ruling of the Speaker in relation to the operation of this Standing Order.</p> <p><b>(9) A division on any question or quorum call shall not be permitted during matters of public importance.</b></p>
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### SO 131: QUESTION TIME

Current Standing Order	Proposed change
<p><b>Question Time</b></p> <p><b>131.</b> The procedure for Question Time is as follows:</p> <p>(1) Questions are asked orally and may be read and are subject to the same rules as written questions but shall not be recorded in the Questions and Answers Paper.</p> <p>(2) An answer to a question must not exceed five minutes.</p> <p>(3) At the conclusion of the Minister's answer to a question, the member who asked the question may, at the discretion of the Speaker, seek additional information from the Minister. The Minister's response on the additional information must not exceed two minutes.</p> <p>(4) The Speaker has discretion at any time during a Minister's answer to order that the timing clock be paused.</p>	<p><b>Question Time</b></p> <p><b>131.</b> The procedure for Question Time is as follows:</p> <p>(1) Questions are asked orally and may be read and are subject to the same rules as written questions but shall not be recorded in the Questions and Answers Paper.</p> <p>(2) An answer to a question must not exceed five minutes.</p> <p>(3) At the conclusion of the Minister's answer to a question, the member who asked the question may, at the discretion of the Speaker, seek additional information from the Minister. The Minister's response on the additional information must not exceed two minutes.</p> <p>(4) The Speaker has discretion at any time during a Minister's answer to order that the timing clock be paused.</p>

<p>(5) No question shall be asked after 45 minutes from the Speaker calling on questions or the answering of 10 questions whichever is the later.</p> <p>(6) One supplementary question per Question Time may be asked immediately by the Member asking the original question. The answer shall count as one of the 10 answers.</p> <p>(7) The Leader of the Opposition is entitled to be called first by the Speaker at the commencement of Question Time.</p> <p>(8) Ministers seeking to provide additional information to questions already answered at the current or a previous sitting shall do so at the conclusion of Question Time.</p>	<p>(5) No question shall be asked after 45 minutes from the Speaker calling on questions or the answering of 10 questions whichever is the <b>longer</b>.</p> <p>(6) One supplementary question per Question Time may be asked immediately by the Member asking the original question. The answer shall count as one of the 10 answers.</p> <p>(7) The Leader of the Opposition is entitled to be called first by the Speaker at the commencement of Question Time.</p> <p>(8) Ministers seeking to provide additional information to questions already answered at the current or a previous sitting shall do so at the conclusion of Question Time.</p>
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### SO 132: WRITTEN QUESTIONS

Current Standing Order	Proposed change
<p><b>Written Questions</b></p> <p><b>132.</b> The procedure for written questions is as follows:</p> <p>(1) Questions shall be handed to one of the Clerks-at-the-Table or lodged in the Procedure Office by 12.00 noon.</p> <p>(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:</p> <p style="margin-left: 20px;">(a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.</p> <p style="margin-left: 20px;">(b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.</p> <p>(3) The number of questions able to be lodged accumulative over one sitting week are:</p>	<p><b>Written Questions</b></p> <p><b>132.</b> The procedure for written questions is as follows:</p> <p>(1) Questions shall be handed to one of the Clerks-at-the-Table or lodged in the Procedure Office by 12.00 noon <b>on a sitting day for publication in the next sitting day's papers.</b></p> <p>(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:</p> <p style="margin-left: 20px;">(a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.</p> <p style="margin-left: 20px;">(b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.</p> <p>(3) The number of questions able to be lodged accumulative over one sitting week are:</p>

<p>(a) Members – three questions per sitting day</p> <p>(b) Leader of the Opposition – four questions per sitting day.</p> <p>(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day’s paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.</p> <p>(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.</p> <p>(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.</p>	<p>(a) Members – three questions per sitting day</p> <p>(b) Leader of the Opposition – four questions per sitting day.</p> <p>(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day’s paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.</p> <p>(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.</p> <p>(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.</p>
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**SO 139: NOTICES OF MOTIONS – ALTERATIONS OF NOTICE**

Current Standing Order	Proposed change
<p><b>139.</b> To alter a notice of motion already given, a Member must hand in an amended notice before the motion is moved. The amended notice must not exceed the scope of the terms of the original notice.</p>	<p><b>139.</b> To alter a notice of motion already given, a Member must hand in an amended notice <b>at least one sitting day</b> before the motion is moved. The amended notice must not exceed the scope of the terms of the original notice.</p>

**SO 187: DIVISIONS – RESTRICTIONS ON DIVISIONS**

Current Standing Order	Proposed change
<p><b>187.</b></p> <p>(1) The House shall not conduct a division on any question before 10.30 am on days when the House meets at an earlier time, or during Private Members' Statements. If a division is called prior to 10.30 am on such days, the division shall be deferred and conducted at 10.30 am and any business then before the House shall be interrupted and recommenced after the division(s).</p> <p>(2) On any Friday when the House sits, whether as a continuation of the sitting of the previous day or as a separate sitting day any divisions called shall be deferred, set down as orders of the day for the next sitting day and determined after Question Time.</p>	<p><b>Delete entirely</b></p> <p><b>NB This would also require the deletion of the current sessional order <u>and</u> the insertion of a "no divisions no quorums" provision into SO 110 if it is to be consistent with the Standing Order for Private Members' Statements and the sessional order for Community Recognition Statements.</b></p>

## Chapter Two – Changes to the Sessional Orders

**TABLE: SUMMARY OF PROPOSED CHANGES**

Sessional Order	Proposed change
<b>SO 45(2)</b> Restriction on quorum calls	Delete the part which <b>prohibits quorum calls before 10.30 am.</b>
<b>SO 80</b> Matters not open to debate	Change the scope so that <b>Inaugural speeches</b> are included in the list.
<b>SO 91</b> Speaking to privilege	Change the grammar so it reads “prepared <b>a</b> notice” and “ <b>to</b> have precedence”.
<b>SO 97</b> Routine of business	Change “Community Recognition Statements concluding at 1.30 pm” to “Community Recognition Statements concluding at <b>1.35 pm</b> ”.  Change the terminology from “committee reports presented” to “committee reports <b>tabled</b> ”.
<b>SO 108A</b> Community Recognition Statements	Change the time allocated in the routine of business for Community Recognition Statements from 15 minutes to <b>20</b> minutes.
<b>SO 110</b> Matters of Public Importance	Change the scope so that there are <b>no divisions</b> during Matters of Public Importance.
<b>SO 125A</b> Petitions signed by 10,000 or more	Change the scope so that there are <b>no divisions</b> during the petitions discussion.
<b>SO 132</b> Written Questions	Change the scope so “ <b>on a sitting day</b> ” gives clarity to the procedure for lodging questions.
<b>SO 187</b> Divisions – restrictions on	Delete the rule so that <b>a division can be conducted before 10.30 am.</b>

### SO 45: RESTRICTIONS ON QUORUM CALLS

Current Sessional Order	Proposed change
<p><b>45.</b> Members shall not be permitted to call attention to the want of a quorum:</p> <ul style="list-style-type: none"> <li>(1) During Private Members' Statements or Community Recognition Statements;</li> <li>(2) During Matters of Public Importance or the Discussion on a Petition signed by 10,000 or more persons;</li> <li>(3) During the establishment of and debate on a Motion Accorded Priority; or</li> <li>(4) Before 10.30 am on any sitting day.</li> </ul>	<p><b>45.</b> Members shall not be permitted to call attention to the want of a quorum:</p> <ul style="list-style-type: none"> <li>(1) During Private Members' Statements or Community Recognition Statements;</li> <li>(2) During Matters of Public Importance or the Discussion on a Petition signed by 10,000 or more persons; or</li> <li>(3) During the establishment of and debate on a Motion Accorded Priority.</li> </ul>

### SO 80: MATTERS NOT OPEN FOR DEBATE NOR AMENDMENT

Current Sessional Order	Proposed change
<p><b>80.</b> The following matters are not open to debate nor amendment:</p> <ul style="list-style-type: none"> <li>(1) Adjournment of debate.</li> <li>(2) Adjournment of the House.</li> <li>(3) Extension of time.</li> <li>(4) Leave of the House.</li> <li>(5) Motion that a Member be suspended.</li> <li>(6) Motion that a Message be sent to the Legislative Council.</li> <li>(7) Motion that leave of absence be granted.</li> <li>(8) To withdraw or postpone an order of the day.</li> <li>(9) Personal explanation.</li> <li>(10) "That inspection of the paper be restricted to members only and that no copies or extracts thereof be permitted".</li> <li>(11) "That visitors be ordered to withdraw".</li> <li>(12) "That the bill be considered an urgent bill".</li> <li>(13) "That this bill be read at a later time".</li> <li>(14) "That the Order of the Day be discharged and the bill be withdrawn".</li> <li>(15) "That the Committee report be printed".</li> <li>(16) "That the Member for ... be further heard".</li> </ul>	<p><b>80.</b> The following matters are not open to debate nor amendment:</p> <ul style="list-style-type: none"> <li>(1) Adjournment of debate.</li> <li>(2) Adjournment of the House.</li> <li>(3) Extension of time.</li> <li>(4) Leave of the House.</li> <li>(5) Motion that a Member be suspended.</li> <li>(6) Motion that a Message be sent to the Legislative Council.</li> <li>(7) Motion that leave of absence be granted.</li> <li>(8) To withdraw or postpone an order of the day.</li> <li>(9) Personal explanation.</li> <li>(10) "That inspection of the paper be restricted to members only and that no copies or extracts thereof be permitted".</li> <li>(11) "That visitors be ordered to withdraw".</li> <li>(12) "That the bill be considered an urgent bill".</li> <li>(13) "That this bill be read at a later time".</li> <li>(14) "That the Order of the Day be discharged and the bill be withdrawn".</li> <li>(15) "That the Committee report be printed".</li> <li>(16) "That the Member for ... be further heard".</li> </ul>

<p>(17) "That the Member for ... be not further heard".                  (18) "That the Member for ... be now heard".                  (19) "That the petition not be received".                  (20) "That the question be put as separate questions".                  (21) "That the question be now put".                  (22) "That the question be not now put".                  (23) "That the Member's speaking time be extended".</p>	<p>(17) "That the Member for ... be not further heard".                  (18) "That the Member for ... be now heard".                  (19) "That the petition not be received".                  (20) "That the question be put as separate questions".                  (21) "That the question be now put".                  (22) "That the question be not now put".                  (23) "That the Member's speaking time be extended".  <b>(24) Motion to permit a Member to make an inaugural speech.</b></p>
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**SO 91: SPEAKING TO PRIVILEGE**

Current Sessional Order	Proposed change
<p><b>91.</b></p> <p>(1) A Member may rise on a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House. In order to move a substantive motion immediately or to request the Speaker to have a notice placed on the Business Paper with precedence, the Member must satisfy the Speaker that:</p> <ul style="list-style-type: none"> <li>(a) the matter is one suddenly arising, relating to a matter then before the House which should be dealt with at the earliest opportunity;</li> <li>(b) there is a prima facie case; and</li> <li>(c) the Member has a prepared notice of motion.</li> </ul> <p>(2) When a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House is raised, the business before the House is suspended until the Speaker:</p> <ul style="list-style-type: none"> <li>(a) determines that there is no matter of contempt or breach of privilege; or</li> <li>(b) defers the matter and either continues or adjourns the business under consideration; or</li> </ul>	<p><b>91.</b></p> <p>(1) A Member may rise on a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House. In order to move a substantive motion immediately or to request the Speaker to have a notice placed on the Business Paper with precedence, the Member must satisfy the Speaker that:</p> <ul style="list-style-type: none"> <li>(a) the matter is one suddenly arising, relating to a matter then before the House which should be dealt with at the earliest opportunity;</li> <li>(b) there is a prima facie case; and</li> <li>(c) the Member has prepared a notice of motion.</li> </ul> <p>(2) When a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House is raised, the business before the House is suspended until the Speaker:</p> <ul style="list-style-type: none"> <li>(a) determines that there is no matter of contempt or breach of privilege; or</li> <li>(b) defers the matter and either continues or adjourns the business under consideration; or</li> </ul>

<p>(c) determines that a prima facie case exists and allows a notice of motion to be moved forthwith or have precedence for the next sitting; or</p> <p>(d) takes some other form of action.</p> <p>(3) The maximum time available to a Member to satisfy the Speaker in accordance with paragraph (1) of this standing order is 10 minutes. The Speaker may determine the matter prior to the expiration of the 10 minutes.</p> <p>(4) If the Speaker determines that a prima facie case exists the Member must move a motion seeking either:</p> <p>(a) the declaration of the House that a contempt or breach of privilege has occurred; or</p> <p>(b) the referral of the matter by the House to the Standing Committee on Parliamentary Privilege and Ethics for consideration.</p>	<p>(c) determines that a prima facie case exists and allows a notice of motion to be moved forthwith or <b>to</b> have precedence for the next sitting; or</p> <p>(d) takes some other form of action.</p> <p>(3) The maximum time available to a Member to satisfy the Speaker in accordance with paragraph (1) of this standing order is 10 minutes. The Speaker may determine the matter prior to the expiration of the 10 minutes.</p> <p>(4) If the Speaker determines that a prima facie case exists the Member must move a motion seeking either:</p> <p>(a) the declaration of the House that a contempt or breach of privilege has occurred; or</p> <p>(b) the referral of the matter by the House to the Standing Committee on Parliamentary Privilege and Ethics for consideration.</p>
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**SO 97: ROUTINE OF BUSINESS**

Current Sessional Order	Proposed change
<p><u>Wednesdays</u></p> <p>...</p> <p>4. Community Recognition Statements concluding at 1.30 pm.</p> <p><u>Thursdays</u></p> <p>...</p> <p>6. At 1.00 pm consideration of committee reports presented concluding at 1.30 pm. Any interrupted item of business shall stand as an Order of the Day for tomorrow.</p>	<p><u>Wednesdays</u></p> <p>...</p> <p>4. Community Recognition Statements concluding at <b>1.35 pm</b>.</p> <p><u>Thursdays</u></p> <p>...</p> <p>6. At 1.00 p.m. consideration of <b>tabled</b> committee reports concluding at 1.30 pm. Any interrupted item of business shall stand as an Order of the Day for tomorrow.</p>

**PROPOSED LEGISLATIVE ASSEMBLY SITTING DAY SCHEDULE FOR 2015**

	TUESDAY		WEDNESDAY		THURSDAY
		10.00 am	Meeting of House	10.00 am	Meeting of House
			Notices of Motions (General Business)		Notices of Motions (General Business)
12.00 noon	Meeting of House		Government Business		Introduction of General Business Notices of Motions for Bills
	Notices of Motions (General Business)			10.30 am	General Business Orders of the Day for Bills
	Private Members' Statements			11.30 am	Debate of General Business Notices of Motions or Orders of the Day (not being Bills)
				1.00 pm	Committee Reports (Take Note Debate)
		1.15 pm	Community Recognition Statements		
1.30 pm	Lunch	1.35 pm	Lunch	1.30 pm	Lunch
2.15 pm	Routine of Business and Question Time	2.15 pm	Routine of Business and Question Time	2.15 pm	Routine of Business and Question Time
			(Re-ordering of General Business – Bills and General Notices)		
	Motion Accorded Priority		Motion Accorded Priority		Government Business
At 4.00 pm	Government Business	At 4.00 pm	Government Business		Discussion on petitions signed by 10,000 or more persons
				At 4.30 pm	
			At 6.30 pm	Dinner	
		At 7.00 pm	Private Members' Statements		Community Recognition Statements
At 7.00 pm	Private Members Statements		Government Business		Private Members' Statements
	Matter of Public Importance				Adjournment at the conclusion of Private Members' Statements
At 7.45 pm	Adjournment at 7.45 p.m. or at the conclusion of the Matter of Public Importance				
		At 9.45 pm	Matter of Public Importance		
		At 10.00 p.m.	Adjournment at 10.00 pm or at the conclusion of the Matter of Public Importance		

**SO 108A: COMMUNITY RECOGNITION STATEMENTS**

Current Sessional Order	Proposed change
<p>That, during the current session, unless otherwise ordered, the following sessional order be adopted:</p> <p><b>108A.</b> The procedure for community recognition statements is as follows:</p> <ol style="list-style-type: none"> <li>(1) In accordance with the routine of business, the Speaker will ask if there are any community recognition statements.</li> <li>(2) Within the time allocated in the routine of business, Members may give community recognition statements for up to 1 minute each, for a total of 15 minutes.</li> <li>(3) Members may not give consecutive community recognition statements.</li> <li>(4) Community recognition statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.</li> <li>(5) Community recognition statements must not contain:                         <ol style="list-style-type: none"> <li>(a) Matters of policy;</li> <li>(b) Requests for the Government or the House, or another body to take some form of action or not; or</li> <li>(c) Criticisms or negative reflections on any person, including Members, Office Holders, the Government, the Opposition or a third party.</li> </ol> </li> <li>(6) A division on any question or quorum call shall not be permitted during community recognition statements.</li> </ol>	<p>That, during the current session, unless otherwise ordered, the following sessional order be adopted:</p> <p><b>108A.</b> The procedure for community recognition statements is as follows:</p> <ol style="list-style-type: none"> <li>(1) In accordance with the routine of business, the Speaker will ask if there are any community recognition statements.</li> <li>(2) Within the time allocated in the routine of business, Members may give community recognition statements for up to 1 minute each, for a total of <b>20</b> minutes.</li> <li>(3) Members may not give consecutive community recognition statements.</li> <li>(4) Community recognition statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.</li> <li>(5) Community recognition statements must not contain:                         <ol style="list-style-type: none"> <li>(a) Matters of policy;</li> <li>(b) Requests for the Government or the House, or another body to take some form of action or not; or</li> <li>(c) Criticisms or negative reflections on any person, including Members, Office Holders, the Government, the Opposition or a third party.</li> </ol> </li> <li>(6) A division on any question or quorum call shall not be permitted during community recognition statements.</li> </ol>

**SO 110: MATTERS OF PUBLIC IMPORTANCE**

Current Sessional Order	Proposed change
<p><b>110.</b> The procedure for matters of public importance within the daily routine of business, is as follows:</p> <ol style="list-style-type: none"> <li>(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12.00 noon and immediately published.</li> <li>(2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.</li> <li>(3) At least 30 minutes prior to the time for Question Time –                         <ol style="list-style-type: none"> <li>(a) The Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.</li> <li>(b) The Speaker, by placing a notice on notice boards, shall inform Members of the matter.</li> </ol> </li> <li>(4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.</li> <li>(5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.</li> <li>(6) The following time limits shall apply:                      Member submitting matter – 5 minutes                      Member next speaking – 5 minutes                      One other Member – 3 minutes                      Reply – 3 minutes                      Total – 16 minutes</li> <li>(7) At the conclusion of the discussion no question shall be put.</li> <li>(8) There shall be no dissent from the ruling of the Speaker in relation to the operation of this standing order.</li> </ol>	<p><b>110.</b> The procedure for matters of public importance within the daily routine of business, is as follows:</p> <ol style="list-style-type: none"> <li>(1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12.00 noon and immediately published.</li> <li>(2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.</li> <li>(3) At least 30 minutes prior to the time for Question Time –                         <ol style="list-style-type: none"> <li>(a) The Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.</li> <li>(b) The Speaker, by placing a notice on notice boards, shall inform Members of the matter.</li> </ol> </li> <li>(4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.</li> <li>(5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.</li> <li>(6) The following time limits shall apply:                      Member submitting matter – 5 minutes                      Member next speaking – 5 minutes                      One other Member – 3 minutes                      Reply – 3 minutes                      Total – 16 minutes</li> <li>(7) At the conclusion of the discussion no question shall be put.</li> <li>(8) There shall be no dissent from the ruling of the Speaker in relation to the operation of this standing order.</li> <li><b>(9) A division on any question or quorum call shall not be permitted during Matters of Public Importance.</b></li> </ol>

**SO 125A: PETITIONS SIGNED BY 10,000 OR MORE PERSONS**

Current Sessional Order	Proposed change
<p><b>125A.</b></p> <p>(1) The subject matter of every petition received by the House and certified by a Member and announced by the Speaker as having been signed by 10,000 or more persons, shall be automatically set down as an Order of the Day for discussion on a future day.</p> <p>(2) The Order of the Day shall take place at 4.30 pm on the Thursday of the next sitting week.</p> <p>(3) Any further petitions received before the first Order of the Day is disposed of shall be set down on succeeding Thursdays in the order in which they are presented.</p> <p>(4) The following time limits shall apply: First speaker – 5 minutes Member next speaking – 5 minutes Two other Members – 3 minutes each Total – 16 minutes</p> <p>(5) If a Member does not seek the call when the Order of the Day is called on, the Order of the Day will lapse.</p> <p>(6) The Order of the Day cannot be amended and at the conclusion of the discussion no question shall be put.</p>	<p><b>125A.</b></p> <p>(1) The subject matter of every petition received by the House and certified by a Member and announced by the Speaker as having been signed by 10,000 or more persons, shall be automatically set down as an Order of the Day for discussion on a future day.</p> <p>(2) The Order of the Day shall take place at 4.30 pm on the Thursday of the next sitting week.</p> <p>(3) Any further petitions received before the first Order of the Day is disposed of shall be set down on succeeding Thursdays in the order in which they are presented.</p> <p>(4) The following time limits shall apply: First speaker – 5 minutes Member next speaking – 5 minutes Two other Members – 3 minutes each Total – 16 minutes</p> <p>(5) If a Member does not seek the call when the Order of the Day is called on, the Order of the Day will lapse.</p> <p>(6) The Order of the Day cannot be amended and at the conclusion of the discussion no question shall be put.</p> <p>(7) <b>A division on any question or quorum call shall not be permitted during discussion of the Order of the Day.</b></p>

**SO 132: WRITTEN QUESTIONS**

Current Sessional Order	Proposed change
<p><b>132.</b> The procedure for written questions is as follows:</p> <ol style="list-style-type: none"> <li>(1) Questions shall be handed to one of the Clerks-at-the-Table or lodged in the Table Office by 12.00 noon.</li> <li>(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:                         <ol style="list-style-type: none"> <li>(a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.</li> <li>(b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.</li> </ol> </li> <li>(3) The number of questions able to be lodged over one sitting week are:                         <ol style="list-style-type: none"> <li>(a) Members – Nine questions per sitting week;</li> <li>(b) Leader of the Opposition – Twelve questions per sitting week.</li> </ol> </li> <li>(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day’s paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.</li> <li>(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.</li> </ol>	<p><b>132.</b> The procedure for written questions is as follows:</p> <ol style="list-style-type: none"> <li>(1) Questions shall be handed to one of the Clerks-at-the-Table or lodged in the Table Office by 12.00 noon <b>on a sitting day for publication in the next sitting day’s papers.</b></li> <li>(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:                         <ol style="list-style-type: none"> <li>(a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.</li> <li>(b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.</li> </ol> </li> <li>(3) The number of questions able to be lodged over one sitting week are:                         <ol style="list-style-type: none"> <li>(a) Members – Nine questions per sitting week;</li> <li>(b) Leader of the Opposition – Twelve questions per sitting week.</li> </ol> </li> <li>(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day’s paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.</li> <li>(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.</li> </ol>

<p>(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain. The Minister will continue to be called each sitting day until a written answer is submitted.</p>	<p>(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain. The Minister will continue to be called each sitting day until a written answer is submitted.</p>
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**SO 187: RESTRICTIONS ON DIVISIONS**

Current Sessional Order	Proposed change
<p><b>187.</b> The House shall not conduct a division on any question before 10.30 am on days when the House meets at an earlier time, during private Members' statements, community recognition statements, matters of public importance or the discussion on a petition signed by 10,000 or more persons. If a division is called prior to 10.30 am on such days, the division shall be deferred and conducted at 10.30 am and any business then before the House shall be interrupted and recommenced after the division(s).</p>	<p><b>Delete entirely.</b></p>

## Chapter Three – Changes to the Citizens' Right of Reply procedure

TABLE – PROPOSED CHANGES

Current resolution	Proposed resolution
<p><b>Sessional Order (551) - Citizens' Right of Reply</b>  <i>(Adopted 3 May 2011, Votes and Proceedings p. 36)</i></p> <p><i>That, during the current Parliament, unless otherwise ordered, the following Citizens' Right of Reply be adopted:</i></p> <p>(1) <i>That where a submission is made in writing by a person who has been referred to in the Legislative Assembly by name, or in such a way as to be readily identified:</i></p> <p>(a) <i>claiming that the person or corporation has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person or corporation; and</i></p> <p>(b) <i>requesting that the person be able to incorporate an appropriate response in Hansard,</i></p> <p><i>and the Speaker is satisfied:</i></p> <p>(c) <i>that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Standing Orders and Procedure Committee;</i></p>	<p><b>Sessional Order (561) - Citizens' Right of Reply</b></p> <p><i>That, during the current Parliament, unless otherwise ordered, the following Citizens' Right of Reply be adopted:</i></p> <p>(1) <i>That where a submission is made in writing by a person who has been referred to in the Legislative Assembly by name, or in such a way as to be readily identified:</i></p> <p>(a) <i>claiming that the person or corporation has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person or corporation; and</i></p> <p>(b) <i>requesting that the person be able to <del>incorporate an appropriate response in Hansard,</del> <u>have consideration given to an appropriate response being published by the Legislative Assembly or incorporated into Hansard,</u></i></p> <p><i>and the Speaker is satisfied:</i></p> <p>(c) <i>that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Standing Orders and Procedure Committee;</i></p>

Current resolution	Proposed resolution
<p>(d) <i>the submission was received within 6 months after the relevant comments were made in the House unless the applicant can show exceptional circumstances to explain the delay; and</i></p> <p>(e) <i>that it is practicable for the Committee to consider the submission under this resolution, the Speaker shall refer the submission to that Committee.</i></p> <p>(2) <i>That the Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Legislative Assembly.</i></p> <p>(3) <i>That if the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any member who referred in the Legislative Assembly to that person or corporation.</i></p> <p>(4) <i>That in considering a submission under this resolution, the Committee shall meet in private session.</i></p> <p>(5) <i>That the Committee shall not publish a submission referred to it under this resolution of its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Legislative Assembly.</i></p> <p>(6) <i>In considering a submission under this resolution and reporting to the Legislative Assembly the Committee shall not consider or judge the truth of any statements made in the Legislative Assembly or the submission.</i></p>	<p>(d) <i>the submission was received within 6 months after the relevant comments were made in the House unless the applicant can show exceptional circumstances to explain the delay; and</i></p> <p>(e) <i>that it is practicable for the Committee to consider the submission under this resolution, the Speaker shall refer the submission to that Committee.</i></p> <p>(2) <i>That the Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Legislative Assembly.</i></p> <p>(3) <i>That if the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any member who referred in the Legislative Assembly to that person or corporation.</i></p> <p>(4) <i>That in considering a submission under this resolution, the Committee shall meet in private session.</i></p> <p>(5) <i>That the Committee shall not publish a submission referred to it under this resolution of its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Legislative Assembly.</i></p> <p>(6) <i>In considering a submission under this resolution and reporting to the Legislative Assembly the Committee shall not consider or judge the truth of any statements made in the Legislative Assembly or the submission.</i></p>

Current resolution	Proposed resolution
<p>(7) <i>That in its report to the Legislative Assembly on a submission under this resolution, the Committee may make either of the following recommendations:</i></p> <p>(a) <i>that no further action be taken by the Committee or the Legislative Assembly in relation to the submission; or</i></p> <p>(b) <i>that a response by the person who made the submission, in terms specified in the report and agreed to by the person or corporation and the Committee, be published by the Legislative Assembly or incorporated in Hansard, and shall not make any other recommendations.</i></p>	<p>7) <i>That in its report to the Legislative Assembly on a submission under this resolution, the Committee may make either of the following <del>recommendations</del> <u>conclusions</u>:</i></p> <p>(a) <i>that no further action be taken by the Committee or the Legislative Assembly in relation to the submission; or</i></p> <p>(b) <i>that a response by the person who made the submission, in terms specified in the report and agreed to by the person or corporation and the Committee, be published by the Legislative Assembly or incorporated in Hansard <u>by the Speaker.</u> <del>and shall not make any other recommendations.</del></i></p>
<p>(8) <i>That a document presented to the Legislative Assembly under paragraph (5) or (7):</i></p> <p>(a) <i>in the case of a response by a person or corporation who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and</i></p> <p>(b) <i>shall not contain any matter the publication of which would have the effect of:</i></p> <p>(i) <i>unreasonably adversely affecting or injuring a person or corporation, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or</i></p> <p>(ii) <i>unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.</i></p>	<p>(8) <i>That a document presented to the Legislative Assembly under paragraph (5) or (7):</i></p> <p>(a) <i>in the case of a response by a person or corporation who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and</i></p> <p>(b) <i>shall not contain any matter the publication of which would have the effect of:</i></p> <p>(i) <i>unreasonably adversely affecting or injuring a person or corporation, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or</i></p> <p>(ii) <i>unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.</i></p>
<p>(9) <i>That a corporation making a submission under this resolution is required to make it under their common seal.</i></p>	<p>(9) <i>That a corporation making a submission under this resolution is required to make it under their common seal.</i></p>

STANDING AND SESSIONAL ORDERS AND CITIZENS' RIGHT OF REPLY  
CHANGES TO THE CITIZENS' RIGHT OF REPLY PROCEDURE

Current resolution	Proposed resolution
	<p><u>(10) The provisions of Standing Order 306, do not apply to any report made by the Committee to the Legislative Assembly under this resolution.</u></p>

## Appendix One – Extracts from Minutes

**5.00 pm, Tuesday 25 August 2015**  
**Speaker's Dining Room, Parliament House**

**Members present:**

The Hon. Shelley Hancock, Speaker (Chair)  
Mr Mark Coure MP  
Mr Stephen Bromhead MP  
Mr Michael Daley MP  
The Hon. Thomas George MP  
Ms Noreen Hay MP  
Mr Nick Lulich MP  
Mr Chris Patterson MP  
Mr Greg Piper MP  
The Hon. Anthony Roberts MP

**1. Apologies**

Mr Andrew Fraser MP

**2. Consideration of proposed changes to standing and sessional orders**

The Chair invited Members to discuss the proposed changes, noting Briefing Paper No.1 that had been previously circulated to members on 21 August 2015.

The Committee deliberated on the matter before resolving on the motion of Mr Piper, seconded by Mr Coure:

"That the proposed changes to standing and sessional orders be adopted as part of the Committee's report."

**3. Consideration of proposed changes to the Citizens' Right of Reply resolution**

The Chair invited Members to discuss the proposed changes, noting Briefing Paper No.2 that had been previously circulated to members on 21 August 2015.

The Committee deliberated on the matter before resolving on the motion of Mr Roberts, seconded by Mr Coure, that:

"That the proposed changes to the Citizens' Right of Reply, be adopted as part of the Committee's report.

That the proposed changes to standing and sessional orders and the Citizens' Right of Reply, as adopted by the Committee, be the report of the Committee.

That it be signed by the Chair and presented to the House; and that once tabled the report be published on the Committee's webpage.

That the Chair and committee staff be permitted to correct stylistic, typographical and grammatical errors."

**4. General Business**

The Chair invited Members to raise any matters of general business.

...

Members discussed additional time for Community Recognition Statements; and the Clerk circulated a briefing note on extending the current provision from 15 minutes to 20 minutes.

It was then resolved, on the motion of Mr Coure, seconded by Mr Piper:

"That the proposed changes to Community Recognition Statements be adopted as part of the Committee's report."

...

There being no further business, the Committee adjourned at 5.37 pm sine die.

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Chair

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Clerk