



Legislative Council

A PRACTICAL GUIDE FOR OCCUPANTS OF THE CHAIR

February 2017

Legislative Council
A practical guide for Occupants of the Chair

Foreword

This booklet is intended as a brief guide to parliamentary procedures for occupants of the Chair in the House and in committee of the whole House. It does not cover all matters that may arise, but is intended to provide guidance in dealing with the most common procedures. If in doubt on any aspect of procedure, advice may always be sought from a Clerk-at-the-Table.

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Contents

1	Introduction to the role of the Chair	1
	Elections: President, Deputy President and Chair of Committees, and Assistant President	1
	Appointment of Temporary Chairs	1
	Absence of President or Chair of Committees	1
	Role of the Chair	1
	Powers of the Chair	2
	Scripts provided to the Chair	2
	Messages from the Governor	2
	Messages from the Assembly	3
2	Sources of authority in the Chair	4
	Constitution Act 1902	4
	Standing orders	4
	Sessional orders	4
	Resolutions of continuing effect	5
	Presidents' Rulings	5
	NSW Legislative Council Practice	5
	Advice from the Clerks	6
3	Questions before the House / allocating the call	7
	Notices of motions/ orders of the day	7
	Pre-audience	7
	Allocating the call to speak	7
	During Question Time	8
4.	Rules of debate/ questions of order	9
	Remarks addressed through the Chair	9
	Members referred to by their correct title	9
	Speaking to the question/relevance	9
	Speaking once and speaking in reply	9
	Time limits and options for extending debate	10
	Tabling documents	10
	Incorporating in Hansard	11
	Granting of leave	11
	Personal explanations	12
	Sub-judice convention	12
	Quorum	12
	Interjections	13
	Offensive language	13
5.	Putting a question / divisions	14
	Putting the question	14

Legislative Council
A practical guide for Occupants of the Chair

Putting the question on amendments	15
Putting the question on amendments to amendments	15
Putting the question on amendments to a bill in committee of the whole	15
Divisions	16
Procedure on an equality of votes	18
6. Interruption of business, according to sessional order	19
7. Adjourning or postponing debate / suspending a sitting	20
Postponement	20
Adjournment	20
Suspending a sitting	20
8. Proceedings on bills	21
Bills originating in the Assembly	21
Second reading	22
9. Maintaining order in the House	26
Rulings	26
Points of order	26
Naming and suspension of member	27
Dissent from a ruling of the Chair	27
Appendix 1 Sample President's program	28
Appendix 2 Examples of scripts (loqs)	35
Appendix 3 Time limits applying in debates	39

1 Introduction to the role of the Chair

Elections: President, Deputy President and Chair of Committees, and Assistant President

- 1.1** A member is elected as President of the Legislative Council before the Council commences business at its first meeting following any periodic Council election and at any other time when the office becomes vacant.¹ Similarly, the Deputy President and Chair of Committees and the Assistant President are elected at the first sitting following a periodic Council election and whenever a vacancy occurs.²

Appointment of Temporary Chairs

- 1.2** At the beginning of each session and as required, the President nominates a panel of not less than three members who may act as Temporary Chairs of Committees.³

Absence of President or Chair of Committees

- 1.3** In the absence of the President either before or during a sitting of the House, the Deputy President, Assistant President or one of the Temporary Chairs takes the Chair and performs the duties of the President.
- 1.4** In the absence of the Chair of Committees in committee of the whole, one of the Temporary Chairs can take the Chair and perform the duties of the Chair of Committees.⁴

Role of the Chair

- 1.5** The Chair's role is to guide the House through the conduct of business, to maintain order, to put questions after debate and conduct divisions. In maintaining order the Chair interprets and applies the standing orders and the practice of the House by making rulings and decisions.
- 1.6** The Chair is also the conduit for communications between the House and the Governor and the Assembly. The Chair is routinely called upon to report messages from the Governor and the Assembly during breaks in proceedings.
- 1.7** When occupying the Chair, the President is referred to as 'Mr/Madam President', the Deputy President and Chair of Committees is referred to as 'Mr/Madam Deputy President', the Assistant President is referred to as 'Mr/Madam Assistant President', and a Temporary Chair is referred to as 'Mr/Madam Deputy President.'

¹ SO 12.

² SO 15.

³ SO 18.

⁴ SO 174.

Legislative Council
A practical guide for Occupants of the Chair

Powers of the Chair

- 1.8** When occupying the Chair during a sitting of the House, the Deputy President, Assistant President or a Temporary Chair exercises the same authority as the President.⁵
- 1.9** The Chair in committee of the whole exercises the same authority as the President with the exception of dealing with disorderly conduct by a member.⁶

Scripts provided to the Chair

- 1.10** On each sitting day, the Clerk provides a ‘President’s Program’ to the President, Deputy President, Assistant President and Temporary Chairs. The program contains a script for the Chair containing all business expected to be considered by the House. A sample copy is attached as Appendix 1.
- 1.11** During the day, the Clerk may provide additional scripts to the Chair to assist in the management of particular types of business. For example, during the consideration of a bill, the Clerk will hand the Chair a script that corresponds to that particular stage of the bill. The Chair will similarly be provided with a script for other types of business that arise unexpectedly. The Clerks are always available to explain or expand upon the advice contained in the program.

Messages from the Governor

- 1.12** If a message from the Governor is delivered when the House is not sitting, it is included in the President’s Program and is the first item reported by the Chair on the next sitting day. If a message from the Governor is received while the House is sitting, it is delivered to the Clerk who then hands it to the Chair to be read as soon as practicable after receipt, usually when there is a break in proceedings. The Clerk will provide the Chair with the appropriate script.
- 1.13** However, if necessary proceedings can be interrupted to allow the Chair to read the message and for the House to determine either to take the message into consideration at once, or to fix a future day for its consideration. Similarly, if a message is received from the Governor when the House is in committee, the President may resume the Chair without any question being put. After the message has been dealt with, the President will leave the Chair and the committee will resume its proceedings.⁷
- 1.14** The most common messages from the Governor will be assents to bills or related to the assumption of the administration of the State in the absence or return of the Governor. No further action is required after these sorts of messages are reported (read out).

⁵ SO 17 (1).

⁶ See SO 175 and 190.

⁷ SO 122.

Legislative Council
A practical guide for Occupants of the Chair

Messages from the Assembly

- 1.15** If a message from the Assembly is delivered when the House is not sitting it is included in the President's Program and is reported by the Chair on the next sitting day, directly after any messages from the Governor. If a message from the Assembly is received while the House is sitting, it is delivered to the Clerk who then hands it to the Chair to be read when there is a break in proceedings.
- 1.16** The most common messages from the Legislative Assembly are those forwarding bills for concurrence. In these cases a series of procedural motions follow immediately. Once again, the Clerk will provide the Chair with the appropriate script. An example is provided in Appendix 2.

2 Sources of authority in the Chair

There are various sources of authority when occupying the chair in the House or in committee of the whole to which Chairs may have recourse. These are discussed below.

Constitution Act 1902

- 2.1 The *Constitution Act 1902* provides the fundamental source of authority for the Legislative Council and the Chair.⁸ The Act includes provisions concerning the sessions of Parliament and meetings of the Council,⁹ the operations of the Council,¹⁰ and the legislative process.¹¹

Standing orders

- 2.2 The standing orders are the primary rules and orders regulating the proceedings of the House. Section 15(1) of the *Constitution Act 1902* affords each House of Parliament the power to adopt standing rules and orders regulating the orderly conduct of business, subject to the approval of the Governor. The most recent set of standing orders, of which there are 234, were approved by the Governor in May 2004.
- 2.3 The Chair applies and interprets the standing orders where necessary by making rulings. In interpreting the standing orders, individual orders should be read in conjunction with other relevant orders and regard had to the plain or ordinary meaning of the words used. The standing orders should also be interpreted with regard to the practice and precedent of the Legislative Council, and in a manner which upholds the powers, immunities and dignity of the House.

Sessional orders

- 2.4 Sessional orders are temporary orders of the House which regulate aspects of its procedures. Unlike standing orders they do not require the approval of the Governor but commence once adopted by resolution of the House. They expire at the end of the session in which they were adopted and need to be re-adopted in the next session if they are to continue.
- 2.5 Sessional orders are generally used in one of two ways. Firstly, sessional orders may be used to augment or interpret standing orders. For example, standing order 35 specifies that '(t)he days and times of meeting of the House in each sitting week will be determined by the House from time to time'. Pursuant to this standing order, the House routinely adopts a sessional order specifying the times that the House shall meet on Tuesday, Wednesday and Thursday.

⁸ In addition to the sources of authority discussed in this chapter, the Legislative Council, like the Legislative Assembly, also relies on the common law as an essential source of authority for the law of parliamentary privilege. Chairs should consult the Clerk in relation to any issues arising in relation to parliamentary privilege.

⁹ *Constitution Act 1902*, Sections 10, 10A, 11 and 22F.

¹⁰ *Constitution Act 1902*, Sections 15, 22G, 22H, 22I, 47.

¹¹ *Constitution Act 1902*, Sections 5, 5A, 5B, 5C, 7A, 7B, 8A, Part 5.

Legislative Council
A practical guide for Occupants of the Chair

- 2.6 Secondly, sessional orders may be used to override a standing order, or to implement a new procedure not addressed in the standing orders. For example, standing orders 29 and 30 concerning quorum have been varied by sessional order to set out new procedures to be followed when there is an absence of a quorum in the House.

Resolutions of continuing effect

- 2.7 The House may adopt resolutions which have continuing effect until such time as they are amended or rescinded.¹² Such resolutions are passed where the intent is to establish procedures beyond the duration of a session without the permanency of a standing order or in relation to a matter which does not strictly relate to the ‘orderly conduct’ of the House under section 15 of the *Constitution Act 1902*.

- 2.8 For example, resolutions of continuing effect have been made declaring the precincts of the Parliament to be a smoke-free environment,¹³ authorising the broadcast of proceedings of the Council,¹⁴ and adopting a Code of Conduct for Members.¹⁵

Presidents’ Rulings

- 2.9 Where doubt arises as to the application or interpretation of standing orders, or where a particular circumstance is not provided for, it is the duty of the Chair to give a ruling. While previous rulings are not strictly binding, Chairs tend to follow the decisions of their predecessors, unless rules or orders of the House have changed or important new factors or considerations arise. The Council maintains and updates a document entitled *Selected Rulings of the President* which contains significant rulings made since 1975. An earlier document containing selected rulings from 1856 to the 1975 is also available. The *Selected Rulings of the President* also lists matters on which numerous consistent rulings have been made over the years.

- 2.10 The Procedure Office has also recently published the *Selected Rulings of the Chair*, capturing key rulings of the Chair of Committees in committee of the whole.

NSW Legislative Council Practice

- 2.11 *New South Wales Legislative Council Practice* is a valuable reference tool for members and staff. The book collates information regarding the history, practice and procedure of the Legislative Council into a single volume. Similarly, reference may be made to other parliamentary reference books such as *Odgers* (Australian Senate) and *Erskine May* (House of Commons) for practice and precedents in other Westminster Parliaments.

- 2.12 From time to time the Department of the Legislative Council also issues procedural guides on specific matters which are also a valuable resource.

¹² SO 79.

¹³ *LC Minutes* (9/11/1993) pp 363-364.

¹⁴ *LC Minutes* (11/10/1994) pp 279-281; (18/10/2007) pp 279-281.

¹⁵ *LC Minutes* (26/5/1999) pp 91-92, (21/6/2007) pp 148-152.

Legislative Council
A practical guide for Occupants of the Chair

Advice from the Clerks

- 2.13** In the Chamber, the Clerk or other officer occupying the Clerk's chair is always available to provide expert advice on the proceedings of the Council and parliamentary law, practice and procedure.

3 Questions before the House / allocating the call

The conduct of business of the House invariably involves debate and resolution of a question: for example, that a bill be read a second time, or that the House take note of a particular report, or that an amendment to a bill be agreed to. As a Chair, the question before the House provides the essential context to the control of proceedings and management of debate in the chamber.

Notices of motions/ orders of the day

- 3.1 Questions before the House for debate and resolution may arise in two ways.
- 3.2 Notices of motions are new proposed business – chiefly, business that has not come before the House, but of which notice has been given of the intention to bring the matter before the House.
- 3.3 Orders of the day are items of business that have already been before the House but are not concluded and which the House has ordered to be taken into consideration at a future time on a particular day.¹⁶

Pre-audience

- 3.4 Pre-audience is the term given to the right of members to be heard before other members when an item of business comes on for debate. For example, a minister or member introducing a bill into the House for the first time has pre-audience. Similarly, where an item of business has been interrupted or adjourned and consequently set down on the Notice Paper as an order of the day for a later hour, the member who was last speaking has pre-audience. In both instances, the entry of the item of business on the Notice Paper lists the member with pre-audience.

Allocating the call to speak

- 3.5 A member wishing to speak must rise in his or her place and seek the call. To do so, the member says “Mr/Madam President/Deputy President/Assistant President” or “Mr/Madam Chair” and waits to be given the call. Temporary Chairs should be addressed as “Mr/Madam Deputy President”. If a member cannot rise due to sickness or infirmity, the member may speak while seated.¹⁷
- 3.6 The Chair may allocate the call at his or her discretion. However, the following practices are usually followed in allocating the call:
- The Leader of the Government and the Leader of the Opposition are given the call before other members.

¹⁶ SO 80.

¹⁷ SO 85.

Legislative Council
A practical guide for Occupants of the Chair

- After a minister in charge of a bill or other matter has spoken, the call is usually given to the member leading for the Opposition.
- After a private member in charge of a bill or other matter has spoken, the call is usually given to the Leader of the Government or another minister.
- Members are usually called from each side of the chamber (Government/Opposition/Cross-bench) alternately.
- The Chair may be assisted in giving the call by a list of speakers provided by the Government Whip. This list is an unofficial guide only and any member not included in the list may seek the call at any time. In committee of the whole, a speakers list is not provided, as members may speak more than once to each question.
- In committee of the whole, the Chair will usually call on the member in whose name stands the first or next amendment occurring in the bill.
- The Chair should not give the call to a member if doing so would have the effect of closing the debate (eg, speaking in reply) if there are other members seeking the call.

During Question Time

- 3.7** The President usually takes the Chair during Question Time. While the Chair has discretion to allocate the call at his or her discretion, over successive years a practice has developed of the Chair first calling the Leader of the Opposition, and then alternately calling from the government, opposition and cross bench sides of the chamber to ensure that the allocation of questions between members is equitably distributed.¹⁸ The Clerks keep a record of each member who has been allocated the call.

¹⁸ President Harwin adopted a slight variation on the sequence for the calling of members at the start of Question Time: Leader of the Opposition, Government, Deputy Leader of the Opposition, Cross Bench, Government, Cross Bench.

4. Rules of debate/ questions of order

The House has adopted a broad range of rules of debate to ensure that debate is conducted in a civil manner, while ensuring that all members are entitled to speak freely, regardless of whether or not their opinions accord with the majority. It is the role of the Chair to ensure that these rules are upheld, and that members' behavior, both to other members, and as representatives of the electorate, is acceptable and upholds the dignity of the House.

Remarks addressed through the Chair

- 4.1 Members speaking on a motion must address their remarks through the Chair as it is considered disorderly to address remarks directly to other members in the chamber.¹⁹

Members referred to by their correct title

- 4.2 In debate, when a member makes reference to another member he or she must use that member's correct title. Members are referred to as:

'The Honourable (name of member)'

Or by the office they hold:

'The Honourable Minister for ...'; or 'The Honourable Leader of the Opposition'

- 4.3 In some instances members have elected that they not be referred to as 'the Honourable' in the chamber, in which case they should be referred to by their preferred prefix (Mr, Ms, Mrs).

Speaking to the question/relevance

- 4.4 Members may not diverge from the subject matter of the question before the House.²⁰ There are numerous rulings in the *Selected Rulings of the President* and *Selected Rulings of the Chair* to assist the Chair in determining relevance. Where a member is not being relevant, the Chair may call a member to order and/or remind the member that his or her remarks must address the question before the House.

Speaking once and speaking in reply

- 4.5 Under standing order 87, except where expressly provided for, a member may only speak once in debate on a question before the House.²¹ The important exceptions to this rule are described below.

¹⁹ SO 85(1).

²⁰ SO 92.

²¹ SO 87.

Legislative Council
A practical guide for Occupants of the Chair

- 4.6** A member may speak a second time in reply when he or she moved a substantive motion or moved the first, second or third reading of a bill. Since the reply of the mover closes the debate, the Chair will not call the member to speak in reply if there is any other member who has not spoken and who is seeking the call to speak.
- 4.7** During debate on a motion, a member may move an amendment to the motion. In this circumstance, any other member who has already spoken in the debate may speak a second time but must restrict his or her remarks to the subject matter of the amendment.
- 4.8** In unusual circumstances, a member may also speak a second time on a question to explain a matter on which the member has been misquoted or misunderstood. However, the member may not introduce new material into the debate.²²
- 4.9** A member may speak more than once on a question during debate in committee of the whole.²³

Time limits and options for extending debate

- 4.10** Time limits on certain types of debate and speeches facilitate debate and provide the opportunity for members to be heard in regard to matters before the House. Time limits now apply to debate on:
- Adjournment motions (SO 31)
 - Urgency motions (SO 201)
 - Matter of public importance (SO 200)
 - Ministerial statements (SO 48)
 - Motions for the disallowance of statutory instruments (SO 78)
 - Motions for the suspension of standing orders (SO 198)
 - All private members' business (SO 186 and sessional order & SO 187)
 - Question Time (SO 64)
 - Committee reports (SO 232)
 - Government bills (under sessional order).
- 4.11** Appendix 3 contains the time limits applying to the above debates.
- 4.12** In debate on any other item of business or question before the House, there is no limit on members' speaking time or on the overall debate time.

Tabling documents

- 4.13** The Chair is authorised to table documents when there is no other business before the House.²⁴ The Chair routinely tables certain documents under various statutes and often the relevant legislation provides that these reports are to be tabled within a specific time.

²² SO 89.

²³ SO 87(2).

²⁴ SO 54(1).

Legislative Council
A practical guide for Occupants of the Chair

- 4.14** Similarly, a Minister may table a document at any time when there is no other business before the House. However, other members may only table a document after leave of the House has been obtained, and unless authorised by the House to be made public, such documents are available for inspection by members of the House only.²⁵

Incorporating in Hansard

- 4.15** Hansard is intended to be a record of words spoken and things done in the course of a debate, hence the standing orders do not make provision for additional material to be incorporated in Hansard. Members on occasion seek the leave of the House to incorporate material in Hansard, with the most common example being a minister seeking leave to incorporate into Hansard his or her second reading speech on a bill that was introduced in the Assembly. Less frequently, private members may seek the leave of the House to incorporate material.
- 4.16** However, while incorporating material in Hansard may save the House time, this must be balanced against the principle that Hansard acts as a true record of what is said in the House. Other objections to the practice include that a speech may be lengthened beyond the members' entitlement under the standing orders, incorporated material may contain irrelevant or defamatory matter and that other members will not be aware of the contents of the material until Hansard has been published, and therefore not have an opportunity to rebut or answer claims made.
- 4.17** Various rulings of the Chair have determined the ambit of material which can be incorporated in Hansard. In addition, the House is the final arbiter of what will be incorporated in respect to the technical capabilities of Hansard to reproduce material.

Granting of leave

- 4.18** Leave is the unanimous consent of members present by which a House grants permission to a member to do something.
- 4.19** The Standing Orders specifically require leave for certain things to happen (eg private members tabling documents, the giving of a notice of motion after the House has proceeded past the point in formalities for the giving of notices, the making of a personal explanation, the withdrawal of a call for a division, and as one of the mechanisms available for the suspension of standing orders). The requirement for leave in these instances tends to facilitate prior consultation with other members. Leave can also be sought to do things that are otherwise not provided for in the Standing Orders or which are contrary to the Standing Orders. Once leave is granted for an action it cannot be withdrawn after that action has taken place. (However, where a member granted leave to make a personal explanation goes beyond the bounds of a personal explanation and introduces new material or makes debating points, leave may be withdrawn.)

²⁵ SO 54.

Legislative Council
A practical guide for Occupants of the Chair

- 4.20** In the Legislative Council, leave must be granted by the whole House. The Chair enquires: “Is leave granted?” One objection means that leave is denied. There is no practice in the Legislative Council for the Chair to grant leave (what is referred to in some jurisdictions as “indulgence.”)

Personal explanations

- 4.21** A member may seek the leave of the House to make a personal explanation.²⁶ With the leave of the House, a member may make a personal explanation at any time of the sitting day when there is no business before the House. A personal explanation cannot be made during the course of debate.

Sub-judice convention

- 4.22** Sub-judice means any matter before a judge or court of law. The sub-judice convention has developed so that members refrain from commenting in debate, motions, questions or committee proceedings on any matter that is currently being heard before the courts, so as to prevent prejudicing proceedings. There are, however, various principles and practices that are applied in considering the operation of the convention. Reference may be made to the *New South Wales Legislative Council Practice*²⁷ and the *Selected Rulings of the President*.²⁸
- 4.23** The Chair is the final arbiter in sub-judice issues and has absolute discretion in making a ruling to prevent or allow discussion. The Chair must decide whether a motion, debate or question might prejudice proceedings before a court. Care must be taken to not unduly constrain members from exercising their freedom of speech, for example, to debate matters that may be being discussed in the media. The convention tends to be applied more rigorously in relation to criminal trials than civil cases, however, is only applied where there is a real possibility of prejudicing proceedings.

Quorum

- 4.24** The quorum of the House is eight members in addition to the President or Chair.²⁹ The quorum for the committee of the whole is the same as for the House.
- 4.25** If any member calls attention to the absence of a quorum in the House during a sitting, the Chair will direct the Clerk to ring the bells for up to 5 minutes. If a quorum is formed during that time, the interrupted proceedings continue. If after 5 minutes a quorum has not formed, the member in the Chair directs the Clerk to record the names of those present and adjourns the House to the next sitting day or until a later hour.³⁰
- 4.26** In committee of the whole, if attention is called to the absence of a quorum, the bells are rung for 5 minutes. If a quorum is not formed, the Chair leaves the Chair and reports to the House. The President will then direct the bells to be rung for a further 5 minutes.

²⁶ SO 88.

²⁷ *Legislative Council in Practice*, pp 320-326.

²⁸ *Selected Rulings of the President*, pp 141-143.

²⁹ *Constitution Act 1902*, section 22H.

³⁰ SOs 29 and 30, amended by sessional order, *LC Minutes* (6/5/2015) pp 56-57.

Legislative Council
A practical guide for Occupants of the Chair

- 4.27 In addition, standing order 34 states that the House will not meet unless a Minister³¹ is present in the House.

Interjections

- 4.28 Members are entitled to be heard in silence, therefore, interjections are considered disorderly at all times. There are numerous examples of rulings in this regard in the *Selected Rulings of the President*.

Offensive language

- 4.29 A member is not permitted to use unparliamentarily or offensive language against either the House or any member of the House.³² It is important to distinguish between unparliamentary language (the broader term) and offensive words (a narrower more serious subset of unparliamentary language). The appropriate course of action with unparliamentary language is for the Chair to direct the member to desist. With offensive words the Chair may, in appropriate cases, direct the member to withdraw. Refusal to withdraw (unconditionally) is grossly disorderly. However, given those consequences a number of factors are taken into account in determining whether words are ‘offensive’. These include the requirement that the remark be personal, rather than political or addressed to a group, and that the member to whom the remark is directed must take objection personally. There is a body of precedent in the *Selected Rulings of the President* as to expressions ruled to be offensive or not offensive. However, ultimately it is up to the Chair to place themselves in the position of the member to whom the remark is directed and to exercise their discretion in determining whether or not the remark is in their view offensive.³³

³¹ Under SO 25 this may be a Parliamentary Secretary.

³² SO 91(3).

³³ Rulings: Johnson, *LC Debates*, (31/3/1987) pp 9586; Primrose, *LC Debates*, (3/4/2008) pp 6346.

5. Putting a question / divisions

When debate on a question has concluded, the Chair puts the question to the House or committee.³⁴ In some cases, the Clerks will provide the Chair with a script containing prompts as to the manner in which the question should be put. These scripts are particularly helpful when putting the question on bills, which sometimes require a question to be put on a series of procedural motions.

The paragraphs below provide a general guide to the manner in which a question should be put by the Chair.

Putting the question

5.1 The general principle governing the putting of questions by the Chair is that the question should reflect as closely as possible the terms of the motion moved.

5.2 For example, when the motion that the House has been discussing is straightforward and brief, eg: “That the House take note of the report (of)”, it is usual practice for the question to be put in full:

The question is: That the House take note of the report (of....). Those of that opinion say “aye”, against say “no”; I think the “ayes/noes” have it.

5.3 In the case of lengthy or complex motions, however, it is reasonable to put the question in the form:

The question is: That the motion moved by (name of member) be agreed to. Those of that opinion say “aye”, against say “no”; I think the “ayes/noes” have it.

5.4 In some circumstances it is reasonable for an abbreviated form of the question to be put. For example, a motion for suspension of standing orders could reasonably be abbreviated to:

The question is: That the motion for suspension of standing orders be agreed to. Those of that opinion say “aye”, against say “no”; I think the “ayes/noes” have it.

5.5 In the case of routine procedural motions, such as those for the introduction of a bill where a question is put immediately after the motion has been moved, it is reasonable for the Chair to put the question in the abbreviated form:

The question is: That the motion be agreed to. Those of that opinion say “aye”, against say “no”; I think the “ayes/noes” have it.

³⁴ SO 102.

Legislative Council
A practical guide for Occupants of the Chair

Putting the question on amendments

- 5.6** Amendments to motions before the House may take a number of forms. In all cases the Chair states the motion and amendment:

(Member 1) has moved (motion), to which (Member 2) has moved an amendment that (terms of amendment).

The question is: That the amendment of (Member 2) be agreed to.

- 5.7** If the amendment is agreed to, the main question, as amended, is put:

The question now is: That the motion of (Member 1), as amended by the amendment of (Member 2), be agreed to.

- 5.8** If the amendment is defeated, the Chair states:

The question is the original motion of (Member 1).

Putting the question on amendments to amendments

- 5.9** It is also possible for members to propose amendments to amendments before the Chair.³⁵ Again, the form of question on these amendments is:

(Member 2) has moved an amendment that (terms of amendment), to which (Member 3) has moved an amendment that (terms of amendment).

The question is: That the amendment of (Member 3) to the amendment of (Member 2) be agreed to.

- 5.10** If the amendment to the amendment is agreed to, the next question would then be:

The question is: That the amendment of (Member 2), as amended by the amendment of (Member 3), be agreed to.

- 5.11** If the amendment to the amendment is defeated, the question would be put on the amendment as originally moved.

Putting the question on amendments to a bill in committee of the whole

- 5.12** In committee of the whole, the Chair ensures that members are absolutely clear on the question being put. Amendments to bills are prepared by Parliamentary Counsel and are given consecutive numbers on identifying amendment sheet numbers.

³⁵ SO 109.

Legislative Council
A practical guide for Occupants of the Chair

- 5.13** In the case of a single amendment, the Chair states the amendment number and the amendment sheet number:

(Name of member) has moved (party name) amendment number (relevant number) on sheet (identifying sheet number).

The question is that the amendment be agreed to. Those of that opinion say “aye”, against say “no”. I think the ayes/noes have it

- 5.14** If leave is given to move a number of amendments in globo, the Chair states each amendment that is being moved:

(Name of member) has by leave moved (party name) amendment numbers (eg: 2, 3, 4, 6, 13 and 22) on sheet (identifying sheet number).

The question is that the amendments be agreed to. Those of that opinion say “aye”, against say “no”. I think the ayes/noes have it.

- 5.15** When a member moves an amendment to an amendment, the Chair states both amendments:

(Member 1) has moved: That amendment no. (X) of (Member 2) on sheet (sheet number) be amended by (insert words of the amendment, eg: by omitting the word ‘may’ and inserting instead ‘will’).

The question is that the amendment be agreed to. Those of that opinion say “aye”, against say “no”. I think the ayes/noes have it.

- 5.16** If the amendment to the amendment is agreed to, the main question as amended is put:

The question now is: That the amendment number (x) on sheet (sheet number) of (Member 1) as amended by the amendment of (Member 2) be agreed to.

Divisions

- 5.17** When debate on a question before the House has concluded, the Chair puts the question to the House again, and the House votes on the question. The question is resolved by a simple majority, that is, half the members present plus one. The Chair states:

Those of that opinion say “aye”, against say “no”; I think the “ayes/noes” have it.

- 5.18** When the Chair states that the “ayes” or the “noes” have it, members may challenge that opinion. If the decision is not challenged, the outcome declared by the Chair stands.

Legislative Council
A practical guide for Occupants of the Chair

- 5.19** If two or more members challenge the outcome by declaring against the Chair (for example, when the Chair states “I think the ayes have it”, other members declare “the noes have it!”), a division is called.³⁶ If only one member calls for a division, the member may ask for his or her vote to be recorded in the Minutes of Proceedings.³⁷

On receiving an indication that a division is required by members, the Chair then declares:

A division is required. Ring the bells!

- 5.20** The bells are rung for 5 minutes³⁸, however when successive divisions are taken and there is limited or no intervening debate, the Chair may seek the leave of the House to direct that the bells be rung for 1 minute.³⁹ The ringing of the bells is timed by the Clerks.

At the conclusion of the allotted time, the Chair commands:

Lock the doors!

- 5.21** The Chair then restates the question before the House for determination, using the form described earlier (for example: The question is that the motion of [name of member] be agreed to). The Chair then directs members, using the following form of words:

The “ayes” will pass to the right of the Chair, the “noes” to the left. I appoint (name of two members from the ayes) as tellers for the “ayes” and (name of two members from the noes) as tellers for the “noes”.

- 5.22** Once the tellers are appointed members must not move from their place until the division is concluded.
- 5.23** It is established practice that the tellers appointed are a Party Whip or Deputy Whip, or another member who is not a minister or the leader of the party. In the case of a motion moved by a cross-bench member, the tellers appointed for the ayes are usually the member who moved the motion and another member from the same party. The tellers come to the table and the Chair hands division lists to the tellers on which the tellers record the votes of members. The lists are provided to the Chair by the Clerks.
- 5.24** When the count has been completed, the tellers hand the division lists back to the Chair. The Chair checks that the two lists agree and then announces the result of the division as follows:

There being [X number] “ayes” and [X number] “noes”, the question is resolved in the affirmative/negative. Unlock the doors.

³⁶ SO 102 (6).

³⁷ SO 112 (5).

³⁸ SO 114 (2).

³⁹ SO 114 (4).

Legislative Council
A practical guide for Occupants of the Chair

Procedure on an equality of votes

- 5.25** Unlike practice in some other Australian jurisdictions, the Chair does not exercise a deliberative vote. However, in the event of there being an equality of votes, the Chair must give a casting vote.⁴⁰ The form of words for declaring a casting vote is:

There being an equality of votes, I give my casting vote for the “ayes”/“noes”. The question is resolved in the affirmative/negative.

- 5.25** The Chair may give reasons for the casting vote – where the Chair does so, the reasons will be entered in the Minutes of Proceedings.⁴¹ The historical principles to have emerged that guide a Chair in exercising a casting vote are:
- the Chair should always vote for further discussion where this is possible,
 - where no further discussion is possible, decisions should not be taken except by majority,
 - a casting vote on an amendment to a bill should always leave the bill in its existing form.

⁴⁰ SO 116 and section 22I of the *Constitution Act 1902*.

⁴¹ SO 116.

6. Interruption of business, according to sessional order

Each session the House agrees to a series of sessional orders which require that proceedings in the House be interrupted at nominated times each day to allow particular business to take precedence, or to allow a minister to move the adjournment of the House.

6.1 The Clerks will assist the Chair in recognising that particular sessional orders take effect at certain times, and the Chair will then be required to interrupt proceedings to inform the House or committee of the whole of the effect of the sessional order.

6.2 Examples of current sessional orders that require the interruption of business in the House include:

Question Time: Questions commence at 4.00 pm on Tuesday and 2.30 pm on Wednesday and Thursday. At the appointed time the member in the Chair interrupts debate to state:

Order! According to sessional order, business is now interrupted for questions.

Debate on committee reports: On Tuesdays, debate on committee reports takes precedence from 5.00 pm, after Question Time, until 6.30 pm, after which government business takes precedence. At the conclusion of Question Time, the Chair will announce:

Order! According to sessional order, business is now interrupted for debate on committee reports.

Interruption for the adjournment: Business is interrupted at 10.00 pm on Tuesday, 7.00 pm on Wednesday and half an hour after the conclusion of Question Time on Thursday to allow the minister to move the adjournment of the House, if desired. At the appointed time, the Chair interrupts debate to announce:

Order! It being ____ pm, business is now interrupted to permit the minister to move the adjournment if desired.

6.3 If the House is in division at the time set for questions or the interruption for adjournment, business is not interrupted until the result of the division has been declared.

6.4 An item of business that is interrupted to allow another item or items of business to take precedence may resume once that item or items have concluded. An item of business that is interrupted by the subsequent adjournment of the House is set down on the Notice Paper as an order of the day for resumption.

7. Adjourning or postponing debate / suspending a sitting

The occupant of the Chair needs to be aware of the key distinction between postponing an item of business before it comes on for debate and adjourning an item of business during debate. The Chair is also routinely called upon to suspend a sitting and interrupt an item of business.

Postponement

- 7.1 Items of business on the Notice Paper, be they notices of motions or orders of the day, can be *postponed* before they come on for debate. Postponements are generally until a later hour or the next sitting day. Postponements are governed by standing order 45 which provides two opportunities for postponing an item of business. Firstly, an item may be postponed during formalities at the commencement of each sitting day; secondly, an item can be postponed ‘at the time when it is called on’, that is before the Clerk reads the order of the day.

Adjournment

- 7.2 Debate on an item of business which has commenced may be *adjourned* until a later hour or the next sitting day without the House resolving the question. A motion for adjournment is open to amendment and debate. Adjournment of debate is governed by standing order 101.

Suspending a sitting

- 7.3 It is commonplace for there to be at least one ‘suspension’ or ‘pause’ during a sitting day, for example to break for lunch or dinner. A sitting is suspended by the occupant of the chair leaving the Chair, generally on the suggestion of a Minister or Parliamentary Secretary. The occupant of the chair may leave the Chair at any time to suit the convenience of members (or in the event of gross disorder) without any question being put.⁴²
- 7.4 The Chair announces to the House:
- To suit the convenience of the House I will now leave the Chair and cause the bells to be rung at (time at which the House will reconvene).*
- 7.5 Often when the House resumes after a lunch or dinner break business is immediately interrupted according to sessional order (for example Question Time typically occurs once the House resumes after the lunch break on Wednesdays and Thursdays). If the House is in committee of the whole and it is nearing the time for the suspension, it is important that the Chair in committee report progress and seek leave for the committee to sit again. See paragraph 8.26 for details on reporting progress.

⁴² SO 23.

8. Proceedings on bills

Bills may be introduced in either the Legislative Assembly or the Legislative Council – except bills that appropriate any part of public revenue must originate in the Legislative Assembly. This section of the guide explains the role of the Chair in the passage of legislation through the House.

Bills originating in the Assembly

8.1 Messages from the Legislative Assembly transmitting bills to the Legislative Council are usually reported by the Chair just after the commencement of business of the day. If such messages are received later in the day, they are reported and introduced as soon as practicable after their receipt, ie during the next break between items of business.

8.2 The Clerk retains messages until it is time for the bills' introduction, and will hand the message(s) to the Chair, who states:

I report the receipt of a message(s) from the Legislative Assembly forwarding the following bill(s) for concurrence" and then reads the short title(s) of the bill(s).

8.3 If more than one bill is being forwarded for concurrence, the Chair may seek the leave of the House for the procedural motions relating to the bills to be dealt with together. The question from the Chair is—

Is leave granted for procedural motions for the first reading, printing, suspension of standing orders and fixing the day for the second reading to be dealt with on one motion without formalities?

8.4 As soon as the Chair has announced the message(s), the minister (or parliamentary secretary) on duty in the House is called to move the appropriate motions. The motions moved and questions put by the Chair are usually as follows:

The minister will move—

That this bill/these bills be now read a first time and printed.

8.5 The question from the Chair is—

The questions is—That this bill/these bills be now read a first time and printed. All those of that opinion say aye, against say no; I think the ayes have it, the ayes have it.

8.6 When the motion is agreed to, the Clerk reads the title of the bill(s).

8.7 The minister then moves—

That standing orders be suspended to allow the passing of the bill(s) through all its/their remaining stages during the present or any one sitting of the House.

Legislative Council
A practical guide for Occupants of the Chair

8.8 The question from the Chair is—

The questions is—That standing orders be suspended to allow the passing of the bill(s) through all its/their remaining stages during the present or any one sitting of the House.

Second reading

8.9 When the above motion is agreed to, the minister then usually moves—

That the second reading(s) stand an order of the day for a later hour of the sitting/ next sitting day.

8.10 The question from the Chair is—

The question is—That the second reading(s) stand an order of the day for a later hour of the sitting/ next sitting day.

8.11 Proceedings on a bill are resumed by the Chair directing the Clerk to read the order of the day (the Clerk will liaise with the minister as to which item of Government Business is to be called on).

8.12 After the Clerk reads the order of the day, the minister (or parliamentary secretary) moves the second reading of the bill—

That this bill be now read a second time.

8.13 The minister (or parliamentary secretary) may seek leave to incorporate his or her second reading speech in *Hansard*. At this point the Chair intervenes to ask members present:

Is leave granted for the minister (or parliamentary secretary) to incorporate his/her speech in Hansard?

8.14 If no-one objects, the Chair then states:

There being no objection, leave is granted.

8.15 If leave is not granted, the minister (or parliamentary secretary) reads his or her second reading speech. Debate ensues, when no further member seeks the call, the Chair calls on the minister (or parliamentary secretary) to speak in reply.

8.16 When debate on the second reading is concluded, the question is put from the Chair—

The question is—That this bill be now read a second time.

8.17 If the question for the second reading is agreed to, the Clerk then reads the title of the bill.

Legislative Council
A practical guide for Occupants of the Chair

Consideration of the bill in committee of the whole

8.18 If proposed amendments to the bill have been lodged, the next stage in proceedings on the bill is consideration in committee of the whole. (If there are no proposed amendments, the next stage is the third reading of the bill, see paragraph 8.39).

8.19 The minister (or parliamentary secretary) will move—

Mr/Madam President/Deputy President/Assistant President I suggest that you do now leave the Chair and the House resolve itself into a committee of the whole to consider the bill in detail.

8.20 The question from the Chair is—

The question is—That I do now leave the Chair and the House resolve itself into a committee of the whole for consideration of the bill in detail.

8.21 If agreed to the member in the Chair of the House vacates the Chair and the House resolves itself into a committee of the whole. The committee of the whole consists of all members of the House presided over by the Chair of Committees (or one of the Temporary Chair of Committees). In committee of the whole the President, like any other member, may take part in the debate and vote. The quorum for committee is the same as the House, that is eight members in addition to the member presiding.

8.22 When the Chair of Committees takes the Chair, he or she announces the short title of the bill. The Chair usually then asks if leave is granted to take the bill as a whole. When leave is granted to take a bill as a whole, there is no need for the House to consider each clause of the bill sequentially. Rather, the House need only consider the proposed amendments.

8.23 Considering a bill as a whole provides latitude to consider amendments that appear later in a bill before amendments that appear earlier in a bill. However, the usual practice is for amendments to be considered in order of their appearance in the bill. It is also common practice for groups of related amendments to be considered in globo.

8.24 When there is more than one sheet of amendments and there is potential conflict between amendments from different parties, the Clerks may prepare a running sheet to assist the Chair in calling on amendments for consideration.

8.25 For guidance on putting the question on amendments to a bill in committee of the whole see chapter 5. Reference should also be made to the Procedure Office document *A practical guide to committee of the whole*.

Reporting progress

8.26 When consideration of a bill has not been completed, a motion may be moved, by any member, but without interrupting a member speaking—

That the Chair do now leave the Chair, report progress and seek leave to sit again—at a later hour of the sitting/next sitting day.

Legislative Council
A practical guide for Occupants of the Chair

8.27 A motion to report progress is the equivalent of a motion for the adjournment of a debate in the House. The motion is open to debate.

8.28 If the motion to report progress is carried, the member in the Chair leaves the Chair and the House resumes. The Chair reports to the member in the Chair of the House as follows—

Mr/Madam President/Deputy/Assistant President: The committee reports progress and seeks leave to sit again—at a later hour of the sitting/next sitting day.

Reporting outcome of committee of the whole to the House

8.29 After the last amendment to a bill has been considered, the Chair of Committees will then put the question—

The question is—That the bill as read/as amended be agreed to.

8.30 Once the question has been agreed to, the Deputy Clerk will have the Chair sign a certificate stating that the bill is in accordance with the bill as reported from the committee. The member with carriage of the bill will then move the following motion—

That the Chair do now leave the Chair and report the bill without amendment/with an amendment/with amendments.

8.31 If the question is agreed to, the House resumes and the Committee Chair reports to the Chair of the House as follows:

Mr/Madam President/Deputy /Assistant President: The committee reports the bill without amendment/with an amendment/with amendments.

8.32 If the long title of the bill has been amended in committee, that amendment must be specifically reported to the House. This is done by adding to the report of the Chair “including an amendment to the long title.”

Adopting the report of the committee

8.33 The Chair of the House then states the following:

The committee reports the bill without amendment/with an amendment/with amendments (and, where applicable, including an amendment(s) to the long title).

8.34 Subsequently the Chair then calls upon the minister/parliamentary secretary who will move—

That the report be now adopted.

8.35 The question is then put from the Chair—

Legislative Council
A practical guide for Occupants of the Chair

The question is—That the report be now adopted.

Third reading following committee of the whole

- 8.36** When the motion to adopt the report is agreed to, the minister again rises and, if standing orders have been suspended, moves—

That this bill/these bills be now read a third time.

- 8.37** In the case of a bill which has been introduced in the Council the third reading may proceed immediately after the committee stage with the concurrence of the House. The minister moves—

With the concurrence of the House, I move that this bill/these bills be now read a third time.

- 8.38** The Deputy Clerk presents the certificate of the Chair of Committees to the Chair of the House, who states—

I have a certificate from the Chair of Committees that the bill is in accordance with the bill as reported from the committee of the whole. The question is—That the bill be now read a third time.

- 8.38** Upon the motion being agreed to, the Clerk reads the bill(s) a third time and the proceedings on the bill(s) are completed.

Third reading immediately following the second reading

- 8.39** The concurrence of the House is required in order to move directly from the second to the third reading of a bill without considering the bill in committee of the whole. When no amendments to a bill have been circulated, the Clerk will advise the Chair of the opportunity to move directly to the third reading after the second reading has been agreed to. The Chair states—

Is leave granted to move to the third reading of the bill forthwith?

- 8.40** If leave is granted, the Chair calls on the minister to move the third reading of the bill.

9. Maintaining order in the House

It is the Chair's role to maintain order in the House, including intervening where necessary in debate to maintain order. Matters of order that frequently arise in the House include the use of disorderly or unparliamentary expressions, interjections in debate, procedural questions and disorderly conduct by members.

Rulings

- 9.1** It is the duty of the Chair to give a ruling when doubt arises in regard to the application or interpretation of a standing order, or where a particular circumstance is not accounted for. Rulings generally arise from points of order; however, the Chair may intervene and give a ruling to uphold the practices of the House without a point of order being taken.⁴³
- 9.2** In making a ruling the Chair is not called upon to decide points of law but determines questions relating to the forms and procedures of the House. Where there is doubt as to the interpretation of a standing order the meaning which preserves or strengthens the powers of the Council and the rights of members should be favoured over that which weakens the power of the Council or reduces the rights of members.⁴⁴ In determining a point of order, the Chair may make reference to the *Selected Rulings of the President*.

Points of order

- 9.3** A member may rise at any time to draw the attention of the Chair to what he or she believes is a breach of order. This is called taking a point of order. When a member takes a point of order the Chair interrupts proceedings to hear the member's argument and then gives a ruling on the point of order.⁴⁵
- 9.4** In coming to a decision the Chair is able, if he or she wishes, to hear argument on the point of order that has been taken. Alternatively, the Chair may make a ruling immediately, without argument being entertained. The fact that both options are entirely within the discretion of the Chair has great advantages. On the one hand, if a point of order is frivolous or obviously unsustainable, or is clearly correct, the Chair's ability to rule immediately, without the requirement to hear argument, ensures that the business of the House continues with minimal interruption. On the other hand, if a point of order is complex, the opportunity afforded the Chair to hear further argument gives the Chair an opportunity to think out its implications and to consult the Clerk. It also enables light to be shed on the question by members that choose to contribute to the determination of the point of order.
- 9.5** The Chair also has the option to reserve his or her ruling to consult further, and provide the ruling at a later time.

⁴³ SO 95(3).

⁴⁴ *Odgers Senate Practice*, 13th ed, p 35. The forward of the *Selected Rulings of the President* also has guidance on this issue.

⁴⁵ SO 95.

Legislative Council
A practical guide for Occupants of the Chair

- 9.6 Members may object to a ruling given by the Chair – the procedure for an objection is discussed further below.

Naming and suspension of member

- 9.7 Disorderly conduct by members is dealt with in different ways depending on its severity. The more common procedure is for the Chair to call a member to order and, on three calls, order the member's removal under SO 192, which authorises removal up until the end of the sitting. The Clerk maintains a daily tally of the members who have been called to order. The tally of calls to order is independent of whether the incident occurred in the House or in committee of the whole.
- 9.8 On the third call to order, the Chair states:

I call the Honourable (name of member) to order for the third time and in accordance with standing order 192, I direct the Usher of the Black Rod to remove the member from the chamber. The member is excluded from the chamber [for the period stated].

- 9.9 The period may be until the conclusion of Question Time, until the dinner adjournment, until debate on the bill/motion is completed or until the termination of the sitting.
- 9.10 For more serious cases of disorder as defined under standing orders 190 and 191, the House may also suspend a member from the services of the House, which may continue until the House terminates the suspension, until the member apologies, or both.
- 9.11 In committee of the whole, if the Chair names a member for being guilty of serious disorder, the Chair will leave the Chair and report the matter to the President and the House will then determine the matter.

Dissent from a ruling of the Chair

- 9.12 If a ruling is given from the Chair and no objection is taken in the House, that ruling is binding and must be complied with. However, procedures are available for the House to dissent from a ruling. If any objection is taken to a ruling or decision of the Chair, it must be taken at once.⁴⁶ Debate on the dissent may be adjourned until a later hour or the next sitting day or month, or proceed immediately until determined by the House.
- 9.13 On a member indicating his or her intention to dissent from the ruling, the Chair will call the member, who moves: 'That the House dissent from the ruling of the President.'
- 9.14 The mover may speak to the motion of dissent and debate proceeds in the normal way. At the conclusion of debate, the question on the motion is put in the usual way.

⁴⁶ SO 96.

Appendix 1 Sample program provided for the Chair

DRAFT PROGRAM
Subject to late changes



No. 43

Legislative Council

WEDNESDAY 24 FEBRUARY 2016

- 1 President takes the Chair at 11.00 am. Prayers are read.

- 2 **REPORT OF MENTAL HEALTH COMMISSION**

President says—

“According to the Mental Health Commission Act 2012, I table a report of the Mental Health Commission entitled ‘One year on—Progress report on the implementation of Living Well: A Strategic Plan for Mental Health in NSW 2014 - 2024’, dated December 2015.

Under the Act, the report has been authorised to be made public.”

Minister says—

“Mr President—

I move: That the report be printed.”

QUESTION PUT

- 3 **REPORT OF INFORMATION COMMISSIONER**

President says—

2

“According to the Government Information (Information Commissioner) Act 2009 I table a report of the Information Commissioner entitled ‘Report on the operation of the Government Information (Public Access) Act 2009: 2014 – 2015.’

Under the Act, the report has been authorised to be made public.”

Minister says—

“Mr President—

I move: That the report be printed.”

QUESTION PUT

4 FORMAL BUSINESS

President says—

“According to sessional order, I shall now call over formal business—

Private members’ business item No. 443 outside the order of precedence, Mrs Houssos

(World Teachers’ Day)

Is there any objection to this being taken as formal business?”

IF THERE IS NO OBJECTION

President says—

“There being no objection the honourable member may proceed.”

3

President says—

“Private members’ business item No. 558 outside the order of precedence, Mr Veitch

(General Purpose Standing Committee No. 5—Reference)

Is there any objection to this being taken as formal business?”

IF THERE IS NO OBJECTION

President says—

“There being no objection the honourable member may proceed.”

President says—

“Private members’ business item No. 588 outside the order of precedence, Mr Searle

(Order for papers—Council boundary review and
merger proposal and process)

Is there any objection to this being taken as formal business?”

IF THERE IS NO OBJECTION

President says—

“There being no objection the honourable member may proceed.”

8

President says—

“Private members’ business item No. 608 outside the order of precedence, Ms Barham

(Paris Agreement on climate change)

Is there any objection to this being taken as formal business?”

IF THERE IS NO OBJECTION

President says—

“There being no objection the honourable member may proceed.”

5 PAPERS

President says—

“Are there any papers?”

- The Minister to table a list of unproclaimed legislation.

6 PETITIONS

President says—

“Are there any petitions?”

7 NOTICES OF MOTIONS

President says—

“Are there any notices of motions?”

9

Order to be taken –
Ministers
Leader of the Opposition
Private members: (1 each on rotation)
 Opposition
 Cross-bench
 Government

8 POSTPONEMENT OF BUSINESS

President says—

“Are there any postponements?”

9 BUSINESS OF THE HOUSE – Notices of motions

President calls on business of the House - notice of motion no. 1, Mr
Gay.

President calls on business of the House – notice of motion no. 2, Mr
Gay.

President calls on business of the House – notice of motion no. 3, Mr
Gay.

10 GOVERNMENT BUSINESS - Notice of motion

President calls on government business - notice of motion no. 1.

10

11 GOVERNMENT BUSINESS – Orders of the day

President says—

“The Clerk will read the order of the day.”

12 QUESTIONS

At 2.30 pm President says—

“According to sessional order, business is now interrupted for questions.

Are there any questions?”

If business of the House notice of motion No. 2 is agreed to, proceedings will be interrupted at 7.00 pm to permit the Minister to move the adjournment motion, if desired.

13 INTERRUPTION FOR ADJOURNMENT

President says—

“It being 10.00 pm proceedings are now interrupted to permit the Minister to move the adjournment motion, if desired.”

14 ADJOURNMENT

Order of Speakers -

Opposition
Cross bench
Government

Legislative Council
A practical guide for Occupants of the Chair

11

	Monday	Tuesday	Wednesday	Thursday	Friday
1st	OPPN	GOVT	OPPN	XBENCH	GOVT
2nd	GOVT	OPPN	XBENCH	GOVT	OPPN
3rd	XBENCH	XBENCH	GOVT	OPPN	XBENCH

15 DISTRIBUTION

President (Mr Harwin)
Deputy President and Chair of Committees (Mr Khan)
Assistant President (Revd Mr Nile)
Chamber (6)
Clerks-at-the-table (5)
Table Office (4)
Deputy Editor of Debates (Ms Turner)
Ministers' Offices (3)
Temporary Chair of Committees (Ms Barham, Mr Green,
Mrs Maclaren-Jones, Mr Mallard, Mrs Taylor & Mr Wong
(6)
Government Whip
Deputy Government Whip
Leader of the Opposition (2)
Deputy Leader of the Opposition (2)
Opposition Whip (2)
Deputy Opposition Whip

Appendix 2 – Sample scripts (Loqs)

Receipt of a bill from the Legislative Assembly



LEGISLATIVE COUNCIL

MESSAGES ON BILLS FROM ASSEMBLY WITHOUT FORMALITIES

President says—

I report the receipt of messages from the Legislative Assembly forwarding the following bills for concurrence: *read from messages*

President says—

Is leave granted for procedural motions to be dealt with on one motion without formalities?

There being no objection the Honourable Minister may proceed.

Minister says—

Mr President:

I move: That the bills be read a first time, printed, standing orders suspended according to sessional order for remaining stages, and the second reading of the bills stand as orders of the day for [a later hour of the sitting/next sitting day].

QUESTION IS PUT

Clerk reads short title of bills for a first time.



LEGISLATIVE COUNCIL

MESSAGE ON SINGLE BILL FROM ASSEMBLY (All Stages – according to sessional order)

President to say—

I report the receipt of a message from the Legislative Assembly forwarding the
(*short title of bill*) for concurrence.

Minister says—

Mr President:

I move according to sessional order: That standing orders be suspended to allow the passing of the bill through all its stages during the present or any one sitting of the House.

QUESTION PUT.

Minister says—

Mr President:

I move: That the bill be now read a first time and printed.

QUESTION PUT.

Clerk reads short title of bill.

Legislative Council
A practical guide for Occupants of the Chair

Minister says—

Mr President:

I move: That the second reading of the bill stand an order of the day for a later hour of the sitting.

Debate may ensue.

QUESTION PUT.

or:

I move: That this bill be now read a second time.

(Make Speech or seek leave to incorporate the second reading speech in Hansard.)

Appendix 3 – Time limits for debates

<p>Adjournment motions (SO31)</p> <p>Debate: 30 mins Speakers: 5 mins</p>	<p>Private members' motions (SO186) (sessional order adopted 6 May 2015)</p> <p>Debate: 120 mins Mover: 20 mins Speakers: 15 mins Debate interrupted 10 mins before end of debate time Mover in reply: 5 mins Debate on motion for extension: 30 mins Speakers: 5 mins</p>
<p>Committee reports (SO232)</p> <p>Chair/Mover: 15 mins Speakers: 10 mins Chair/Mover in reply: 10 mins</p>	<p>Private members' bills (SO187)</p> <p><u>Leave to bring in bill</u> Debate: 60 mins Speakers: 10 mins Debate interrupted 10 mins before end of debate time Mover in reply: 10 mins <u>Second and third readings</u> Debate: no overall time limit Mover: 30 mins Speakers: 20 mins Mover in reply: 20 mins</p>
<p>Disallowance motions (SO78)</p> <p>Debate: 90 mins Mover/Minister first speaking: 15 mins Speakers: 10 mins Debate interrupted after 90 mins to allow mover to speak in reply Mover in reply: 10 mins</p>	<p>Question time (SO64)</p> <p>Question: 1 min Answer: 4 mins Answer to supplementary: 2 mins</p>
<p>Government Bills (sessional order adopted 6 May 2015)</p> <p><u>Second and third readings</u> Note: A member may move that their time limit be extended by not more than 10 mins. Question is put without debate. Minister/Opposition: 40 mins All other Speakers: 20 mins Extension: additional 10 mins Minister in reply: 20 mins <u>Committee of the Whole</u> Note: The member speaking may seek the leave of the House to continue speaking for a period of no longer than 15 mins. All Speakers: 15 mins Extension by leave: additional 15 mins</p>	<p>Suspension of standing orders (SO198) (sessional order adopted 6 May 2015)</p> <p>Debate: 30 mins Speakers: 5 mins <u>SSO for SO52 or SO53</u> Mover/Minister only: 5 mins</p>
<p>Matters of Public Importance (SO200)</p> <p><u>Question of urgency</u> Mover/Minister: 10 mins <u>Debate</u> Debate: 90 mins Mover/Minister/Opposition: 15 mins Speakers: 10 mins Debate interrupted after 90 mins to allow mover to speak in reply Mover in reply: 10 mins</p>	<p>Urgency Motions (SO201)</p> <p><u>Question of urgency</u> Mover/Minister: 10 mins <u>Debate</u> Mover/Minister/Leader of Opp.: 15 mins Speakers: 10 mins</p>
<p>Ministerial Statements (SO48)</p> <p>Minister: no time limit Opposition: equal time to respond</p>	

