



LEGISLATIVE COUNCIL

Second Session of the Fifty-Fifth Parliament

SESSIONAL ORDERS

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(1) Sitting days

[adopted 9 September 2014]

That, during the present session and unless otherwise ordered, this House meet for the despatch of business each week as follows:

Monday	11.00 am
Tuesday	2.30 pm
Wednesday	11.00 am
Thursday	9.30 am
Friday	11.00 am

(2) Questions—time for questions without notice

[adopted 9 September 2014]

That, during the present session and unless otherwise ordered:

1. Questions are to commence at 4.00 pm on Monday and Tuesday, and at 2.30 pm on Wednesday, Thursday and Friday.
2. Whenever the House adjourns to a day and time later than the time appointed in paragraph 1, questions are to commence 30 minutes after the time appointed for the meeting of the House.
3. If, at the time for interruption:
 - (a) a division is in progress, the division is to be completed and the result announced,
 - (b) the House is in committee of the whole, the Chair is to leave the Chair and report progress,

and any business then under discussion, if not disposed of, is to be set down on the Notice Paper for a later hour of the sitting.

(3) Motion for the adjournment

[adopted 9 September 2014]

That, notwithstanding anything contained in the standing orders, during the present session and unless otherwise ordered:

1. Proceedings must be interrupted at 7.00 pm on Tuesday, 10.00 pm on Wednesday and 3.30 pm on Thursday and Friday to permit a motion for adjournment to be moved to terminate the sitting if a minister thinks fit.
2. If at the time of interruption the House is in committee of the whole, the Chair will interrupt business and inquire if the Minister wishes to move that the Chair report progress and seek leave to sit again.

(4) Precedence of business

[adopted 9 September 2014]

That, during the present session and unless otherwise ordered:

1. Government business is to take precedence of general business on Monday, Tuesday, Wednesday and Friday, and after 3.30 pm on Thursday each week.
2. General business is to take precedence until 3.30 pm on Thursday each week.

(5) Debate on committee reports

[adopted 9 September 2014]

That, notwithstanding anything contained in the standing orders, during the present session and unless otherwise ordered, debate on committee reports is to take precedence after questions on Tuesdays until 6.30 pm.

(6) Formal motions—SO 44

[adopted 9 September 2014]

That, notwithstanding anything contained in the standing orders, for the remainder of the current session standing order 44 be varied as follows:

1. Before the House proceeds to the business on the Notice Paper, the President will ask with respect to each notice of motion, at the request of the member who gave the notice, whether there is any objection to its being taken as a formal motion. If no objection is taken, the motion shall be taken as a formal motion.
2. Formal motions will be taken in the order in which they appear on the Notice Paper.
3. The request from a member that a notice of motion standing in the name of that member on the Notice Paper be taken as formal business must be signed by that member and handed to one of the Clerks-at-the-Table by 3.00 pm on the sitting day before the sitting day on which the member wishes the matter to be considered as formal business.
4. The question of a formal motion must be put and determined without amendment or debate.
5. An order of the day for the third reading of bills may be dealt with as a formal motion.

(7) Suspension of standing orders—SO 198

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 198 be amended to read as follows:

- (1) In urgent cases, any standing order or other order of the House may be suspended by the House in whole or in part:

- (a) by a motion on notice, or
 - (b) by leave of the House.
- (2) On a motion for the suspension of a standing or other order, (with the exception of motions referred to in paragraph 3) a member may not speak for more than five minutes, and if the debate is not concluded after the expiration of 30 minutes after the moving of the motion the question on the motion will then be put.
- (3) A motion for the suspension of standing orders, on contingent notice, to allow the moving of a motion forthwith that an order of the day or motion on the Notice Paper relating to an order for papers under standing order 52, or an Address to the Governor under standing order 53, be called on forthwith, the question is to be decided without amendment or debate except a statement by the mover and a statement by a Minister not exceeding 5 minutes each.
- (4) Where a standing order or other order of the House is suspended by the House in whole or in part, any subsequent procedural motion is to be put without amendment or debate.

(8) Lapsed questions—SO 106

[adopted 9 September 2014]

1. That, for the remainder of the current session, standing order 106 be amended to read as follows:

106 Lapsed question

Debate on a lapsed question may be resumed, by motion on notice, at the place where it was interrupted.

2. That, notwithstanding anything contained in the standing orders, for the remainder of the current session:

If the proceedings of the House are interrupted by lack of a quorum and consequent adjournment of the House, the resumption of the debate will be an order of the day for the next day of sitting, and when the order is called on the proceedings will be resumed at the point where they were interrupted.

(9) Tabling of reports and documents when House not sitting—SO 55

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 55 be amended to read as follows:

- (1) Where, under any Act, a report or other document is required to be tabled in the House, and the House is not sitting, such report or document may be lodged with the Clerk.
- (2) Any report or document lodged with the Clerk is:

- (a) on presentation, and for all purposes, deemed to have been laid before the House,
 - (b) to be printed by authority of the Clerk,
 - (c) for all purposes, deemed to be a document published by order or under authority of the House, and
 - (d) to be recorded in the Minutes of Proceedings of the House.
- (3) A report or other document which is not required to be tabled in the House according to legislation may not be lodged with the Clerk when the House has been prorogued.

(10) Pecuniary Interest—SO 210 (10)

[adopted 9 September 2014]

That, during the present session and unless otherwise ordered, standing order 210 (10) be amended to read:

- 210 (10) No member may take part in a committee inquiry where the member has a direct pecuniary interest in the inquiry of the committee, unless it is in common with the general public, or a class of persons within the general public, or it is on a matter of state policy.

(11) Quorums—SO 29 and 30

[adopted 9 September 2014]

That, notwithstanding anything contained in the standing orders, for the remainder of the current session standing orders 29 and 30 be varied to read as follows:

29. Quorum at commencement of sitting

- (1) If there is no quorum present when the Chair is taken at the time appointed for the meeting of the House, the bells will again ring for five minutes. If there is still no quorum present the President will adjourn the House until a later hour of the day or the next sitting day.
- (2) A Member who enters the chamber at or after the time appointed for the meeting of the Council may not withdraw until a quorum is formed or the House is adjourned.
- (3) When the House is adjourned for lack of a quorum, the names of the members present will be entered in the Minutes of Proceedings.

30. Quorum during sitting

- (1) If it appears, on the report of a division of the House by the tellers, that a quorum is not present, the President will adjourn the House until a later hour of the day or the next sitting day. No decision of the House will be considered to have been reached by that division.

- (2) When the Chair of Committees informs the President that a quorum is not present in committee, the bells will ring for five minutes. The President will then count the House, and if a quorum is still not present, will adjourn the House until a later hour of the day or the next sitting day. However, if a quorum is then present, the President will leave the Chair and the committee resume.
- (3) If a member draws attention to the lack of a quorum, the bells will be rung until a quorum is formed but for no longer than five minutes. If after five minutes a quorum is not present, the President will adjourn the House until a later hour of the day or the next sitting day.
- (4) When the attention of the President, or the Chair of Committees, has been called to the absence of a quorum, a member may not leave until the House or committee has been counted.
- (5) The doors of the House will be unlocked while the President is counting the House.
- (6) When the House has adjourned for lack of a quorum the names of the members present will be entered in the Minutes of Proceedings.

(12) Postponement of items in order of precedence—SO 188

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 188 be amended to read as follows:

188. 1. A notice of motion in the order of precedence may only be postponed once. A notice of motion postponed for a second time will be removed from the order of precedence and returned to its position outside the order of precedence.
2. This sessional order does not apply to notices of motions for bills.

(13) Expiry of private members' business notices of motions

[adopted 9 September 2014]

1. That, for the remainder of the current session and unless otherwise ordered, a private members' business notice of motion outside the order of precedence that has remained on the Notice Paper for 20 sitting days without being moved will be removed from the Notice Paper.
2. This sessional order does not apply to notices of motions for bills or for the disallowance of statutory rules.

(14) Debate on motions—SO 186

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 186 be amended to read as follows:

Debate on motions

- (1) An item of private members' business, other than a bill, must not receive more than two hours of debate.
- (2) When an item other than a bill is being considered:
 - (a) the mover of the motion may speak for not more than 20 minutes, and
 - (b) any other member may speak for not more than 15 minutes.
- (3) When an item other than a bill is not earlier disposed of, at 10 minutes before the end of the time provided for the consideration of the item, the President is to interrupt proceedings to allow the mover of the motion to speak in reply for not more than 5 minutes. The President will then put every question necessary to dispose of the motion, forthwith and successively without further amendment or debate, unless the motion is withdrawn as provided by the standing orders.

(15) Conduct of the draw—SO 185

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 185 be varied as follows:

1. A member who has an item of private members' business in the order of precedence may substitute for that item, an item of private members' business outside the order of precedence standing in the name of that member.
2. A member substituting an item in the order of precedence must hand a signed notification of the substitution to one of the Clerks-at-the-Table during a sitting of the House.
3. Notification is to be given no later than the last sitting day in the week preceding the next day on which general business has precedence under the sessional orders.
4. Once a motion has been moved, it cannot be substituted.

(16) Time limits to debate on government bills

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, the following time limits will apply to debate on government bills:

1. Where there is debate on the question for the second or third reading of a bill the following time limits will apply:
 - (a) the lead Government and lead Opposition speakers may not speak for more than 40 minutes,
 - (b) any other member and the mover in reply may not speak for more than 20 minutes, and

- (c) a member may move that that time limit be extended by not more than 10 minutes, and such a motion shall forthwith be put without debate.
- 2. (a) In committee of the whole members may speak more than once on the same question, provided that each contribution does not exceed 15 minutes, and
- (b) where the speech of a member is interrupted by the provisions of (2) (a), the member speaking may seek the leave of the House to continue speaking for a period of no longer than 15 minutes.

(17) Cut-off date for government bills

[adopted 9 September 2014]

That, during the present session and notwithstanding anything contained in the standing or sessional orders, and unless otherwise ordered, the following procedures apply to the passage of government bills:

- 1. Where a bill is introduced by a Minister, or is received from the Legislative Assembly after 13 November 2014 (Spring Session) debate on the motion for the second reading is to be adjourned at the conclusion of the speech of the Minister moving the motion, and the resumption of the debate is to be made an Order of the Day for the first sitting day in 2015.
- 2. However, if after the first reading, a Minister declares a bill to be an urgent bill and copies have been circulated to members, the question “That the bill be considered an urgent bill” is to be decided without amendment or debate, except a statement not exceeding 10 minutes each by a Minister and the Leader of the Opposition or a member nominated by the Leader of the Opposition, and two cross bench members not of the same party and not exceeding five minutes each. If that question is agreed to, the second reading debate and subsequent stages may proceed forthwith or at any time during any sitting of the House.

(18) Extension of debate time for private members’ business

[adopted 9 September 2014]

That:

- (a) for the remainder of the current session and unless otherwise ordered, when a private members’ motion is interrupted to allow the mover to speak in reply, the mover, or any member who has not already spoken in debate, may move a motion, without notice, to extend the time for the debate and to set time limits for each subsequent speaker in debate, and
- (b) on a motion moved under this sessional order members may not speak for more than five minutes, and if the debate is not concluded after the expiration of 30 minutes after the moving of the motion the question on the motion will then be put.

(19) Budget Estimates 2014-2015—Take Note

[adopted 9 September 2014]

That, during the present session and unless otherwise ordered:

1. Each speaker on the motion to take note of the budget estimates for 2014-2015 is to be limited to 15 minutes.
2. Debate on the motion to take note of the budget estimates is to take precedence after debate on committee reports on Tuesdays.
3. The debate on the budget estimates is to be interrupted at 7.00 pm. The interrupted debate is to stand adjourned and be set down on the business paper for the next day on which it has precedence.

(20) Presentation of petitions—SO 68

[adopted 9 September 2014]

That, for the remainder of the current session and unless otherwise ordered, standing order 68 be varied by inserting after paragraph (9):

- “(10) The Minister must table a response within 35 calendar days of a petition being received by the House if that petition has been signed by 500 or more persons.
- (11) If the House is not sitting at the time at which the minister seeks to table the response in the House, the Minister may present the response to the Clerk.
- (12) A response presented to the Clerk is:
- (a) on presentation, and for all purposes, deemed to have been laid before the House,
 - (b) to be printed by authority of the Clerk,
 - (c) for all purposes, deemed to be a document published by order or under the authority of the House,
 - (d) to be recorded in the Minutes of the Proceedings of the House, and
 - (e) to be forwarded by the Clerk to the member who lodged the petition.”