

Procedure Committee

**Report relating to the rules for
notices of motions, the rules
for questions, e-petitions and
two new sessional orders**

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Terms of reference

Inquiry into the rules for notices of motions

1. That the following proposed variations to the rules applying to notices of motions be referred to the Procedure Committee for inquiry and report:
 - (a) a notice of motion must not contain statements, quotations, lists of names or details or other matter not strictly necessary to make the proposed resolution or order intelligible,
 - (b) a notice of motion must not contain argument or debating points,
 - (c) a notice of motion must be clear in its purpose, concise and relate to a matter within the competency of the House,
 - (d) a notice of motion should not exceed 250 words, unless it relates to the business of the House, matters of privilege, or the establishment of committees,
 - (e) a member may not give more than three notices of motions each sitting day,
 - (f) a notice of motion which is contrary to these rules or the standing orders will be amended before it appears on the Notice Paper, and
2. That the committee consider other matters related to the giving of notices of motions.¹

¹ 16 November 2016, Minutes No. 88, item 20, p1337.

Inquiry into the rules for Questions

That the Procedure Committee inquire into and report on the following proposed variations to the rules for Questions:

- (a) the provision of an opportunity, at the conclusion of each Question Time, to move a take note debate on the answers given to oral questions asked that day and any answers to written questions received since the last sitting of the House,
- (b) varying the time for the commencement of Questions,
- (c) requiring that an answer be directly relevant to a question.

Mr Buckingham moved, according to notice, as by leave amended: That the following proposed variations to the rules for questions be referred to the Procedure Committee for inquiry and report:

1. That, for the duration of the current session and unless otherwise ordered:
 - (a) immediately following the conclusion of Questions, a motion may be moved without notice: “That the House take note of answers given to questions this day”,
 - (b) debate on the motion may canvass any answers to oral questions asked that day and any answers to written questions received since the last sitting of the House,
 - (c) Debate on the motion shall not exceed 30 minutes in total,
 - (d) A member may speak for not more than 5 minutes to the motion, and the mover is not entitled to a right of reply,
 - (e) If the question has not been earlier disposed of, at 5 minutes before the expiration of 30 minutes, debate will be interrupted to allow a minister to speak for not more than 5 minutes, and
 - (f) where a motion moved under this sessional order will conflict with another sessional order affording certain business precedence, the motion for the take note of answers will take precedence.

2. That, for the duration of the current session and unless otherwise ordered:
 - (a) paragraph (1) of the sessional order nominating the time for Questions be amended by omitting “2.30 pm on Wednesday, Thursday and Friday” and inserting instead “12.00 pm on Wednesday, Thursday and Friday”,
 - (b) the sessional order for the precedence of business be amended by omitting paragraph (2) and inserting instead:
 - “2. General business is to take precedence until 4.00 pm on Thursday each week”, and

- (c) paragraph (1) of the sessional order for the motion for the adjournment be amended by omitting “and half an hour after the conclusion of Questions on Thursday and at the conclusion of Questions on Friday” and inserting instead “at 4.00 pm on Thursday and at 3.30 pm on Friday”.
3. That, for the duration of the current session and unless otherwise ordered, standing order 65(5) be varied to read as follows:
- “(5) An answer must be directly relevant to a question.”

Debate ensued.

Question put and passed.²

² 14 September 2016, Minutes No. 73, item 13, pp1126-1127.

Inquiry into e-petitions

1. That the Procedure Committee inquire into and report on the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
2. That the committee report by the last sitting day in June 2017.³

³ 23 February 2017, Minutes No. 92, item 17, p1415.

Committee details

Committee members

The Hon John Ajaka MLC President	Liberal Party	<i>Chair</i>
The Hon Trevor Khan MLC Deputy President	The Nationals	
Revd the Hon Fred Nile MLC Assistant President	Christian Democratic Party	
The Hon Don Harwin MLC Leader of the Government	Liberal Party	
The Hon Niall Blair MLC Deputy Leader of the Government	The Nationals	
The Hon Adam Searle MLC Leader of the Opposition	Australian Labor Party	
The Hon Walt Secord MLC Deputy Leader of the Opposition	Australian Labor Party	
The Hon Natasha Maclaren-Jones MLC Government Whip	Liberal Party	
The Hon Shaoquett Moselmane MLC Opposition Whip	Australian Labor Party	
The Hon Robert Borsak MLC	Shooters, Fishers and Farmers Party	
Dr Mehreen Faruqi MLC	The Greens	
The Hon Ben Franklin MLC	The Nationals	

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Chapter 1 The rules for notices of motions

- 1.1 On 9 November 2016, the then Leader of the Government in the Legislative Council, the Honourable Duncan Gay MLC, gave a notice of motion proposing a sessional order to apply additional rules for the giving of notices of motions, primarily relating to the content and length of notices and a restriction of the number of notices that a member may give on any sitting day. On 16 November 2016, the House agreed to refer the notice of motion, as by leave amended, to the Procedure Committee for inquiry and report.
- 1.2 At its meeting on 16 November 2016, the Procedure Committee resolved to accept the reference from the House and to conduct an inquiry into the rules for notices of motions. The proposed additional rules for notices of motions that the committee was asked to consider were:
- a notice of motion must not contain statements, quotations, lists of names or details or other matter not strictly necessary to make the proposed resolution or order intelligible,
 - a notice of motion must not contain argument or debating points,
 - a notice of motion must be clear in its purpose, concise and relate to a matter within the competency of the House,
 - a notice of motion should not exceed 250 words unless it relates to the business of the House, matters of privilege, or the establishment of committees,
 - a member is limited to giving no more than three notices of motions each sitting day.
- 1.3 The Chair wrote to the presiding officers of the Australian and New Zealand parliaments seeking comment on the matters being considered by the committee. The committee received eleven submissions from other parliaments.
- 1.4 Following the closure of submissions, the committee secretariat prepared a discussion paper for the committee's consideration of these matters. The discussion paper is attached at Appendix 1.
- 1.5 The committee then considered the discussion paper and whether it should endorse any of the proposed additional rules for the giving of notices of motions.
- 1.6 **The committee agreed not to recommend any change to the current rules for notices of motions.** The committee noted that a catalyst for the additional rules proposed in 2016 was the increasing amount of the House's time taken up during formalities each sitting day due to some members consistently giving multiple and often lengthy notices. Other developments that prompted the proposed additional rules included a tendency for notices to: contain arguments, imputations and debating points, virtually amounting to an undelivered speech; relate to community, constituency or international matters that do not reflect the purview of the Legislative Council; and be increasingly lengthy, dense and complex, giving rise to the risk the House will agree to a motion containing facts and details which are impossible to verify, and which could potentially reflect negatively on the standards and integrity of the House.

- 1.7** The committee acknowledged that the amount of time taken up by the giving of notices is an issue that periodically arises for the House, and that the number of notices of motions given invariably waxes and wanes as members exert a level of restraint. More importantly, the committee was reluctant to impose any restriction on the ability of a member to bring matters to the attention of the House.

Chapter 2 The rules for questions

- 2.1 On 2 June 2016, Mr Jeremy Buckingham of The Greens, gave three notices of motions proposing new sessional orders relating to Question Time. On 14 September 2016, the House referred these matters to the Procedure Committee for inquiry and report.
- 2.2 At its meeting on 16 November 2016, the committee resolved to accept the reference from the House and to conduct an inquiry into the rules for Questions. The proposed changes that the committee was asked to consider were:
- provision of an opportunity for a take note debate on answers to questions, based on the practice in the Australian Senate,
 - varying the time for the commencement of Questions in the Legislative Council on Wednesdays and Thursdays so that Questions did not occur at the same time as Questions in the Legislative Assembly, and
 - amending the current standing order that reads that “an answer must be relevant to a question” to instead read “an answer must be directly relevant to a question”.
- 2.3 The Chair wrote to the presiding officers of Australian and New Zealand parliaments seeking comment on the matters being considered by the committee. The committee received ten submissions from other parliaments
- 2.4 Following the closure of submissions, the committee secretariat prepared a discussion paper for the committee’s consideration of these matters. The discussion paper is attached at Appendix 2.
- 2.5 The committee subsequently considered the discussion paper and whether it should endorse any of the proposals relating to Questions.
- 2.6 With respect to the proposal to provide an opportunity each sitting day for a take note debate on answers to questions, the committee took the view that such a proposal could not be supported in isolation. Rather, the committee agreed that such a proposal should only be considered as part of a holistic review of the allocation of time for different items of business.
- 2.7 However, there was a difference of views among the committee with respect to the other two proposals. Some members did not perceive any need to change the current times for Questions that would warrant a disruption to the current sitting day schedule. Other members supported the change on the principle that Question Time in the two Houses should not be in ‘competition’ and run the risk of one being overshadowed by the other.
- 2.8 While some members were in favour of trialling the proposal to require that an answer be *directly* relevant to a question, other members considered it to be impractical, difficult to enforce and unlikely, by itself, to bring about any meaningful change.
- 2.9 **In the absence of consensus, the committee did not recommend any change to the current rules for Questions.**

Chapter 3 E-petitions

- 3.1 On 23 February 2017, the House referred to the Procedure Committee terms of reference to inquire into and report on the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
- 3.2 At its meeting on 5 April 2017, the committee resolved to accept the terms of reference from the House. The Chair wrote to the members of the Legislative Council and to other Australian and overseas parliaments inviting submissions to the inquiry. The committee received sixteen submissions, including three submissions from members of the Legislative Council and three submissions from overseas parliaments.
- 3.3 On 14 June 2017, the Chair made a visit of inspection to the Australian Parliament, during which the Chair was briefed on the House of Representatives e-petition system. The Chair prepared a discussion paper sharing his observations regarding the House of Representatives' e-petition model. The discussion paper is attached at Appendix 3.
- 3.4 When the discussion paper was considered by the committee some members of the committee expressed in principle support for the acceptance of e-petitions by the House, while other members reserved their position. Ultimately the committee resolved that the Chair prepare a detailed business case on the replication of the House of Representatives' e-petition model on the NSW Parliament's website, for the committee's consideration at a future meeting.
- 3.5 The committee will report back to the House in 2018 on the potential for the acceptance of e-petitions by the Legislative Council, following the finalisation of the business case referred to in paragraph 3.4.
- 3.6 **The committee will therefore require an extension to the reporting date for the inquiry, referred to in paragraph 3.5.**

Chapter 4 Sessional order on extension of debate

- 4.1 On 6 May 2015 the House adopted a sessional order varying standing order 186 to enable a member to move a motion without notice to extend the time for debate on a private members' motion, and to set time limits for each subsequent speaker.
- 4.2 Issues have subsequently arisen in relation to members seeking to extend debate on other motions as well as private members' motions. A new sessional order was drafted that allows for the extension of debate on any item of business that is subject to overall time limits on debate. A copy of the proposed sessional order is attached at Appendix 4.
- 4.3 **The proposed sessional order was considered and endorsed by the Procedure Committee.**

Chapter 5 Sessional order on presentation of petitions

- 5.1 On 6 May 2015 the House adopted a sessional order varying standing order 68 to require a minister to provide a response to a petition with 500 or more signatures within 35 calendar days. However, there is no provision in the sessional order for any action to be taken when a minister does not provide a response within that timeframe, as per the procedures in place concerning responses to committee reports and answers to questions.
- 5.2 An amended sessional order regarding the presentation of petitions was drafted to enable any failure by a minister to provide a response to a petition to be reported to the House. A copy of the proposed sessional order is attached at Appendix 5.
- 5.3 **The proposed sessional order was considered and endorsed by the Procedure Committee.**

Appendix 1 Discussion paper – rules for notices of motions

Establishment and conduct of the inquiry

On 9 November 2016, Mr Gay gave a notice of motion proposing a sessional order to apply rules for the giving of notices of motions, primarily relating to the content and length of notices and a restriction on the number of notices that a member may give on any sitting day. On 16 November 2016, the House agreed to refer the notice of motion of Mr Gay, as by leave amended, to the Procedure Committee for inquiry and report.

At its meeting on 16 November 2016, the Procedure Committee resolved to accept the references from the House and to conduct concurrent inquiries into the Rules for Questions and the Rules for Notices of Motions.

In November 2016, the then President wrote to the presiding officers of the various Australian and New Zealand Parliaments seeking comment on the matters before the committee. The submission closing date was 10 February 2017.

The Committee received a total of 11 submissions on rules for notices of motions:

- New Zealand House of Representatives
- Australian House of Representatives
- Legislative Council of Victoria
- Legislative Assembly of Victoria
- Legislative Council of Tasmania
- Legislative Council of Western Australia
- Queensland Legislative Assembly
- Legislative Assembly of the Northern Territory
- ACT Legislative Assembly
- Legislative Assembly of New South Wales
- Australian Senate.

Rules for notices of motions

The Committee was asked to consider proposed additional rules applying to notices of motions. The proposed rules relate to the content and nature of notices of motions; the length of notices of motions; and to a proposed limit on the number of notices of motions a member may give on any sitting day. As the proposed rules could, if adopted in part or in full, result in a reduction in the number of notices of motions given by members, the Committee is also to consider other potential mechanisms by which members could have matters which members believe to be of community, national or international importance placed on the parliamentary record.

Background – the increasing number and length of notices of motions

In 2012, during the 55th Parliament, the Procedure Committee conducted a broad inquiry into notices of motions, which also considered many of the issues currently before this inquiry. The 2012 report noted that its reference arose from concerns arising from changing practices in the House, perhaps arising as unintended consequences of (then) recent changes to procedures that made it easier for motions to be agreed to as formal business – that is, without debate.⁴

The 2012 report highlighted the potential for change to improve the practice for giving and moving notices of motions in the Legislative Council. However, the Committee did not reach a consensus view on the matters referred, and, on that basis, did not make any recommendations for change.⁵

The concerns regarding the increasing number and length of notices of motions that prompted the referral in the 55th Parliament still remain in the 56th Parliament, and were the catalyst for the inquiry referral to this Committee.

The current process for having private member's business agreed to as formal business commenced mid-2007. In that year, 176 private members' business (PMB) notices of motions were given. The number of PMB notices of motions increased steadily over the next three years: from 187 in 2008 to 247 in 2009 and then 328 in 2010.

The following table outlines the number of private members' business notices of motions given each year since 2011, the number of those notices of motions resolved as formal business, and the number actually debated and resolved in the House. It shows that over the last few years well over 500 notices have been given each year.

Table 1 Private members' business notices of motions given, debated, and resolved as formal business

Year	PMB Notices of Motions given	Debated and resolved	Resolved as formal business
2011	421	25	163
2012	643	35	357
2013	626	33	351
2014	533	38	299
2015	554	15	251
2016	579	22	293
2017 to date	426	16	181

The giving of notices of motions in the Legislative Council is covered by standing order 71. Standing order 71 itself does not impose any specific rules on the nature or content of notices. However 71(8) provides that a notice which is contrary to the standing orders or practice will be amended before it appears on the Notice Paper. There have been occasions where a notice of motion has been amended on the order of the President.⁶

⁴ NSW Legislative Council Procedure Committee, Report No. 7, *Notices of motions*, June 2012, pp 2-3.

⁵ *Notices of motions*, June 2012, p 16.

⁶ For a recent example, see *Hansard*, 28 March 2017, p 23.

The 2012 report noted that in the absence of strict rules the following change in the nature and form of notices of motions had been observed:

- A tendency for notices to contain argument, imputations and debating points, virtually amounting to an undelivered speech which is then printed in the Notice Paper. This is particularly the case when notices of motion are given by a member without any expectation they will be called on for debate.
- A tendency for motions to relate to matters of a community and constituency nature or to international matters that do not reflect on the role, powers and purview of the New South Wales Legislative Council.
- Notices becoming increasingly lengthy, dense and complex, giving rise to the risk the House will agree to a motion containing facts and details which are impossible to verify, and which could potentially reflect negatively on the standards and integrity of the House. This is especially the case when they are put as formal business, without debate.⁷

This third concern was recently borne out, with a media article making reference to a notice of motion agreed to as formal business in 2014 which congratulated an individual for her achievements. The individual in question subsequently came under investigation by the NSW Crime Commission and the Independent Commission Against Corruption; ‘Too good to be true: how plausible Eman Sharobeen hoodwinked everyone from Premier Baird to SBS’, *Sun Herald*, 23 April 2017.

These above three concerns, along with the amount of time taken for the giving of notices each day during formalities, were the catalyst for the current reference to the Committee.

While standing order 71 provides that a member may give notice of a motion to initiate a subject for discussion by reading it aloud, it also provides at 71(2), that lengthy notices need not be read, provided a summary of the intent of the notice is indicated to the House.

As the length of notices of motions have increased, it has become more common for some members to avail themselves of the process under 71(2), thus reducing the amount of time required each day for the giving of notices. However, this has also made it easier for members to give multiple lengthy notices containing lists of names or quotations. It is also noted that when a notice of motion is not given in full this reduces the opportunity for members to raise any point of order concerning the content of the notice prior to it being first included in the Notice Paper. The Committee should be aware that while the majority of notices of motions are processed by the Procedure Office before being given in the House, hence providing an opportunity to determine if the notice complies with the standing orders, the number of notices that are not being submitted by members to the Procedure Office prior to the House sitting has been increasing.

Practice in other Houses

The following table summarises the arrangements in other Houses in Australia and New Zealand with respect to the terms of reference.

⁷ *Notices of motions*, June 2012, pp 2-3.

Notices of motions: Summary of practice in other jurisdictions

Parliament	Notices of motions given verbally	Limit on number of notices lodged	Word limits	Limits on content	Amendments can be made (Clerk/ Presiding officer)	Other mechanisms
Australian Senate	No	No	No	Yes	Yes	Adjournment debates, senators' statements, debate on matters of public importance.
Australian House of Representatives	No	No	No	No	Yes	Adjournment debates, constituency statements, grievance debates, and members' 90 second statements.
New South Wales Legislative Assembly	Yes	No	No	Yes	Yes	Community recognition statements.
Victorian Legislative Council	Yes	No	Yes – 250 word limit applies	Yes – however can be moved on any matter, not restricted to Victorian government	Yes	Statements by members, and urgent matter of public importance.
Victorian Legislative Assembly	Yes – Ministers to provide NOMs verbally, and No - Private members in writing to the Clerks <i>(Amended by Sessional Order)</i>	No	Yes – no longer than 50 words	No	Yes	Statements by members, constituency questions, adjournment debate.
Western Australian Legislative Council	Yes	Yes – limit of two per member per sitting day	No	No	Yes	Members' statements, non-government business, private members' business.
Tasmania Legislative Council	Yes	No	No	No	Yes	Special interest matters, adjournment debates.
South Australian Legislative Council* <small>*(based on Procedure Office research)</small>	Yes	No	No	Yes	Yes	Members' statements on matters of interest.
Queensland Legislative Assembly	Yes	Yes	Yes – must not exceed 250 words	No	Yes	Private members' statements, matters of public interest and adjournment debates.

Parliament	Notices of motions given verbally	Limit on number of notices lodged	Word limits	Limits on content	Amendments can be made (Clerk/ Presiding officer)	Other mechanisms
ACT Legislative Assembly	No	No	No – but the chair has judgment when notices are 'too long'	Yes – must be relevant to jurisdiction of ACT	Yes	Matters of public importance, adjournment debates.
Northern Territory Legislative Assembly	Yes	No	No	No	Yes	Matters of public importance.
New Zealand House of Representatives	No	No	No	Yes	No	General debates.

Proposed rules regarding the nature and content of notices of motions

The Committee has been asked to consider the application of the following rules to the nature and content of notices of motions:

- a notice of motion must not contain statements, quotations, lists of names or details or other matter not strictly necessary to make the proposed resolution or order intelligible,
- a notice of motion must not contain argument or debating points,
- a notice of motion must be clear in its purpose, concise and relate to a matter within the competency of the House.

Six Australasian parliamentary jurisdictions implement restrictions on the content of notices of motions.⁸ The New South Wales Legislative Assembly limits the content of notices of motions by excluding those which are argumentative and ironical, are incapable of being actioned, are vague or non-specific, or require debate on hypothetical, non-existent or uncertain circumstances.⁹

In the Legislative Council of Victoria, notices of motions must present a concise and succinct proposition, and should not contain unnecessary and excessive quotations and extraneous material. They must not contain matters which are irrelevant to each other or those which are *sub judice*.¹⁰ In the ACT, the practice of the Legislative Assembly is that notices must be relevant to the jurisdiction of the Territory.¹¹

The New Zealand House of Representatives requires notices of motions to be expressed in a form and with content appropriate for a resolution of the House, and to clearly indicate the issue to be raised for

⁸ South Australian Legislative Council standing order 104.

⁹ Submission 10, New South Wales Legislative Assembly, p 3.

¹⁰ Submission 7, Victorian Legislative Council, p 4.

¹¹ Submission 3, Australian Capital Territory Legislative Assembly, p 2.

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debate, including only such material as may be necessary to identify the facts or matter to which the motion relates. The statements of fact or names of persons may only be included if they are strictly necessary to render the notice intelligible and can be authenticated.¹²

In the Australian Senate, a notice of motion must consist of a clear and succinct proposed resolution or order of the Senate, relating to matters within the competence of the Senate, and not containing statements, quotations or other matter that is not strictly necessary to make the resolution or order proposed intelligible.¹³

The Australian House of Representatives, the Western Australian Legislative Council, the Victorian Legislative Assembly, the Tasmanian Legislative Council, the Queensland Legislative Assembly, and the Northern Territory Legislative Assembly do not apply restrictions to the content and nature of notices of motions.

Comment

If the Committee decided to impose the restrictions on the nature and content of notices of motions, it would be expected that notices would be shorter, clearer and more concise, which could reduce the time taken during the giving of notices of motions in the House. However, as noted in the 2012 report, imposing such restrictions would impose additional responsibility on the Clerk in the first instance, and ultimately the President to interpret and apply the rules.¹⁴

The Committee should also consider whether notices of motions given should be relevant to the jurisdiction of the Legislative Council and the state of New South Wales. The acceptance of this rule would bring New South Wales Legislative Council in line with other Parliaments which have already adopted this practice.

Options

The options before the committee are:

- Make no recommendation for change.
- Recommend adoption of all or some of the rules.

In reaching a decision, points that the Committee may wish to consider include:

- If the Committee makes no change, it is likely that notices of motions will continue to be lengthy and the time spent giving notices of motions will continue to be significant.
- Lengthy notices are unable to be verified by the House which if not accurate can reflect negatively on the Legislative Council.
- If the Committee were to adopt all or some of the restrictions on the nature and content of notices of motions, the Clerk and President will need to ensure the rules are implemented accordingly. For

¹² Submission 1, New Zealand House of Representatives, p 3.

¹³ Submission 11, Australian Senate, p 4.

¹⁴ *Notices of motions*, June 2012, p 7.

this reason the committee may also like to recommend members must lodge notices of motions with the Clerk, allowing time for review, prior to the giving of notices of motions on a sitting day.

- If the committee decides to adopt all or some of the restrictions, it would potentially make limiting notices of motions to a 250 word limit redundant.
- Any adoption of these rules may need to be offset by new opportunities for members to raise issues, such as a time for statements by members.

Restricting the length of notices of motions

The Committee has been asked to consider whether a notice of motion should not exceed 250 words unless it relates to the business of the House, matters of privilege, or the establishment of committees. The majority of other parliamentary jurisdictions do not apply a restriction on the length of notices of motions. Four jurisdictions do apply a limit.

The Queensland Legislative Assembly and the Victorian Legislative Council both apply a 250 word limit on notices of motions.¹⁵ In the Victorian Legislative Council the limit does not apply to a notice of motion relating to an inquiry terms of reference.

The Victorian Legislative Assembly limits the length of notices to 50 words, unless the notice establishes, appoints members to, or refers matters to, parliamentary committees, or is of a procedural nature in the opinion of the Chair.¹⁶

While the ACT Legislative Assembly does not apply a set limit, its standing order 107 authorises the Speaker to amend notices that are ‘too long’ before they appear on the notice paper.¹⁷

Comment

Of the four Houses that do impose a word limit on notices of motions in their jurisdiction, these Houses also offered other mechanisms to members to raise matters of interest during the sitting period, such as opportunities for statements by members, in addition to private members’ business and adjournment debates.

Options

The options before the committee are:

- Make no recommendation for change.
 - Recommend adoption of a word limit on notices of motions.
- In reaching a decision, points that the Committee may wish to consider include:

- Arguably, in addition to notices concerning committees, a 250 word limit should not be applied to SO52 notices, or other procedural notices.

¹⁵ Submission 2, Queensland Legislative Assembly, p 2; Submission 7, p 4.

¹⁶ Submission 5, Victorian Legislative Assembly, p 4.

¹⁷ Submission 3, p 2.

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- If the Committee adopted a word limit on notices, it may also be necessary to offset with other mechanisms afforded to members, such as statements by members.
- How would a notice of motion with more than 250 words be managed? Would the Clerk or the President be authorised to make amendments necessary to keep notices under the word limit, or would words over 250 just be deleted?
- Should there be an opportunity to extend the word limit, by leave of the House?

Restricting the number of notices of motions able to be given

The Committee has been asked to consider whether a member may be limited to giving no more than three notices of motions each sitting day.

In the Legislative Council of Western Australia, members are limited to lodging two notices of motion per sitting day, excluding motion for the disallowance of statutory instruments.¹⁸ This is the only Australasian parliamentary jurisdiction to currently apply such a restriction.

Options

The options before the committee are:

- Make no recommendation for change.
- Recommend adoption of a limit.

In reaching a decision, points that the Committee may wish to consider include:

- Only one other Australasian parliamentary jurisdiction applies such a limit.
- Adopting this limit may lead to the request by members that other mechanisms be afforded to members to raise issues in the House.

Alternative mechanisms by which members can have matters placed on the parliamentary record

Currently private members have a limited number of opportunities to highlight matters and have them placed on the parliamentary record.

Each sitting day, an unlimited time is provided for members to give notices of motions. Under current sessional orders, if a private members' notice of motion has not been moved after 20 sitting days it is removed from the Notice Paper. Currently, each sitting week three and a half hours is set aside, on Thursdays, for consideration of private members' business. Recent figures indicate that approximately 30 private members' notices of motion are moved, debated and resolved each year.

If a private member's notice proceeds as formal business, that is, without debate, and is resolved in the affirmative it is recorded in the Minutes of Proceedings. In 2016, 293 matters were agreed to as formal business.

¹⁸ Submission 8, Western Australian Legislative Council, p 2.

The 30 minute adjournment debate at the conclusion of each sitting day provides members up to five minutes in which they can raise various matters of importance. A contribution to the adjournment debate is recorded as the views of the private member and not those of the House. Approximately 18 members are afforded the opportunity to raise matters during the adjournment debate each sitting week.

The standing orders also provide other mechanisms by which private members may initiate debate, such as the suspension of standing orders to bring on an item of business forthwith, or the moving of urgency motions and matters of public importance. However, in these cases, the agreement of the House is required, at least for the item to be brought on for debate.

If the proposed new rules for the giving of notices of motions were adopted by the House, it is likely that this would result in less opportunity for members to acknowledge the achievements of individuals and organisations and for these to be placed on the parliamentary record. Consideration could be given to alternative mechanisms by which such matters could be placed on the parliamentary record, but without necessarily requiring the endorsement of the House by way of resolution.

Other parliaments

Most other Australasian parliamentary jurisdictions provide opportunities in addition to debate on private members' motions and the adjournment debate for members to raise matters of importance to them. The most common opportunities available in other parliaments are discussed below.

Constituency statements

The Australian House of Representatives and the NSW Legislative Assembly both provide routine opportunities for their members to place on the parliamentary record comments regarding their local constituency or community.

In the House of Representatives, 30 minutes is provided for constituency statements at the start of every meeting held in the Federation Chamber. Any member is allowed to speak for up to three minutes.¹⁹

In 2013, the NSW Legislative Assembly introduced 'Community Recognition Statements' which take place for 20 minutes on Wednesdays and 30 minutes on Thursdays each sitting week. Members have the opportunity to make a statement for up to 60 seconds, without debate. The submission from the Speaker of the Legislative Assembly noted that the procedure has proven to be very popular among members as it provides an outlet to acknowledge local community persons, clubs, organisations and their activities as an alternative to a notice of motion.²⁰

Opportunities for members to make statements regarding local communities or constituencies were, perhaps, viewed as a feature of lower houses of parliament. In its 2012 report, the Procedure Committee considered adopting the then practice in the Legislative Assembly of community recognition notices. The report noted that there was some concern at adopting such a practice as it might 'overlap with the work of the lower House'.²¹

¹⁹ Submission 9, House of Representatives, p 3.

²⁰ Submission 10, p 7.

²¹ *Notices of motions*, p 15.

It is worth noting that in some other upper Houses, members are assigned an electorate or constituency. For instance, in the Tasmanian Legislative Council, a period of 30 minutes is set aside each Tuesday to provide for ‘special interest matters’ to be brought to the attention of the House. This provision enables up to six members to raise matters of interest to them, most of which relate to individuals, groups, events or other happenings in their respective electorates.²²

Similarly, the Victorian Legislative Council has adopted the provision of constituency questions, whereby at the conclusion of Question Time up to ten members may ask Ministers an oral question relating to a constituency matter, to which a written response is provided within 30 days. A question must relate directly to a member’s electorate.²³

In the NSW Legislative Council, with the exception of some Ministers and Parliamentary Secretaries, members are not formally assigned constituencies. Some members are informally assigned duty electorates by their respective parties, and it is also the case that some members take a special interest in matters affecting specific geographical areas. As noted previously, a great deal of the notices of motions given in the Council seek to have the House acknowledge events relating to a member’s ‘constituency’. The needs of members who may wish to raise matters relating to specific local community events and other matters might be better met by the provision of an opportunity for members’ statements, which is a feature in a number of other Houses.

Members’ statements

As is the case with constituency statements, members’ statements provide members with the opportunity to have matters placed on the parliamentary record without a question being put before the House. Members’ statements are a common feature among other parliamentary jurisdictions, including among upper Houses.

In the Australian Senate, Senators statements take place between 12.45 pm and 2.00 pm on a Wednesday. Senators may make statements without any question before the chair, and with a time limit of 10 minutes for each speaker.²⁴ In the House of Representatives, 30 minutes is provided each day plus an additional 45 minute period in the Federation Chamber for members to make 90 second statements.

In the Victorian Legislative Council, up to 15 members each day may make a statement of up to 90 seconds on any topic of concern. Each member is entitled to make only one statement each sitting week.²⁵ In the Victorian Legislative Assembly, members may make 90 second statements on matters of interest for a period of 30 minutes each sitting day.²⁶ The Assembly’s standing orders do not place any restriction on the number of statements each member may make, but they do note that the call is allocated between members according to party/individual representation in the House.

The South Australian Legislative Council provides that on each Wednesday after Questions, members may make statements on matters of interest. Up to seven members may speak for a maximum of five minutes each.

²² Submission 6, Tasmanian Legislative Council, pp 2-3.

²³ Submission 7, p 3.

²⁴ *Oggers Australian Senate Practice*, 14th Edition, p 214.

²⁵ Submission 7, p 6. A member may assign his or her single entitlement to another member provided that no individual member may be called more than once each day.

²⁶ Submission 5, p 4.

In the Queensland Legislative Assembly private members' statements occur each sitting day for a total of 15 minutes with five members able to each speak for up to three minutes. On Thursdays, an additional 30 minutes is allocated to this provision.

In the Western Australian Legislative Council members' statements are taken every sitting day for 40 minutes, allowing members to make a ten minute speech on a matter of their choice. However, members' statements take place prior to the adjournment, and in this respect are directly comparable to the provision of the adjournment debate in the NSW Legislative Council.

The provision of members' statements allows a broad scope for members who wish to have matters placed on the parliamentary record. Members may highlight achievements in local communities and also raise important issues of local, national or international significance.

Matters of public importance and urgency

Standing orders 200 and 201 of the Council provide members with the opportunity to have matters of public importance or urgency debated in the House. In both cases, there is no question before the House. Matters of public importance have a debate time limit of 90 minutes, and may proceed only on those days on which government business has precedence. Urgency matters have no overall time limit, but there are speaking time limits and only one such matter may proceed each day.

While it is open for any member to propose a matter for debate under these standing orders, the agreement of the House is required for the debate to proceed. Little use has been made of these provisions in the Council in recent times.²⁷

Similarly, the Legislative Council of Victoria reports that while its standing orders provide for a member to move a motion of urgent public importance, such motions are rare.²⁸

By comparison, in the Australian Senate, the Queensland Legislative Assembly and the Legislative Assembly of the Australian Capital Territory, debate on matters of public importance and urgency are routine features of the sitting week.

In the Legislative Assembly of the Northern Territory, members can submit a request to the Speaker for discussion on a matter of public importance within the Assembly's competence. During the 12th Assembly of the Northern Territory which ran from October 2012 to June 2016, 14 such matters were debated.²⁹

In the Senate proposals for debate on matters of public importance or an urgency motion need the support of only four other Senators for the matter to proceed. As such, debate occurs routinely. Debate normally has a limit of 60 minutes, but this can extend to 90 minutes on any day that there is no take note debate on answers to questions.

In the Queensland Legislative Assembly, debate on matters of public interest takes place once each sitting week for one hour.³⁰ While in the ACT Legislative Assembly such matters are debated twice each week, for 55 minutes on Tuesdays and Thursdays.³¹

²⁷ The last time such a matter was debated in the House was in September 2012.

²⁸ Submission 7, p 6.

²⁹ Consolidated index to the Minutes of Proceedings of the 12th Assembly of the Northern Territory.

³⁰ Submission 2, p 2.

³¹ Submission 3, p 3.

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Comment

There is a wide variance between Australasian parliamentary jurisdictions in the range of opportunities provided to private members to raise matters on the parliamentary record. If the Committee were to recommend that the House adopt restrictions on the giving of notices of motions then it may also consider recommending a new mechanism by which members could have certain matters raised in the House. If this new mechanism is to be provided in order to offset the loss to members who are no longer able to give the types of notices of motions to which they had become accustomed, then the Committee would need to consider whether the new mechanism should be a routine element of the sitting pattern, rather than be dependent upon the will of the House.

Options

The options before the committee are:

- Make no recommendation for change.
- Recommend additional opportunities for members to place matters on the parliamentary record.

In reaching a decision, points that the Committee may wish to consider include:

- If the Committee does not make any recommendation to adopt new rules for notices of motions, then it may deem it not necessary to recommend new opportunities for members to raise matters. However if it does recommend new rules for notices, it would be pertinent to consider the nature of alternative opportunities for members to raise issues, and when it would take place.
- Members' statements are a common feature among other Houses.
- Members' statements or the like do not require the House to agree to a notice containing facts that cannot readily be verified, and there is no risk of the House unwittingly endorsing some comments that could later cause it some embarrassment.

Appendix 2 Discussion paper – rules for questions

Establishment and conduct of the inquiry

On 2 June 2016, Mr Buckingham gave three notices of motion proposing new sessional orders relating to Question Time. On 14 September 2016, the House referred these notices to the Procedure Committee for inquiry and report.

At its meeting on 16 November 2016, the Procedure Committee resolved to accept the reference from the House and to conduct an inquiry into the Rules for Questions³².

In November 2016, the then President wrote to the presiding officers of the various Australian and New Zealand Parliaments seeking comment on the matters before the committee. The submission closing date was 10 February 2017.

The Committee received a total of ten submissions on the rules for questions:

- New Zealand House of Representatives
- Australian House of Representatives
- Legislative Council of Victoria
- Legislative Assembly of Victoria
- Legislative Council of Tasmania
- Legislative Council of Western Australia
- Queensland Legislative Assembly
- Legislative Assembly of the Northern Territory
- ACT Legislative Assembly
- Australian Senate.

Under the terms of reference received from the House on 14 September 2016, the Committee was asked to consider three proposals relating to the operation of Question Time. These proposals were: providing an opportunity for a take note debate on answers to questions; varying the time for the commencement of Questions; and requiring that an answer be *directly* relevant to a question.

Practice in other Houses

The following table summarises the arrangements in other Houses in Australia and New Zealand with respect to the three terms of reference.

³² The Committee also accepted a reference for an inquiry into the Rules for Notices of Motions and resolved to run the two inquiries concurrently.

Question Time: Summary of practice in other jurisdictions

Parliament	Relevancy requirement	Different time for Questions in each House	Take note of answers debate	Other reforms
Australian Senate	Directly relevant	No	Yes – To take note of answers given during question time – 30 min debate, 5 min per speaker.	Two supplementary questions allowed per original question
Australian House of Representatives	Directly relevant	No	No	
Victorian Legislative Council	Direct, factual, succinct and relevant	Yes	No automatic right. A member may move without notice that a specific notice be taken into consideration on the next sitting day. It is listed as private members business on the notice paper – it is not common for these motions to get to debate	1. Questions are restricted to non-government members – nine questions asked per day 2. The President may determine that an answer to an oral question is not responsive and direct the Minister to provide a written response to the question by the next sitting day. Over two years, around 40% (760) questions have been deemed to be non-responsive.
Victorian Legislative Assembly	Direct, factual, succinct and relevant	Yes	No	The Speaker may determine that an answer is non-responsive and require a written response. Over two years, nine questions have been deemed non-responsive.
Western Australian Legislative Council	Concise and relevant	Yes	No	
Tasmanian Legislative Council	No requirement	Yes	No	
South Australian Legislative Council* <small>*(based on Procedure Office research)</small>	No requirement	No (Assembly starts at 2.00 pm Council starts at 2.15 pm)	No	1. Notice is given of questions. Once a Minister gives an answer to a question, members may ask questions arising from the Minister's answer. 2. A Minister may decline to answer a question on the grounds of public interest.
Queensland Legislative Assembly	Relevant	n/a	No	

Parliament	Relevancy requirement	Different time for Questions in each House	Take note of answers debate	Other reforms
ACT Legislative Assembly	Concise and directly relevant to the subject matter of the question	n/a	No	
Northern Territory Legislative Assembly	Concise and directly relevant to the question asked	n/a	No	
New Zealand House of Representatives	Answer must address the question	n/a	No	12 questions to be asked during Question Time are lodged by 10.30 am. Question Time starts at 2.00 pm. Up to 60 supplementary questions may be asked regarding the initial response of Ministers to the lodged questions.

The three proposals the Committee was asked to consider are discussed below.

A take note debate on answers to questions

Take note debates are a commonly used tool in the House to commence debate about a particular topic. For instance, on tabling of a report from a committee a motion may be moved without notice ‘That the House take note of the report’.³³ The Committee has been asked to consider whether such an opportunity for a take note debate should be provided at the conclusion of Questions to take note of any answers given, with the following possible criteria:³⁴

- immediately following the conclusion of Questions, a motion may be moved without notice: ‘That the House take note of answers given to questions this day’,
- debate on the motion may canvass any answers to oral questions asked that day and any answers to written questions received since the last sitting of the House,
- debate on the motion shall not exceed 30 minutes in total,
- a member may speak for not more than 5 minutes to the motion, and the mover is not entitled to a right of reply,
- if the question has not been earlier disposed of, at 5 minutes before the expiration of 30 minutes, debate will be interrupted to allow a minister to speak for not more than 5 minutes,
- where a motion moved under this sessional order will conflict with another sessional order affording certain business precedence, the motion for the take note of answers will take precedence.

³³ Standing order 232 (1).

³⁴ The criteria were included in Mr Buckingham’s original notice of motion from 2 June 2016.

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The proposal is based on the practice in the Senate, which has had such a procedure in place for nearly a quarter of a century and is now regarded as an essential part of question time each day in that House.³⁵ The Senate is the only Australasian House of Parliament to provide for such a take note debate on answers given to questions.³⁶

The procedure was first adopted in the Senate as a sessional order in 1993, before being incorporated in its current form in Senate standing order 72 (4) in 1997. The Senate standing order provides:

- after question time motions may be moved without notice to take note of answers given that day to questions,
- a senator may speak for not more than 5 minutes on such a motion,
- the time for debate on all motions relating to answers to questions without notice on any day shall not exceed 30 minutes.

The motion moved by a Senator must specify the answer given to a question. The standard motion is moved in the following terms: 'I move—That the Senate take note of the answer given by the Minister <capacity> (<name>) to a question asked by Senator <name> today, relating to <subject>'.

However, it is within order for a Senator to move to take note of multiple answers, including 'all answers given today' which can provide a broad scope for the subject matter of the debate.³⁷ Odgers notes that 'motions to take note of answers provide the Senate with an opportunity to debate answers which are regarded as unsatisfactory or which raise issues requiring debate'.³⁸

The Senate advised that when the take note procedure was introduced there was no overall increase in debate time for non-government business. Senate standing order 75 provides for a debate on any day on a 'matter of public importance' or an 'urgency motion'. These are routinely used by non-government Senators to initiate debate on matters of public policy and political interest. The time limit for this debate was reduced from 90 minutes to 60 minutes in order to accommodate the 30 minute take note of answers debate.

The proposal being considered by the Committee differs from the practice of the Senate in two ways. Firstly, the proposal being considered by the Committee permits debate on answers to written questions received since the last sitting of the House. Allowing debate on answers to written questions is not part of Senate practice. If the Committee were to recommend that the House adopt a take note debate on answers, there is no immediately apparent reason why the scope of the debate should not be broadened to encompass answers to written questions.

Secondly, the proposal being considered by the Committee provides for debate to be interrupted to allow a minister to speak in response. The submission from the Australian Senate outlined why this is not part of Senate practice:

³⁵ Submission 10, Australian Senate, p1.

³⁶ The standing orders of the Legislative Council of Victoria provide that following a minister's answer, a member may move that the answer be taken into consideration on the next day of meeting. If agreed to, the answer is listed on the Notice Paper under general business, to be possibly debated within 20 sitting days. It is not common for items so listed to be called on for debate. See submission 7, p3

³⁷ Submission 10, Australian Senate, p2

³⁸ *Odgers' Australian Senate Practice*, 14th Edition, 2016, p633.

There is no similar provision in the Senate order, although occasionally a minister will take one of the places notionally allocated to government speakers. The purpose of the Senate procedure has been referred to as providing an opportunity for non-government senators (and particularly opposition senators) to balance the debate, after question time, which is characterised as being dominated by the government. A right of reply from the ministry might be thought to go against this purpose.³⁹

In addition, it is noted that in the Senate it is not uncommon for more than one take note motion to be moved during the one 30 minute debate, one by an opposition Senator and one by a cross-bench Senator.⁴⁰ In such cases, more than one take note question will be put. The proposal referred to the Committee appears to envisage only one take note motion being moved each day.

It should also be noted that it is Senate practice to allocate the call in the following order, with only occasional variations: Opposition (mover)/ Government/ Opposition/ Government/ Opposition/ Cross-bench (mover). The submission from the Senate notes that with the increased size and diversity of the current Senate cross-bench there has been some tentative interest in allocating speaking opportunities differently.⁴¹

Comment

The provision of a take note debate on answers to questions would be an additional opportunity for the House to scrutinise the actions of ministers, and would potentially add value to Question Time and answers to Questions on Notice.

As part of its consideration of the rules regarding the giving of notices of motions, the Committee is considering the potential for other mechanisms for private members to raise matters in the House and have them placed on the parliamentary record. The proposal to increase the allocation of time for non-government business by way of a take note debate on answers will need to be considered in the context of other proposals for new or extended times for other non-government business.

Options

The options before the committee are:

- Make no recommendation for change.
- Recommend that the House adopt a sessional order which provides for a take note debate on answers to questions.

In reaching a decision, points that the Committee may wish to consider include:

- The Senate is the only Australasian House of Parliament to have a take note of answers debate mechanism.
- If the Committee recommends that the House adopt a sessional order, it could be based on the proposal put forward by Mr Buckingham, consideration could be given to the Senate practice which does not allow a minister to speak in response.
- If the House adopts such a procedure, it might need to offset the time required to implement it. (This would particularly be the case if new speaking opportunities are introduced to offset any restrictions on the giving of notices of motions).

³⁹ Submission 10, Australian Senate, p2

⁴⁰ *Hansard*, Australian Senate, 20 March 2017, pp52-53

⁴¹ Submission 10, p2

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- If the Committee recommends that the House also adopt the proposal to move question time to 12 noon on Wednesdays and Thursdays (as dealt with below), a take note would then occur at 1.00 pm and conclude at 1.30 pm.

Varying the time for Questions in the Legislative Council

Standing order 47(1) states that the House is to appoint the time when questions without notice will be taken each sitting day. The House does this by way of sessional order. According to the current sessional order, Questions commence at 4.00 pm on Tuesdays and at 2.30 pm on Wednesdays and Thursdays.⁴²

While the time allocated for Questions is at the discretion of the ministers present in the Chamber, by convention, Question Time in the Legislative Council proceeds for one hour.

In the New South Wales Legislative Assembly, Question Time commences at approximately 2.20 pm each sitting day and proceeds for 45 minutes or the answering of ten questions, whichever takes longer. Accordingly, Question Time in the Legislative Council and the Legislative Assembly effectively occur at the same time on Wednesdays and Thursdays. As a result, members of the public and the media interested in watching Question Time are able to observe live proceedings only in one House, and not the other, on these days.

Under the terms of reference of the inquiry, the Committee is to consider whether the sessional order nominating the time for Questions be amended so that Questions commence at 12 noon on Wednesdays and Thursdays.

In 2001, the sessional order agreed to by the House saw Questions commence at 4.00 pm on Tuesdays and at 12 noon on Wednesdays and Thursdays (the same times as proposed by Mr Buckingham).⁴³ The commencement times of 4.00 pm on Tuesdays and 12 noon on Wednesdays and Thursdays were readopted in subsequent sessional orders until 2011.

The sessional order agreed to by the House in May 2011 established the current commencement times for Questions in the Council, and the subsequent overlap with Assembly Question Time on Wednesdays and Thursdays.⁴⁴

Practice in other Australian parliaments

Of the five other bicameral parliaments in Australia, two have Questions occurring at the same time in their respective two Houses, and three have Questions occurring at different times.

⁴² The sessional order also provides for Questions to commence at 4.00 pm on Mondays and at 2.30 pm on Fridays.

⁴³ During debate on the sessional order, the then Leader of the Government sought to amend the sessional order so that Questions in the two Houses would occur at the same time on Tuesdays. This was opposed, and ultimately defeated, by the then Opposition and cross-bench on the grounds that this would lead to the Council's proceedings being overshadowed by the Assembly. See *Hansard*, NSW Legislative Council, 30 May 2001, pp 13894-13895.

⁴⁴ During debate on the 2011 sessional order, the Greens moved an amendment to alter the proposed times to that which had pre-existed since 2001, but this amendment was defeated.

Along with New South Wales, the Australian and South Australian parliaments see Questions occurring simultaneously in their respective Houses.

The Australian Senate and the House of Representatives each begin Questions at 2.00 pm. This timing was standardised in 1990 coinciding with the commencement of the televising of Question Time. The televised broadcast is alternated between the Houses, and the House not broadcast live is shown in replay later. Neither House has perceived a need to give consideration to altering the order of business to avoid Question Time occurring at the same time in each House.⁴⁵

In the South Australian Parliament, Questions commence at 2.00 pm in the House of Assembly and at 2.15 pm in the Legislative Council. Questions proceed for one hour in both Houses.

The Western Australian, Victorian and Tasmanian Parliaments all have arrangements that ensure that the Question Times in their respective Houses do not clash.

The Legislative Council of Western Australia has scheduled questions without notice each sitting day at 4.30 pm since 2010 and prior to that at 5.00 pm on Tuesdays and Wednesdays and 4.00 pm on Thursdays. The Legislative Assembly of Western Australia schedules questions without notice at 2.00 pm each sitting day. The Legislative Council of Western Australia reports that this arrangement works well as it allows both Houses to have the full attention of the media and the public should they wish to follow the debate.⁴⁶

The Victorian Legislative Council's Question Time commences at 2.00 pm on Tuesdays and at 12.00 pm on Wednesdays and Thursdays. In the Victorian Legislative Assembly, Question Time commences at 12.00 pm on Tuesdays and at 11.00 am on Wednesdays and Thursdays. The Council reports that this scheduling allows the public, media and others to observe Question Time in both Houses.⁴⁷ The Legislative Council changed its Question Time in order to remove a clash with Question Time in the Assembly.⁴⁸

Question Time in the Legislative Council of Tasmania commences at 2.30 pm each sitting day for a period of 30 minutes. There is no overlap with Question Time in the Tasmanian House of Assembly which commences in that House at the commencement of each day's sitting at 10.00 am.⁴⁹

Comment

Since 2011, Questions in the Council and the Assembly have overlapped on Wednesdays and Thursdays, but not on Tuesdays. It is unclear whether there is any evidence that demonstrates there is greater public or media interest in or following of Questions in the Council on Tuesdays as opposed to the other sitting days.

⁴⁵ Submission 9, Australian House of Representatives, p1; Submission 10, Australian Senate, p3. The Senate submission noted that there have occasionally been musings about moving question time to avoid clashes, but not for many years.

⁴⁶ Submission 8, Legislative Council of Western Australia, p1.

⁴⁷ Submission 7, Legislative Council of Victoria, p3

⁴⁸ Submission 5, Legislative Assembly of Victoria, p1.

⁴⁹ Submission 6, Legislative Council of Tasmania, p2.

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It is also noted that all proceedings in both Chambers are now available on live webcast which provides some capacity to those with a particular interest to monitor and to access footage of Questions in both Chambers.

Options

The options before the Committee are:

- Make no recommendation for change.
- Recommend that the House vary the sessional order for Questions, so that Questions commence at 12.00 pm on Wednesday, Thursday and Friday.

Requiring that an answer be directly relevant to a question

Standing order 65(5) states that: ‘an answer must be relevant to a question’. Under the terms of reference the Committee has been asked to consider whether the standing order should be varied, by way of sessional order, to state: ‘an answer must be directly relevant to a question’.

The question of the relevancy of the answers to questions was considered by the Procedure Committee in the 55th Parliament. In its 2011 report, the Committee noted that the Australian House of Representatives, the Senate, the Northern Territory Legislative Assembly and the ACT Legislative Assembly had all (then) recently adopted a provision requiring a minister to be directly relevant to the question when answering with the onus for enforcement of that rule resting with the Chair. The Committee’s report further noted that some of the parliaments, particularly the federal Parliament, had suggested that the implementation of the rule had presented significant difficulties.⁵⁰

That report observed that all jurisdictions shared a difficulty in determining the relevancy of answers, and concluded that real change to the operation of Question Time would require cultural change.⁵¹ That report also provided information on the models for Question Time from the New Zealand House of Representatives and UK House of Commons, which depart significantly from those operating in Australia.

Practice in other parliaments

The submissions to the inquiry reveal that most Australasian Houses of Parliament have a relevancy requirement with respect to answers to questions without notice,⁵² and that in most cases the requirement is more emphatic than an answer must be relevant to the question asked.

As advised in submissions, the various relevancy requirements for answers that exist are:

- ‘directly relevant’ – Australian Houses of Representatives and Australian Senate
- ‘direct, factual, succinct and relevant’ – Victorian Legislative Council and Legislative Assembly

⁵⁰ NSW Legislative Council Procedure Committee, Report No. 6, *Report relating to private members’ business, the sitting pattern, Question Time and petitions*, November 2011, p13

⁵¹ Ibid, p15

⁵² The Tasmanian Legislative Council advised that its standing orders make no provision which requires that an answer must be relevant to a question, while the President applies the general rule of relevancy to all proceedings, Submission 6, p2

- ‘concise and directly relevant to the subject matter of the question’ - ACT Legislative Assembly and the Northern Territory Legislative Assembly
- ‘concise and relevant’ – Western Australian Legislative Council
- ‘answer must address the question, the reply must be a direct response to the question and cannot be a statement on an unrelated matter’ – New Zealand House of Representatives
- ‘relevant’ – Queensland Legislative Assembly.

For those parliaments that did not make a submission, research indicated the following relevancy requirements:⁵³

- ‘relevant’ – NSW Legislative Assembly, Western Australian Legislative Assembly
- ‘minister must reply to the substance of the question’ – South Australian Legislative Council.

In his submission to the inquiry, the Speaker of the House of Representatives noted that the House of Representatives Standing Committee on Procedure has long contended that a change in the nature of answers would depend on a change of attitudes on the part of members asking questions and ministers answering them, rather than a change of rules.⁵⁴ It was also noted that Speakers of the House of Representatives have consistently indicated that the relevance of answers to questions without notice is the most difficult subject on which the Chair has to adjudicate. While the inclusion, in 2010, of the provision for ‘direct relevance’ gave the Speaker greater authority to require answers to be less wide-ranging, *House of Representatives Practice* notes that the interpretation and application of the provision has remained challenging.⁵⁵

The submission from the Clerk of the Australian Senate noted that the change from ‘relevant’ to ‘directly relevant’ implemented in that House in 2008, made little difference in practice. Senate Presidents over many years have noted that it is not for them to tell ministers how to answer questions, and that when Presidents consider that ministers are not being directly relevant, practice has been to remind ministers of the subject of the question.⁵⁶

In the Western Australian Legislative Council, the requirement that an answer be concise and relevant has been interpreted as meaning that an answer must address the question and not make any statements on unrelated matters. Presidents’ rulings have confirmed that when a question is specific, ministers must confine their answers to the issues raised in the question. Interestingly, the submission from the President indicated that leaving some discretion with the President on the question of relevance, has worked well in that House.⁵⁷

Similarly, the New Zealand House of Representatives requirement that an answer must address the question is interpreted to mean that the answer must be a direct response and it cannot be a statement on an unrelated matter. What is permitted in an answer depends on the nature of the question asked,

⁵³ The standing orders of the South Australian House of Assembly do not include any rule for answers to questions without notice other than the answer shall not debate the matter to which the question refers.

⁵⁴ Submission 9, p3

⁵⁵ Submission 9, p1.

⁵⁶ Submission 10, p3

⁵⁷ Submission 8, p2

and the test for the Speaker of the adequacy of a reply is whether or not the question has been addressed.⁵⁸

The overall model for Question Time in the New Zealand House of Representatives is significantly different to those operating in Australia, this is discussed further later in the paper.

The Speaker of the Australian Capital Territory Legislative Assembly considers that the inclusion of the words ‘directly relevant’ to be a useful tool for Presiding Officers to help ensure that ministers do not stray off the subject matter when answering a question.⁵⁹ The Speaker of the Legislative Assembly of the Northern Territory has instructed members that the standing order requiring answers to be concise and directly relevant must be read in conjunction with the practice that Ministers have three minutes to come to a conclusion in their answers.⁶⁰

The requirement in both of the Victorian Houses of Parliament that answers must be ‘direct, factual, succinct and relevant’ was introduced as part of a package of overall reforms to parliamentary business in early 2015. That package included the removal of ‘Dorothy Dixers’ via the rule that only non-government members may ask questions without notice, and the provision whereby the Presiding Officer may determine that an answer is non-responsive and subsequently direct the minister to provide a written response to the question on the next sitting day.⁶¹

It is interesting to note the difference between the two Victorian Houses in the volume of answers that have been deemed non-responsive by the respective Presiding Officer. In the Victorian Legislative Assembly, as at 1 February 2017, nine answers to questions including one answer to a supplementary question have been ruled as not responsive in the 58th Parliament.⁶² In contrast, in the Victorian Legislative Council for the two years that the sessional order has been in operation, 760 answers to questions have been deemed non-responsive.⁶³

The Clerk of the Legislative Council of the Parliament of Tasmania reported that it has not considered changes to its current practice as Question Time is currently meeting the expectations of its members. This is attributed to the fact that there is only one minister in that House and that there is a general level of satisfaction with the minister’s performance in providing answers coupled with her preparedness to supply additional information if and when required.⁶⁴

Comment

The experience in other jurisdictions suggests that simply changing the wording of the current rule requiring answers to be relevant is, by itself, unlikely to realise any noticeable change in the nature of answers given during Question Time. The impact of the relevancy requirement in various Houses must be viewed in the context of each House which includes its culture and other rules or practices it has in place with respect to the operation of Question Time.

⁵⁸ Submission 1, p2

⁵⁹ Submission 3, p2

⁶⁰ Submission 4, pp1-2

⁶¹ Submission, 7, pp1-2; Submission 5, p2.

⁶² Submission 5, p2.

⁶³ Submission 7, p2.

⁶⁴ Submission 6, p1.

Options

The options before the Committee are:

- Make no recommendation for change.
- Recommend that the House, by way of sessional order, vary standing order 65(5) to require that an answer be directly relevant.

In reaching a decision, points that the Committee may wish to consider include:

- Evidence from other Parliaments suggests that in the absence of other reforms, changing the current requirement from ‘relevant’ to ‘directly relevant’, while raising expectations, would be unlikely to realise any changes to the substance of answers provided.
- Adopting ‘directly relevant’ would bring the Council in line with most other Houses of Parliament which have included a more specific relevancy requirement for answers.

Postscript: Alternative models for Question Time – 2011 Report

In its 2011 Report, the Procedure Committee included information on the models for Question Time in the New Zealand House of Representatives and the United Kingdom House of Commons, which depart significantly from those operating in Australia. Information on these models was included to highlight a potential alternative to the pursuit of further reforms to the current operating model for Question Time in the Council.

New Zealand House of Representatives

The most significant difference is that in New Zealand prior notice is given of the primary questions that will be asked during Question Time. This can provide for a more orderly process and for Ministers to prepare and provide a more informative response.

In his submission, the Speaker of the New Zealand House of Representatives outlined the main features of the New Zealand oral question system:⁶⁵

- Twelve questions to Ministers are lodged with the Clerk by 10.30 am each sitting day. The questions are circulated to Ministers and placed on the parliament’s website thereby allowing Ministers a few hours to prepare their reply.
- Oral questions are dealt with as the first substantive item of business transacted by the House each day (shortly after 2.00 pm).
- After the initial reply to a question is given, members may ask supplementary questions to follow up on the initial response of the Minister.
- Supplementary questions are at the discretion of the Speaker, with approximately 60 supplementary questions available per Question Time.
- Question slots are allocated and rotated on a basis proportional to party membership in the House (excluding members of the Executive).
- While there is no time limit on Question Time, it normally proceeds for approximately one hour.

⁶⁵ Submission 1, p1.

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- An answer must be given if it can be given consistently with the public interest. However, a Minister cannot be forced to answer a question (unless the House orders the Minister to do so, in which case failure to answer could be punished as a contempt).

United Kingdom House of Commons

The key feature of the UK system is that Question Time is divided into two parts – answers to questions on notice and answers to topical questions without notice. Questions are limited to a set number determined by a random ballot, and questions are further subject to a rota system under which each portfolio except that of the Prime Minister answers questions only once within a five week period. Question Time operates in two segments as follows:

- Answers to questions placed on notice in advance - questions are tabled at least three days in advance of Question Time. Each member may table only one question for each department, subject to a maximum of two on a single day. The order in which the questions are asked is determined by random computer ballot, a process known as 'the shuffle'. The shuffle is a lottery and blind to considerations of party, seniority, method of tabling, time of submission or the results of previous shuffles. Once the questions have been shuffled they are numbered consecutively up to the quota and added to the Order of Business Paper (the program for the day). Any oral question selected in the 'shuffle' that has not been answered at the conclusion of Question Time is answered in writing in a subsequent issue of Hansard.
- Answers to topical questions, similar to questions without notice - the last 10 to 15 minutes of Question Time is reserved for 'topical questions', where members can ask questions without notice on any subject relating to the portfolio's responsibilities. Members enter an additional ballot for topical questions.

Comment

Historically, the purpose for which Question Time was intended was the opportunity to seek and provide information about government decisions and actions. To that end, providing some notice of the topics on which information will be sought should assist in that process.

If members of the Council are dissatisfied with the current operation of Question Time, the New Zealand and / or United Kingdom procedures may be considered as alternative models that could be trialled in the Legislative Council, for example for the remainder of this Parliament.

Options

The options before the Committee are:

- Make no recommendation for change.
- Recommend that the House trial a new operating model for Question Time based on New Zealand House of Representatives or United Kingdom House of Commons practice.

Appendix 3 Discussion paper – e-petitions

Merits of introducing e-petitions

The key advantage of e-petitions is that they provide better access for the community to Parliament, thus enhancing the democratic representativeness of Parliament. For example:

- e-petitions are more accessible to groups in society such as the young, the disabled and people living in remote communities who might not normally have access to a paper petition,
- e-petitions are more interactive in that signatories can monitor progress of the petition,
- e-petitions can be accessed by citizens on their own terms rather than a petition ‘finding them’, allowing citizens to comment on issues outside of their geographic area, field of work or immediate personal interest.

In addition, e-petition systems that are administered by a parliament eliminate the potential for irregular e-petitions being presented.

The principal concerns raised with respect to e-petitions are that they could be open to fraud and manipulation, and they may not adequately secure the personal details of signatories. That said, paper-based petitions also face the same issues.

Mechanisms for acceptance of e-petitions

There are three methods by which a House of Parliament may elect to accept e-petitions, each defined by the parliament’s level of involvement in the administration of the e-petition system.

1. A House may elect to accept e-petitions created via online portals hosted by a third party (such as Getup and Change.org).
2. A House may jointly own a specific e-petitions website (such as the petition.parliament.uk website).
3. A House or Parliament may host an e-petition site on its own parliament website.

In Australia, for those parliaments that routinely accept e-petitions, two parliaments use the first method (accepting e-petitions created on a third party site), and six parliaments use the third method (hosting their own e-petition site).

The Senate and the Legislative Assembly of the Northern Territory accept e-petitions from an external site. In general, e-petitions are treated no differently from paper based petitions, except that a Senator or MLA presenting the petition must certify that the petition has been duly posted with the text of the petition available to the signatories and that the e-petition must be printed out as a paper document to be in conformity with the requirements in the standing orders.

The Senate advised that approximately half of all petitions received in recent years were e-petitions. A 2013 Senate Procedure Committee report recommended that the current approach continue for the immediate future, but noted that, in the longer term, ‘the solution to these issues is for the Senate to host e-petitions on its own website so that conformity with the standing orders can be ensured from the outset’.

In contrast, elsewhere in Australia, the House of Representatives, Queensland Legislative Assembly, Australian Capital Territory Legislative Assembly, Tasmanian Legislative Assembly and Council, and Victorian Legislative Council all host their own e-petition websites.

On 14 June 2017, the President of the Legislative Council accompanied by the Deputy Clerk made a visit of inspection to the federal Parliament. During the visit the President inspected the House of Representatives' e-petition site and received a briefing from the Clerk Assistant Committees and staff of the Petitions Committee on how the system operates. The President also discussed the impact of the e-petition system on the functioning of the House of Representatives with its Clerk, Mr David Elder. The President found the House of Representatives e-petition model to be particularly impressive and wished to bring it to the attention of the Procedure Committee. – **Note Annexure A**

Indicative costing

The House of Representatives advised that the cost for establishing the e-petitions system was \$47,291. This cost included the development work and the establishment of technical support from the Department of Parliamentary Services during the testing phase. The figure does not include staff costs associated with developing business requirements and testing and on-going staffing costs for the Petitions Committee secretariat.

The Victorian Legislative Council's established an e-petition system in March 2017, and advised that the House of Representatives provided it with the source code for its e-petition system at no cost.

The indicative cost to replicate the House of Representatives e-petition model on the NSW Parliament's website is \$53,200 (excluding GST). This estimate is based on development effort needed to implement the system used by the House of Representatives.

In terms of staffing, the aim would be to service the receipt and processing of e-petitions from within the existing Procedure Office staff.

Difference between House of Representatives and other Australian parliamentary e-petition models

The other Australian parliaments that host an e-petition site are primarily based on the model developed by the Queensland Legislative Assembly which was the first Australian parliament to host e-petitions.

Two key differences between the House of Representatives model and other Australian parliaments that host e-petitions are:

- *Requirement for sponsoring member:* Most parliaments require a member to sponsor an e-petition in the first instance. A member who agrees to sponsor an e-petition submits a signed e-petition request form to the clerk for checking prior to the petition being posted on the website.
- *Petition signing timeframe:* While the House of Representatives has a set four week signing period, other parliaments allow the primary petitioner to nominate a signing period.

ANNEXURE A

House of Representatives' e-petition system

The House of Representatives introduced its e-petition system in 2016 at the beginning of the 45th Parliament. The e-petitioning process is outlined below:

1. *Creating a petition:* To request a new e-petition a principal petitioner follows the web link on the Petitions Committee homepage to a page where mandatory fields are filled in to validate a new petition. Within a set word limit the principal petitioner describes the issue and includes a request for action from the House.
Principal petitioners must provide personal details and are required to go through a short anti-spam verification test. An email from the system requesting verification is emailed to petitioners for completion within eight hours.
2. *Checking petition for conformity with standing orders:* The House's Standing Committee on Petitions assesses each new e-petition request for form, content and language to ensure that it complies with the standing orders. The secretariat prepares meeting papers for the next meeting of the Committee, at which petition requests are ruled either in or out of order.
Where e-petition requests are ruled out of order, the secretariat e-mails the principal petitioner to advise of the reasons for rejection and how to rectify and resubmit.
3. *Petition posted online:* Once approved by the Petitions Committee new e-petitions are immediately posted on the website to collect signatures for a period of four weeks. The principal petitioner is advised via email of this process. The e-petitions system collects signatures via validated email addresses and tallies the number of signatories but does not make the emails or names of signatories public.
4. *Petition presented to the House:* After the close of signatures the petition is presented to the House by the Chair of the Petitions Committee, or another member if advised/arranged by the principal petitioner, on the next available sitting Monday. After presentation, a petition is usually referred to the relevant Minister for response. The Minister is expected to respond in writing to the petition within 90 days of presentation. All Ministerial responses are published on the Petition Committee's website.

Members of the public browsing the e-petition website can view lists of past and current e-petitions. For each petition, the webpage displays the petition terms and request, the name of the principal petitioner, the number of signatories to the petition (either to date figure or final number if petition closed) and the status of the petition. A member of the public can sign any current e-petition. Petitioners are required to provide their names and email addresses and complete a short authentication process. Petitioners then receive an email asking them to verify their intention which must be done within eight hours. Following verification the petitioner's signature is registered against the petition.

As at 25 May 2017, the House of Representatives had received 226 petitions, 168 of which were e-petitions. The Department of the House of Representatives advised that the establishment of the e-petitioning system and website has proven to be a valuable enhancement of the petitioning system for the public, the members of the House and the secretariat supporting the Petitions Committee.

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Appendix 4 Sessional order to vary standing order 186 – Extension of debate

Extension of debate

That, notwithstanding anything to the contrary in the standing or sessional orders, during the current session and unless otherwise ordered:

When any item subject to an overall time limit for debate is interrupted to allow the mover of the motion to speak in reply:

1. 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
2. the question on a motion moved under paragraph (a) is to be decided without debate, but may be amended.

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Appendix 5 Sessional order to vary standing order 68 – Presentation of petitions

Presentation of petitions – SO 68

That, during the current session and unless otherwise ordered:

1. When a petition referred to a Minister under standing order 68 contains more than 500 signatures the Minister must table a response within 35 calendar days of the petition being received by the House.
2. If at the time the Minister is required to table the response the House is not sitting, the response may be presented to the Clerk.
3. 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.
4. The President is to inform the House on the next sitting day when any response to a petition has not been received within the 35 calendar day deadline. This procedure is to continue each sitting week until a response is provided.

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Appendix 6 Minutes



LEGISLATIVE COUNCIL

PROCEDURE COMMITTEE

Minutes No. 6

Wednesday 16 November 2016

President's Dining Room, 1.03 pm

1. Members present

Mr Harwin (Chair)
 Dr Faruqi
 Mr Franklin
 Mr Gay
 Mr Khan
 Mrs Maclaren Jones
 Mr Moselmane
 Revd Mr Nile
 Mr Searle

2. Previous minutes

Minutes no. 5 confirmed on the motion of Mr Searle.

3. Inquiry into the rules for Questions

The Chair tabled the terms of reference for the inquiry that was received from the House on 14 September 2016.

The committee deliberated.

Resolved, on the motion of Mr Searle:

- That the committee accept the terms of reference and proceed to conduct an inquiry into the rules for questions.
- That the Chair, on behalf of the committee, write to the members of the Legislative Council and to other Australian parliaments inviting submissions to the inquiry by 10 February 2017.

4. Inquiry into the rules for notices of motions

The Chair noted the terms of reference for an inquiry that was received from the House earlier this day.

The committee deliberated.

Resolved, on the motion of Mr Gay:

- That the committee accept the terms of reference and proceed to conduct an inquiry into the rules for the giving of notices of motions and related matters.

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- That the Chair, on behalf of the committee, write to the members of the Legislative Council and to other Australian parliaments inviting submissions to the inquiry by 10 February 2017.

5. Adjournment

The Committee adjourned at 1.20 pm *sine die*.

David Blunt
Clerk to the Committee



LEGISLATIVE COUNCIL

PROCEDURE COMMITTEE

Minutes No. 7

Wednesday 5 April 2017

President's Dining Room, 1.05 pm

1. Members present

Mr Ajaka (Chair)
 Dr Faruqi
 Mr Harwin
 Mr Khan
 Mrs Maclaren Jones
 Mr Moselmane
 Mr Searle
 Mr Secord

2. Apologies

Mr Borsak.

3. Previous minutes

Minutes no. 6 confirmed on the motion of Mr Searle.

4. Inquiry into e-petitions

The Chair tabled the terms of reference for the inquiry that was received from the House on 23 February 2017.

The committee deliberated.

Resolved, on the motion of Mr Harwin:

- That the committee accept the terms of reference and proceed to conduct an inquiry into the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
- That the Chair, on behalf of the committee, write to the members of the Legislative Council and to other Australian and overseas parliaments inviting submissions to the inquiry by 31 May 2017.

5. Inquiries into the rules for notices of motions and the rules for questions**5.1 Submissions**

The committee noted that the following submissions had been received and published by the committee clerk under the authority of the resolution of the committee:

- New Zealand House of Representatives

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- Legislative Assembly of Queensland
- Legislative Assembly for the Australian Capital Territory
- Legislative Assembly of the Northern Territory
- Victorian Legislative Assembly
- Legislative Council of the Parliament of Tasmania
- Victorian Legislative Council
- Australian House of Representatives
- Legislative Council of Western Australia
- New South Wales Legislative Assembly.

5.2 Discussion papers

Resolved, on the motion of Mr Searle: That the secretariat prepare a discussion paper on the terms of reference for each inquiry for consideration by the committee at a future meeting.

6. Adjournment

The Committee adjourned at 1.20 pm *sine die*.

David Blunt
Clerk to the Committee



LEGISLATIVE COUNCIL

PROCEDURE COMMITTEE

Minutes No. 8

Wednesday 11 October 2017

President's Dining Room, 1.15 pm

1. Members present

Mr Ajaka (Chair)
Dr Faruqi
Mr Franklin
Mr Harwin
Mr Khan
Mrs Maclaren Jones
Mr Moselmane
Revd Mr Nile
Mr Searle
Mr Secord

2. Previous minutes

Minutes no. 7 confirmed on the motion of Mr Khan.

3. Inquiry into e-petitions

The discussion paper highlighting the House of Representatives e-petition system having been previously circulated was taken as being read.

The committee deliberated.

Resolved, on the motion of Revd Mr Nile, that the Chair, at a future meeting, provide the committee with detailed business case on the replication of the House of Representatives e-petition model on the NSW Parliament's website.

4. Inquiry into the rules for notices of motions

The discussion paper on the rules for notices of motions having been previously circulated, was taken as being read.

The committee deliberated.

Resolved, on the motion of Mr Harwin, that the Chair prepare a draft report, based on the committee's deliberations on the discussion paper.

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5. Inquiry into the rules for Questions

The discussion paper on the rules for Questions, having been previously circulated, was taken as being read.

The committee deliberated.

Resolved, on the motion of Mr Harwin, that the Chair prepare a draft report, based on the committee's deliberations on the discussion paper.

6. Proposed new sessional orders

The proposed new sessional orders for extending debate on an item of business on which debate time has concluded and for the failure of a minister to provide a response to a petition containing 500 or more signatures were considered by the committee.

Resolved, on the motion of Revd Mr Nile, that the committee endorse the two new sessional orders and they be presented to the House for consideration of their adoption.

7. Adjournment

The Committee adjourned at 1.35 pm *sine die*.

David Blunt
Clerk to the Committee



LEGISLATIVE COUNCIL

PROCEDURE COMMITTEE

Draft Minutes No. 9

Wednesday 15 November 2017

President's Dining Room, 1.02 pm

1. Members present

Mr Ajaka (Chair)
 Mr Borsak
 Dr Faruqi
 Mr Franklin
 Mr Harwin
 Mrs Maclaren Jones
 Mr Moselmane
 Revd Mr Nile
 Mr Searle
 Mr Secord

2. Apologies

Mr Blair
 Mr Khan

3. Previous minutes

Minutes no. 8 confirmed on the motion of Mr Moselmane.

4. Inquiry into rules for notices of motions, rules for questions and e-petitions, and committee endorsement of two new sessional orders

The Chair submitted his draft report which, having been circulated, was taken as being read.

The committee considered the report.

Resolved, on the motion of Mr Searle:

That the draft report, as read, be the report of the committee and the committee present the report to the House.

That the submissions, minutes of proceedings and correspondence relating to the inquiries be tabled in the House with the report.

5. Inquiry into e-petitions

The committee noted that the Chair's draft report reported on the committee's progress with respect to the inquiry into e-petitions. The committee further noted that the current reporting date for the inquiry is the last sitting day in 2017.

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Resolved, on the motion of Mr Searle: That the committee request the House to extend the reporting date for the inquiry to the last sitting day in June 2018.

6. Adjournment

The Committee adjourned at 1.08 pm *sine die*.

David Blunt
Clerk to the Committee