

INDEX
TO
PARLIAMENTARY DEBATES
(HANSARD)

15th August, 1978, to 7th September, 1978

INDEX TO SUBJECTS

Explanation of Abbreviations: *address*, Address in Reply; *adj.*, Motion for Adjournment; *ad. rep.*, Adoption of Report; *appn.*, Appropriation Bill; *Com.*, Committee; *cons. amdts*, Consideration of Amendments; *cons. mes.*, Consideration of Message; *int.*, Introduction; *loan appn.*, General Loan Account Appropriation Bill; *m.*, Motion; *mes.*, Message; *min. stmt.*, Ministerial Statement; *m.s.o.*, Motion for Suspension of Standing or Sessional Orders; *pers. expl.*, Personal Explanation; *p.o.*, Point of Order; *q.*, Question; *1R.*, *2R.*, *3R.*, First, Second, Third Reading; *recom.*, Recommittal; *recons. amdts*, Reconsideration of Amendments; *select com. rep.*, Select Committee Report; *urgency*, Motion of Urgency.

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ACTING-SPEAKER (MR K. O'CONNELL):

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Relevance: The member must direct his remarks to the motion, 1077.

CHAIRMAN OF COMMITTEES AND DEPUTY-SPEAKER (MR T. J. CAHILL):

Documents: The member must identify documents from which he quotes, 568.

The member is not at liberty to quote at length from newspaper reports, 568; and, as he had stated that the document suddenly appeared in his room, he may not quote from it, 569.

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

CHAIRMAN OF COMMITTEES AND DEPUTY-SPEAKER (MR T. J. CAHILL) (*continued*):

Interjections, Interruptions and Disorder: Interjections and interruptions are disorderly, **569, 886, 888, 997.**

Member Warned: Mr Cameron, **886.**

Points of Order: No point of order was involved, **887, 928.**

A member may not debate matters when taking a point of order, **570.**

Offensive and Objectionable Remark: The following remark was not required to be withdrawn: "He probably obtained a lot of pleasure from goading poor defenceless animals during his childhood," **1204.**

Procedure: The Committee is not aware of what took place in proceedings of the House, **886.**

Reading of Speeches: A member may refer to copious notes, **628.**

Relevance: The Address-in-Reply debate is wide ranging, **631;** it is in order to discuss matters that have been mentioned in the Governor's Speech and matters that have been omitted from it but which members think should receive attention, **734.**

Under the new method of drafting, the clause was the whole of the bill, and the member was in order in discussing the effects of the amendment to the Act; but he might not be in order in criticising individuals, **886.**

SPEAKER, MR (THE HON. L. BORTHWICK KELLY):

Address in Reply: Governor's Opening Speech, **76.** Presentation to Governor of Address in Reply, **863, 882;** and His Excellency's reply, **883.**

Adjournment: A member who has not yet spoken in the Address-in-Reply debate must show why he should be allowed to raise a specific matter on the adjournment, **414.**

Although a member could have raised a specific matter in the Address-in-Reply debate, he may bring extra material before the House on the adjournment, **837.**

Chair: A member may not canvass Mr Speaker's ruling, **569.** A member may not debate a matter with the Chair, **1063.** A member must address the Chair, **734, 830, 878, 882, 949, 957, 1106.**

It is a reflection on the Chair to say that a former Government did not suppress

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

SPEAKER, MR (THE HON. L. BORTHWICK KELLY) (*continued*):

question time, **773;** and to say that Mr Speaker was given instructions to give the call at question time to a certain member, **1187.**

To say that Mr Speaker was unduly harsh on members of the Opposition is a reflection on the Chair, **773.**

The undertone of the remarks of the member, that the Minister was flouting a ruling just given and the Speaker had not directed him to return to the question before the Chair, is a reflection on the Chair, **774.**

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Documents: Members may make passing references to matters contained in documents but may not read lengthy passages from them, **589.**

A member may not use material that has been prepared by persons outside the House. A member's notes seemed unusually comprehensive, **590.**

When asking a question without notice, it is not in order for a member to place matter on the table of the House, but he may make it available to the Minister, **850.**

Interjections, Interruptions and Disorder: Interjections and interruptions are disorderly, **68, 70, 129, 138, 160, 161, 173, 236, 351, 354, 356, 357, 515, 517, 520, 559, 612, 706, 707, 765, 853, 875, 924, 925, 939, 942, 949, 971, 1058, 1125, 1175, 1194, 1196, 1198.**

A member speaking should ignore interjections, **151, 873.**

Interjections were discourteous to the Leader of the Opposition, who had listened in silence to the Premier, **151.**

Interjections were unnecessary as the Leader of the Opposition would have an opportunity to speak in the debate, **973.**

Members are required to keep conversation low, **136, 227, 239, 350, 618, 671, 679, 931, 1169, 1177,** for excessive conversation a member may be removed by the Chair after having been called to order, **679.**

A member who cast a photograph towards a Minister who was replying to a question without notice was warned that a repetition would lead to his being named, **852.**

Legislative Assembly: Administration of the Government, **35.**

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Assembly, Legislative: Rulings, Observations and Opinions of Chair (continued):**SPEAKER, MR (THE HON. L. BORTHWICK KELLY) (continued):**

Electoral District of Earlwood: Resignation of Sir Eric A. Willis; issue and return of writ for the election of a member, 34; member sworn, 35.

Electoral District of Pittwater: Resignation of Mr B. L. Webster; vacant seat, 35.

Electoral District of Wollondilly: Resignation of Mr T. L. Lewis; vacant seat, 1214.

A member must be referred to by his electorate or his position in the Parliament, 654.

Death of the Right Hon. L. P. Port, M.B.E., Lord Mayor of Sydney, 662.

Death of Mr L. A. Walsh, B.Ec., a former member, 1051.

Mr Speaker agreed to pass on to the public service and to the staff of the parliamentary institution the laudatory remarks of the honourable member for Wollondilly, 931.

Temporary Chairmen of Committees. Nomination of Mr J. A. Clough, Mr Duncan, Mr Hatton, Mr O'Connell and Mr Ramsay, 38.

Legislative Council: Death of the Hon. J. E. Cahill, M.L.C., 340.

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Offensive and Objectionable Remarks, Imputations and Aspersions: In the circumstances the Chair could not see how the Premier's statement that a document was forged in the office of the Leader of the Opposition could give offence. It was difficult for the Chair to deliberate on a document that he had not seen, 193.

Assembly, Legislative: Rulings, Observations and Opinions of Chair (continued):**SPEAKER, MR (THE HON. L. BORTHWICK KELLY) (continued):**

The following expressions were required to be withdrawn: "No wonder most of his clients went broke when he was an accountant," 517. "You are a liar," 874, 1109. "Mr Speaker you were given instructions to give the call at question time to a certain member who was not even in the Chamber," 1187.

The following remarks were not required to be withdrawn: "The honourable member may have some trouble fixing up the Taxation Commissioner to whom he is heavily indebted," 654. "At times it has appeared that those two honourable members have regarded employees as expendable," 934.

Remarks about any group of citizens cannot be considered offensive, 878.

Members must not cast reflections on members of the judiciary, 924; who are immune from attack in respect of their non-judicial acts, but members are still allowed latitude in criticising judgments, decisions and public acts of judges, an essential limitation being that such discussion must be in good faith and there must be no imputation of improper motives. Criticism must not be malicious or intended to impair the administration of justice. The Leader of the Country Party was making a malicious attack on Royal Commissioner Mr Justice Woodward, 925.

It would be interfering with freedom of speech in the Chamber if every remark attributed to any group of members in the House were ruled to be offensive, 934.

Personal Explanation: A member must be brief in his explanation, 926, 957.

Mr Speaker ruled that the member had not shown that his position as a member of Parliament had been impugned or his character reflected upon; his remarks dealt with statements by a Royal commissioner, and he was reflecting upon the commissioner, 926, 927: personal explanations may not be used as a guise for debating a question, or attacking the judiciary, or correcting reports and a member had to come quickly to his explanation of how his character has been reflected upon, 927.

A member had come to the end of his personal explanation, 927.

Points of Order: No point of order was involved, 75, 135, 174, 184, 188, 362, 516, 520, 521, 522, 773, 853, 928, 935, 1058, 1059, 1092, 1126, 1178, 1179, 1197.

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

SPEAKER, MR (*THE HON. L. BORTHWICK KELLY*) (*continued*):

The honourable member must speak to the point of order, 773.

Frivolous, 521.

Privilege: In using his right of freedom of speech, a member must know the facts of the matter on which he is speaking, 713.

A member must demonstrate as quickly as possible how a breach of privilege is involved, 1064.

No breach of privilege was involved, 1065; and a member was not speaking on a matter of privilege, 1096.

Procedure: After the mover of a motion has spoken in reply, the debate is closed, 36.

In accordance with practice, a bill is laid upon the table of the House after the motion for leave to introduce has been agreed to, and it would be impossible for a member to know what is contained in the bill until the House has disposed of that motion, 870.

A member who wishes to reflect upon another member must move a substantive motion, 712, 872.

The Minister would have a right of reply to the debate, 872; he has a fairly wide scope when during the debate members ask him questions and raise other matters, 873.

A member speaking who had not addressed himself to a point of order when it was raised may not subsequently discuss the point of order, 879.

Although a member may answer remarks made by other members in the debate, he must then return to the subject matter before the Chair, 880.

To bring bills before the House by way of urgency and suspension of standing orders is a procedure that obviates the giving of notice and saves time, 943.

A notice of motion by the Leader of the Opposition should appear on the business paper ahead of one submitted by another member of the Opposition, 1193.

Finance bills to reduce taxation do not require a message from the Governor, 1195.

A bill could not be ruled out of order until it is examined, 1197.

The motion, that the question be now put, may be proposed at any time, 1198.

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

SPEAKER, MR (*THE HON. L. BORTHWICK KELLY*) (*continued*):

Questions without Notice: Members who wish to ask questions should seek the call at the appropriate time, 70; the Speaker has full control of question time, and it is his prerogative to decide which members he will call and in what order, 773.

The Minister was replying to a large number of interjections; otherwise he would have completed his reply long ago, 76.

A Minister may answer a question as he thinks fit, 188; he was not guilty of tedious repetition, 189.

It is permissible to give sufficient information to explain the question, 358.

A member must address himself to the question, 678.

Because of the length of a question, the member was asked to recast it and he would be given the call later in question time, 763.

Although a question cast a reflection on an honourable member who was not present, the Minister was allowed to reply, 853.

The Minister was not making a ministerial statement. It is in order for a Minister to have information prepared in anticipation of a question, 929.

Mr Speaker stated that there had been agreement for Opposition members to be given the call at question time on the basis of two to the Liberal Party members and one to the Country Party members, 1061.

Reading of Speeches: Members may make passing references to matters contained in documents but may not read lengthy passages, 589.

A member must not use material that has been prepared by people outside the House; the member's notes were unusually comprehensive, 590.

Relevance: A Minister in reply may answer arguments put in debate by previous speakers, 134, 135, 953.

A reference to the Premier becoming a grandfather has no relevance to debate on the Supply Bill, 268.

A member must confine himself to the motion, 1183, 1187, 1188, 1189, not deliver a long address on any subject, 1183, 1189, or make more than passing reference to other matters, 1062; and in a debate on a motion for a special adjournment he should make only passing reference to the Budget, 1184.

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

SPEAKER, MR (THE HON. L. BORTHWICK KELLY) (continued):

In the Address-in-Reply debate a member cannot answer remarks made by the Premier who had not spoken during the debate, **714**.

The Minister was replying to interjections, and should come back to the matter before the Chair, **773**;

A member may not take out of context any part of a motion and take a point of order that the member who is speaking cannot speak to that or any other part of the motion, **1069**.

A member has strayed from the bill, **828**; he must address himself to its principal objects, **877**.

The manner in which the Attorney-General conducts the business of the House is not relevant to debate on a motion for leave to introduce a bill, **867**; in this debate members should confine themselves to that question; protests against the manner in which the Attorney-General was conducting the business of the House should have been made **during** the debate on his motion to suspend standing orders to deal with the proposed legislation, **870**. If it be claimed that during the introductory debate members cannot discuss what the Minister said in support of his motion for leave to introduce, because of the level of noise in the Chamber, the appropriate time to raise that matter was when the Minister was speaking; to make such a submission at a later stage was **trifling** with the House, **871**.

If Opposition members did not hear the Minister, they cannot direct themselves to his remarks, **871**; a member must confine himself to the remarks of the Minister when he spoke to his motion, **872, 876**; and to the order of leave, **951**.

A member must observe the rules when replying to a debate, **1091**; and must confine himself to the matters raised during the debate, **1200**.

In the debate on the General Loan Account Appropriation Bill a member must confine himself to the Minister's remarks and to the remarks of any other speaker in the debate, **801**.

A member should confine his remarks to the matters contained in the Minister's second-reading speech, **1106**.

A member may make his own interpretation of the purposes of a bill, and may argue for the interpretation, **1196**.

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

SPEAKER, MR (THE HON. L. BORTHWICK KELLY) (continued):

A member must speak within the order of leave of the bill, but may answer points raised by previous speakers in the debate, **879, 1197**.

A member may not go back to another debate, **957**.

A member guilty of tedious repetition was asked to resume his seat, **872, 1190**.

On a motion for suspension of standing orders a member may not debate the conduct of question time or refer to the attitude of the speaker of another Parliament, **1061**.

The member was addressing his remarks to one of the measures the Minister sought to treat as cognate bills, but the question before the Chair was leave to introduce an unrelated bill, **888**.

Urgency: Only the Leader of the Opposition may speak on an urgency motion moved by a government member, **679**.

A member must confine himself to urgency, **349, 674, 1059**.

Urgency may not be **discussed** in debate on the substantive motion, **943**.

Although other means are available, a member may use a more effective form to get the best possible result, **1058**.

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Council: assent, **13**.

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- COAL AND OIL SHALE MINE WORKERS (SUPER-ANNUATION) AMENDMENT BILL:
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Council: 1R., 1037; 2R., 1049; Com. and ad. rep., 1050; 3R., 1050.

PARLIAMENTARY PAPERS (SUPPLEMENTARY PROVISIONS) AMENDMENT BILL:

Assembly: int., 887; 1R., 888; 2R., 888; 3R., 889; mes., 1123.

Council: 1R., 909; m.s.o., 909; 2R., 1023; Com. and ad. rep., 1023; 3R., 1023.

PARLIAMENTARY REMUNERATION TRIBUNAL (AMENDMENT) BILL:

Council: assent, 12.

PESTICIDES BILL:

Council: assent, 13.

PETROLEUM PRODUCTS SUBSIDY (AMENDMENT) BILL:

Assembly: int., 893; 1R., 893; 2R., 894; 3R., 895; mes., 1124.

Council: 1R., 911; 2R., 1026; Com. and ad. rep., 1036; 3R., 1036.

POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) BILL:

Assembly: urgency, 939; m.s.o., 940; int., 946; 1R., 955; 2R., 1093; 3R., 1103; mes., 1164.

Council: 1R., 1036; 2R., 1037; Com. and ad. rep., 1048; 3R., 1048.

POLICE REGULATION (AMENDMENT) BILL:

Council: assent, 12.

POLICE REGULATION (APPEALS) AMENDMENT BILL:

Assembly: urgency, 939; m.s.o., 940; int., 955; 1R., 956; 2R., 1103; 3R., 1104; mes., 1164.

Council: 1R., 1036; 2R., 1048; Com. and ad. rep., 1049; 3R., 1049.

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Council: assent, 12.

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Council: assent, 12.

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Assembly: int., 1194; 1R., 1201.

REGISTERED CLUBS (AMENDMENT) BILL:

Assembly: assent, 38.

Council: assent, 13.

SANCTA SOPHIA COLLEGE INCORPORATION (AMENDMENT) BILL:

Council: assent, 13.

SCAFFOLDING AND LIFTS (AMENDMENT) BILL:

Assembly: assent, 38.

Council: assent, 13.

SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL:

Assembly: assent, 38.

Council: assent, 13.

SECURITIES INDUSTRY (AMENDMENT) BILL:

Council: assent, 13.

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Council: assent, 13.

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Council: 1R., 909; m.s.o., 909; 2R., 1023; Com. and ad. rep., 1025; 3R., 1025.

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SYDNEY CRICKET AND SPORTS GROUND BILL:

Assembly: assent, 38.

Council: assent, 13.

TOCUMWAL RAILWAY EXTENSION (SUPPLEMENTARY AGREEMENT RATIFICATION) BILL:

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Council: assent, 13.

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Council: m.s.o., 910; 1R., 910; 2R., 1025; Com. and ad. rep. 1026; 3R., 1026.

UNIVERSITY OF NEW ENGLAND (CONSTITUTION) AMENDMENT BILL, cognate:

Assembly: int., 890; 1R., 890; 2R., 891; 3R., 892; mes., 1123.

Council: m.s.o., 910; 1R., 910; 2R., 1025; Com. and ad. rep., 1026; 3R., 1026.

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Assembly: int., 890; 1R., 890; 2R., 891; 3R., 892; mes., 1124.

Council: m.s.o., 910; 1R., 910; 2R., 1025; Com. and ad. rep., 1026; 3R., 1026.

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Assembly: int., 890; 1R., 890; 2R., 891; 3R., 892; mes., 1124.

Council: m.s.o., 910; 1R., 910; 2R., 1025; Com. and ad. rep., 1026; 3R., 1026.

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Assembly: int., 890; 1R., 890; 2R., 891; 3R., 892; mes., 1124.

Council: m.s.o., 910; 1R., 910; 2R., 1025; Com. and ad. rep., 1026; 3R., 1026.

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- Too much audible conversation in the Chamber, 326.

CHAIRMAN OF COMMITTEES AND DEPUTY-PRESIDENT (% HON. T. S. MCKAY, B.A., LL.B.):

- Questions without Notice:* A question without notice relating to a current Select Committee could be put to a private member as it related to a public matter connected with the business of the House, under Standing Order 29, 915.

PRESIDENT (THE HON. SIR HARRY VINCENT BUDD):

- Address in Reply:* Governor's Opening Speech, 22; Presentation to Governor of Address in Reply, 488; and His Excellency's reply, 591.

- Adjournment:* There is no standing order dealing with matters that can be mentioned during the debate on the motion for the adjournment of the House, but there is a tradition that members may raise all matters of public importance that are urgent and could be dealt with by administrative action as distinct from legislative action, 593.

- The motion for the adjournment of the House covered by Standing Order 13 relates to the discussion of a particular motion and a member may move that the House do now adjourn to consider some urgent matter. If he is successful in obtaining the support of the majority of the House, the particular matter may be debated. Adjourn means **not**

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that the House will stop its business but that it ceases to deal with ordinary business and deals with the particular matter raised. However, on the normal motion to adjourn the House at the end of the sitting, the only matter that can be debated is whether the House do now adjourn, 595.

The Deputy Leader of the Government cannot address the House while there is a motion before it for the adjournment of the House, but if the Minister avails himself of Standing Order 75, which permits another motion to be moved while a motion is before the House, and moves that the Deputy Leader of the Government be now heard, that motion shall be decided without debate, 595; if that motion is agreed to, there can be no debate on what the Deputy Leader of the Government said, 596.

As there was no debate on the motion for the adjournment of the House, the Minister had nothing to reply to, 597.

There is no basis for a member to make a personal explanation during the adjournment debate, 1158.

Although the Deputy Leader of the Government spoke in the debate, the matter raised by her was out of order, for it did not comply with the rules of the House. By indulgence of the House and by agreement by motion that she be further heard, she was allowed to continue. She had not asked the Minister to do anything, and her remarks did not call for a reply. Normally, the purpose of raising a matter on the adjournment was to ask a Minister to deal with a matter by administrative action, 599, 1160, 1161.

The Minister cannot debate matter raised on the adjournment, 1158; there is no provision for a reply by him, 1159; a personal explanation given against the rules during the adjournment debate does not call for a reply, 1159; the Minister may reply only to matters raised during the debate, 1162.

In replying to the adjournment debate a Minister may not compare the way in which matters raised have been received by the House, 1161.

Upon the House during the adjournment debate agreeing, "that the Minister be now heard," the Minister may speak on a matter completely dissociated from the matter raised on the adjournment, but his remarks must be directed to the question whether the House should adjourn, 1163.

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Documents: No standing order requires a member in tabling the report of a committee and the minutes of evidence given to it to certify to their correctness, 1008; if a member does not certify, the President cannot comment on the accuracy of the document, 1009.

Interjections, Interruptions and Disorder: Interjections and interruptions are disorderly, 94, 1033, 1035.

Legislative Council: Temporary Chairman of Committees. Nomination of the Hon. R. K. Evans, the Hon. H. J. McPherson, and the Hon. R. W. Manyweathers, 16.

Death of the Hon. J. E. Cahill, 273, 276.

Death of the Rt. Hon. L. P. Port, M.B.E., Lord Mayor of Sydney, 901.

Vacant seat, *vice* Hon. Sir John Fuller, resigned, 16.

Vacant seat, *vice* Hon. J. E. Cahill, deceased, 901.

Points of Order: There is no point of order, 1012. No point of order was involved, 111, 1160.

Offensive and Objectionable Remarks, Imputations and Aspersions: To say that the Governor's Speech was prepared by the Government is not a reflection on the viceregal representative, 107.

No point of order is involved if a Minister claims that a member has quoted him inaccurately, but the Minister may state that it is untrue and ask that it be withdrawn, 111.

A member may quote from a newspaper, but it is open for other members to challenge the accuracy of what is in the newspaper, 419; a member may make a statement and express an opinion about the Premier in another place, and it is open to members to challenge the accuracy of his statements, 420.

The following remark was withdrawn, "The honourable member does not mind driving round in a V8 car given to him by General Motors-Holden Ltd", 1033.

Procedure: The President offered to leave the chair to enable the Opposition members to consider bills that had just been read a first time, but the motion for leave to suspend standing orders to enable the bills to

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pass through their remaining stages during one sitting of the House was moved immediately when the Leader of the Opposition said that the Opposition had already considered the bills, and did not require time to consider them further, 903.

As the motion for suspension of standing orders had been proposed without notice under Standing Order 264, it could be agreed to only if no objection were raised. As objection had been taken, the motion lapsed, 908, 909, 910, 911.

Questions without Notice: A member does not have to answer a question similar to one already asked, 1010.

A member other than a Minister may answer a question without notice, 1012.

Relevance: A member must **confine** his remarks to the bill, 1020.

The Minister was replying to interjections, 1035.

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