



**HOUSE
OF
ASSEMBLY**

**STANDING AND
SESSIONAL
ORDERS
AND RULES**

HOUSE OF ASSEMBLY STANDING AND SESSIONAL ORDERS AND RULES

Agreed to by the House, 10th November 1954. Approved by the Governor, 18th March 1955.

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The Standing Orders (including parts thereof) whose operation has been suspended for the remainder of the session have been struck through.

The Sessional Orders adopted on 6 May 2014 are shown in bold italic type.

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STANDING RULES AND ORDERS OF THE HOUSE OF ASSEMBLY

PART 1

GENERAL RULES FOR CONDUCT OF BUSINESS

Usages of House of Commons and other Australian Parliaments to be observed unless other provision is made.

1. In all cases not provided for hereinafter, or by sessional or other Orders, resort shall be had to the rules, forms, and practice of the Commons House of the Imperial Parliament of Great Britain and Northern Ireland and of other Australian Parliaments in force for the time being, and they shall be followed as far as they can be applied to the proceedings of this House.

PART 2

PROCEEDINGS ON THE MEETING OF A NEW PARLIAMENT

Proceedings on the meeting of a new Parliament.

2. On the first day of the meeting of a new Parliament, the House having met at the time and place appointed -

- (a) The Governor's Proclamation shall be read by the Clerk of the House;
- (b) The Writ of Election of each Member, with the Return endorsed thereon, shall be produced by the Clerk of the House, and laid upon the Table;
- (c) Members shall then be sworn or make affirmation as prescribed by law;
- (d) Members will then subscribe to the Code of Ethical Conduct contained in Standing Order No. 3;
- (e) Members will then subscribe to the Code of Race Ethics contained in Standing Order No. 4;
- (f) The House shall then proceed to the election of a Speaker;
- (g) Prior to such election the Clerk shall act as Chair to the House.

Code of Ethical Conduct.

3.

CODE OF ETHICAL CONDUCT FOR MEMBERS OF THE HOUSE OF ASSEMBLY

PREAMBLE

As Members of the House of Assembly we recognise that our actions have a profound impact on the lives of all Tasmanian people. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

STATEMENT OF COMMITMENT

To the people of this State, we owe the responsible execution of our official duties, in order to promote human and environmental welfare.

To our constituents, we owe honesty, accessibility, accountability, courtesy and understanding.

To our colleagues in this Assembly, we owe loyalty to shared principles, respect for differences, and fairness in political dealings.

We believe that the fundamental objective of public office is to serve our fellow citizens with integrity in order to improve the economic and social conditions of all Tasmanian people.

We reject political corruption and will refuse to participate in unethical political practices which tend to undermine the democratic traditions of our State and its institutions.

DECLARATION OF PRINCIPLES

Members of this Assembly must carry out their official duties and arrange their private financial affairs in a manner that protects the public interest and enhances public confidence and trust in government and in high standards of ethical conduct in public office.

Members of this Assembly must act not only lawfully but also in a manner that will withstand the closest public scrutiny; Neither the law nor this code is designed to be exhaustive, and there will be occasions on which Members will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust.

Every Member is individually responsible for preventing potential and actual conflicts of interest, and must arrange private financial affairs in a manner that prevents such conflicts from arising including declaration of pecuniary interest in any matter being considered as part of their official duties as a Parliamentarian.

Members of the Assembly must carry out their official duties objectively and without consideration of personal or financial interests.

Members of the Assembly must not accept gifts, benefits or favours except for incidental gifts or customary hospitality of nominal value.

Members of the Assembly must not take personal advantage of or private benefit from information that is obtained in the course of or as a result of their official duties or positions and that is not in the public domain.

Members of the Assembly must not engage in personal conduct that exploits for private reasons their positions or authorities or that would tend to bring discredit to their offices.

Members of the Assembly must not use, or allow the use of, public property or services for personal gain.

Members of the Assembly, when leaving public office and when they have left public office, must not take improper advantage of their former office.

Code of Race Ethics.

4.

CODE OF RACE ETHICS FOR MEMBERS OF THE HOUSE OF ASSEMBLY

As Members of the Tasmanian Parliament we agree:-

- (1) To act in a manner which upholds the honour of public office and the Parliament.
- (2) To respect the religious and cultural beliefs of all groups living within Australia in accordance with the Universal Declaration of Human rights.
- (3) To uphold principles of justice and tolerance within our multicultural society making efforts to generate understanding of all minority groups.
- (4) To recognise and value diversity as an integral part of Australia's social and economic future.
- (5) To help without discrimination all persons seeking assistance.
- (6) To speak and write in a manner which provides factual commentary on a foundation of truth about all issues being debated in the community and the Parliament.
- (7) To encourage the partnership of government and non-government organisations in leading constructive and informed debate in the community.
- (8) To promote reconciliation with indigenous Australians.

PART 3

ELECTION OF SPEAKER

Speaker to be elected.

Cf. Constitution Act 1934, s. 24.

5. The House shall, at its first meeting after every General Election and before proceeding to the despatch of any other business, elect some one Member of the House to be the Speaker thereof; and in case of the Speaker's death, resignation, or removal by a Vote of the House, the House shall forthwith proceed to elect some other Member to be Speaker, and the Speaker so elected shall preside at all Meetings of the House.

Member must consent to be nominated.

6. No Member shall be proposed as Speaker unless that Member has consented to be nominated; and such consent shall be given in writing if the Member be not present.

Member proposed as Speaker.

7. A Member addressing the Clerk of the House (who, standing up, shall call upon the Member, and then sit down) shall propose another Member to the House for its Speaker, and shall move that such Member "do take the Chair of this House as Speaker".

When unopposed.

8. If one Member only be proposed as Speaker, the Member so proposed, if present, shall be called to the Chair without any Question being put.

When more than two candidates.

9. If more than one Member be proposed as Speaker a Motion shall be made and seconded regarding each that such member “do take the Chair of this House as Speaker”, and thereupon an election by ballot shall be had in the manner hereinafter provided to determine which Member shall be Speaker.

How ballot to be conducted.

10. The Election for Speaker shall be conducted in the following manner:-

- (a) When nominations have been received and the Debate thereon (if any) appears to be concluded, the Clerk will announce that the Ballot will now be taken, and if no Member rises to speak, the Division Bells will be rung;
- (b) No fresh nominations can then be made;
- (c) When the Division Bells have been rung for two minutes, the doors shall be closed, and the Clerk will call upon two Members to act as Scrutineers to assist;
- (d) The Clerk will initial and deliver to each Member present a list of all the Members of the House, and will check the names of those to whom lists are given;
- (e) A member will record a vote by placing a mark opposite the name of the Member to receive the vote;
- (f) If any Ballot-paper contains any mark made by the Member, other than the mark signifying for whom the Member wishes to vote, it shall be informal;
- (g) A Member can only vote for someone who has been duly nominated and seconded;
- (h) The Member will then fold the Ballot-paper, and place it in the Ballot-box or other receptacle on the Table;
- (j) When all the Ballot-papers have been so deposited, the Clerk, assisted by the Scrutineers, will count the Ballot, and declare the numbers to the House;
- (k) The procedure hereinbefore set out will be repeated as often as may be necessary;
- (l) In the event of there being two Members proposed and seconded for the office of Speaker, the Member receiving the greater number of votes shall be declared to be elected as Speaker;
- (m) If more than two Members have been so proposed and seconded, the votes shall be taken in the manner

hereinbefore provided, and the Member receiving the greatest number of votes shall be declared to be elected as Speaker, provided that Member has received a majority of the votes of Members present; but if no Member has received such majority the name of the Member who has received the smallest number of votes shall be withdrawn and the votes shall be again taken for the remaining Members so nominated in like manner, and as often as may be necessary until one obtains a majority and the Member obtaining Such majority shall be declared to be elected as Speaker;

- (n) In the event of there being an equality of votes between Members receiving the smallest number of votes, the Clerk shall declare such to be the case, and the votes shall again be taken to determine which Member shall be withdrawn; in this case, members shall place a mark opposite to the name they wish to retain for further Ballot; if there shall again be an equality of votes, the Member who has been a member of the House continuously for the longest period immediately preceding the election shall be retained for further Ballot; or, if both Members have been Members of the House continuously for the same period, the Clerk shall determine by lot which of the two Members shall be retained for further Ballot;
- (o) In the event of there being an equality of votes between Members under paragraph (l), or in the event of there being an equality of votes between Members when the votes have been reduced to two under paragraph (m), the Member who has been a Member of the House continuously for the longest period immediately preceding the election shall be declared as Speaker, or, if both Members have been Members of the House continuously for the same period, the Clerk shall determine by lot which of the two Members shall be Speaker;
- (p) The result of the Election shall be declared by the Clerk, and the Member elected shall be called to the Chair.

Speaker-elect, if present, takes the Chair.

11. The Member called to the Chair shall, if present, be conducted thereto by the proposer and seconder, and standing on the upper step, shall return acknowledgment to the House for the Honour conferred by it, and thereupon assume the Chair.

*Speaker's election notified to Governor.
Cf. Constitution Act 1934, s. 24*

12. The election of the Speaker shall be notified to the Governor by a deputation of the House.

Unavoidable absence of Speaker.
Cf. Constitution Act 1934, s. 24.

13. - (1) Whenever the House shall be informed by the Clerk of the House of the unavoidable absence of the Speaker, the Chair of Committees, if present, shall act as Deputy-Speaker or if absent, or if there should be no Chair of Committees, such other Member as the majority of Members then present shall choose, shall perform the duties and exercise the authority of Speaker in relation to all proceedings of the House as Acting Speaker for that day only.

(2) The Question of the election of a Member as Acting Speaker shall be put by the Clerk of the House in accordance with the Rules prescribed for the election of Speaker.

Speaker relieved by Deputy-Speaker.

14. The Chair of Committees shall take the Chair as Deputy-Speaker whenever requested to do so by the Speaker during the Sitting of the House, without any formal communication to the House.

Temporary absence of Chair of Committees.

15. Standing Order No. 14 shall apply to a Deputy Chair of Committees nominated by the Speaker as if that Deputy Chair were the Chair of Committees, at any time which the Chair of Committees is not in the House.

Continued absence of Speaker.

16. If the House be informed by the Clerk of the House of the likelihood of the continued absence of the Speaker in consequence of illness or other unavoidable cause, or if the House has granted leave of absence to the Speaker, the Chair of Committees shall act as Acting-Speaker, and shall continue to do so from day to day without any further communication to the House, and shall perform the duties and exercise the authority of Speaker during such continued absence, and the House may appoint some other Member Acting-Chair of Committees during such continued absence of the Speaker, and the Acting-Chair of Committees so appointed shall act as Acting-Speaker in case of the unavoidable absence of the Acting-Speaker, or whenever requested so to do by the Acting-Speaker, during the Sitting of the House.

PART 4

CHAIR OF COMMITTEES

Chair of Committees.

17. - (1) As soon as practicable on the first meeting of a new Parliament the House shall elect one of its Members to be Chair of Committees; and in case of the Chair's death, resignation, or removal by a Vote of the House, the House shall elect some other Member to be Chair of Committees.

(2) The rules prescribed for the election of Speaker shall be observed so far as the same may be applicable in the election of the Chair of Committees.

(3) The Chair of Committees shall preside in all Committees of the Whole House.

Deputy-Chair of Committees.

18. - (1) At the commencement of every Session the Speaker shall nominate two Members to act as Deputy-Chair of Committees when requested by, or in the absence of, the Chair of Committees.

(2) Any Deputy-Chair while presiding shall have all the powers of the Chair of Committees in the conduct of the business of the Committee.

PART 5 OPENING OF PARLIAMENT

Speaker, with the House goes up to the Bar of the Legislative Council.

19. On being summoned by the Usher of the Black Rod to attend the Governor or the Commissioners, the Speaker, with the House, shall go up to the Bar of the Legislative Council.

House re-assembles at a later hour.

20. When the Speaker and the House retire from the Bar of the Legislative Council, the Speaker shall return to the House and resume the Chair.

Petitions, Notices of Motion, &c.

21. Petitions, Notices of Motion, and Questions may then be given, and Papers laid on the Table.

Bill read pro forma.

22. Before the Governor's Speech is reported, some Bill shall be read a First time *pro forma*.

Speaker reports the Governor's Speech.

23. The Speaker shall then report that the House had that day attended the Governor or Commissioners, and that the Governor or the Commissioners had been pleased to make a speech to both Houses of Parliament, of which Speech the Speaker had received a copy; and the same shall be ordered to be entered in the Journals of the House.

Motion made for Address-in-Reply.

24. A Motion for an Address-in-Reply to the Governor's Speech shall then be made which shall be moved and seconded.

Address-in-Reply presented.

25. The Address-in-Reply having been adopted by the House shall be presented to the Governor by the Speaker, the Mover and Seconder, and such other Members of the House as shall think fit to attend, at such time and place as the Governor may appoint.

New Member introduced.

26. A Member returned otherwise than at a General Election shall be introduced to the House by two Members.

But not if seated on decision of Supreme Court.

27. Members seated on a decision of the Supreme Court shall not be introduced.

PART 6

SITTINGS AND ADJOURNMENT OF THE HOUSE

Days and time of meeting.

28. Unless otherwise ordered:-

(1) The time for the ordinary meeting of the House shall be at Ten o'clock a.m. on Tuesdays, Wednesdays and Thursdays, and adjournment of the House shall be at Six o'clock p.m.

(2) Whenever this House or a Committee of the whole House shall be sitting at the time specified for the adjournment in accordance with clause (1) of this Standing Order, the business then before the House shall stand adjourned.

(3) A Motion for the adjournment of the House may be made at any other time, but not to interrupt any business then before the House, and may only be moved by a Minister.

(4) When the House adjourns in accordance with clause (2) of this Standing Order or the adjournment is moved in accordance with clause (3) of this Standing Order, the Speaker shall then call for adjournment issues, when any member may speak to any matter for seven minutes.

(5) After these issues have been debated for a maximum period of one hour, the House shall stand adjourned, without Question being put, until the next sitting day.

Adjournment at One o'clock and Six o'clock.

29. - (1) If at One o'clock p.m. the House or a Committee of the Whole House be sitting, the Sitting of the House or Committee shall be suspended until half-past Two o'clock p.m.

(2) If at Six o'clock p.m. the House or a Committee of the Whole House be sitting, the Sitting of the House or Committee shall be suspended until half-past Seven o'clock p.m.; provided that if at One o'clock p.m. or Six o'clock p.m. a Division shall have been ordered, the Speaker or Chair of Committees, as the case may be, shall not leave the Chair until such Division has been taken and any formal business immediately consequent thereon shall have been completed.

Quorum.

30. A Quorum of the House shall consist of Ten Members, including the Speaker, or such other number as may from time to time be fixed by Law.

If Quorum not present at twenty minutes after the time appointed for meeting.

31. - (1) The Speaker shall take the Chair as soon after the time fixed for the meeting of the House as it shall be reported that a Quorum is present in the

Chamber; but if at the expiration of twenty minutes after the time so fixed a Quorum is not present, the Speaker shall, without taking the Chair, and without a Question first put, adjourn the House until the next sitting day.

(2) If, however, the meeting of the House is fixed for any hour prior to half-past Two o'clock p.m., and if at the expiration of twenty minutes after such prior hour a Quorum is not present, the Speaker shall adjourn the House until half-past Two o'clock p.m. on the same day.

Prayers.

32. The Speaker upon taking the Chair each day, shall read the following prayer:-

“Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Tasmania.

Our Father, which art in Heaven; Hallowed be Thy name. Thy kingdom come. Thy will be done in earth as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them who trespass against us. And lead us not into temptation; but deliver us from evil. For Thine is the kingdom, and the power, and the glory, for ever and ever. Amen.”

Acknowledgement of traditional people

33. At the commencement of the following sitting days:-

- (a) the first day of sitting after an election;
- (b) the first day of sitting for the calendar year;
- (c) the first day of the budget sittings; and
- (d) the first day of the Spring sittings

the Speaker makes the following statement:

"We acknowledge the traditional people of the land upon which we meet today, the Mouheneener people."

A summons to the Legislative Council makes a House..

34. When the attendance of the House in the Legislative Council has been desired by the Governor or the Commissioners, the House shall attend, and on its return shall proceed with business, although a Quorum of Members is not present, until notice is taken thereof.

When Quorum not present during a Sitting.

35. If it appears on notice being taken, or on report of a Division of the House by Tellers, that a Quorum of Members is not present, the Speaker shall adjourn the House, without a Question first put, till the next sitting-day; or such adjournment takes place prior to half-past Two o'clock on any day, then until the hour of half-past Two o'clock on that day.

When Chair of Committees reports no Quorum.

36. If a Chair of a Committee of the Whole House reports to the House that a Quorum of Members is not present, the Speaker shall count the House; and if a Quorum of Members be not present, shall adjourn the

House, without a Question first put, till the next sitting-day; or if such adjournment takes place prior to half-past Two o'clock on any day, then until the hour of half-past Two o'clock on that day.

Bell to be rung before House counted.

37. The Bell shall be rung for ~~two~~ **five** minutes before the House is counted by the Speaker or the Chair of Committees.

When no Quorum all Members must remain until House counted.

38. When the attention of the Speaker or of the Chair of Committees, has been called to the fact that there is not as Quorum of Members present, no Member shall leave the Chamber until the House has been counted by the Speaker or the Chair of Committees.

Doors open while House counted.

39. The doors of the House shall be unlocked whenever the Speaker or the Chair of Committees is engaged in counting the House.

Debate interrupted by Count-out may be resumed.

40. If a Debate on any Motion or Order of the Day be interrupted by the House being counted out, such Debate may be resumed by Motion on Notice at the point where it was so interrupted but the question of the resumption of such Debate shall be decided without Debate or Amendment.

Adjournment

41. (Repealed on 18 August 2009)

Matters of Public Importance.

42. - (1) When the Speaker calls for Notices of Motion, any member may give notice of a motion to note a matter of public importance to be raised after questions and formal business have been dealt with and before the business of the day is called on.

(2) One such matter per day may be raised and Members may speak for not more than seven minutes each and debate on each matter shall be restricted to a total of thirty-five minutes.

(3) At the commencement of each Parliament, priority shall be determined by the House as to the allocation of days between the Opposition and any other party or independent member, to raise a matter of public importance.

(4) On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given to Members other than the Opposition. Government Private Members shall only be given priority on every second sitting week.

House adjourns on its own resolution, except in special cases.

43. Except in the cases specially provided for, when the Speaker adjourns the House without putting any Question, the House can only be adjourned by its own Resolution.

“Now adjourn” - no amendment.

44. No Amendment shall be moved to the Question “That the House do now adjourn”.

PART 7

RECORDS OF THE HOUSE

Votes and Proceedings to be the Journals.

45. Every Vote and Proceeding of the House shall be entered by the Clerk of the House, and printed, having first been perused by the Speaker, and the Votes and Proceedings so printed shall be the Journals of the House.

Error or irregularity to be reported to the House by the Speaker.

46. Should any error, irregularity, or oversight be discovered in connection with any Bill, Resolution, or Proceeding of the House, the Speaker shall bring the same before the House with an opinion as to the course to be followed to remedy the same.

Custody of records to be in the Clerk - Clerk may produce records in courts of law.

47. The custody of the Journals and Records and of all Papers and Accounts whatsoever presented to this House, shall be in the Clerk of the House, who shall neither take, nor permit to be taken, any of such Journals, Records, Papers, or Accounts from the Chamber or Offices, without the express leave or order of the Speaker: Provided, nevertheless, that if it shall be made to appear, by an order of any Judge of the Supreme Court that the production of any such Journals, Records, Papers, or Accounts is necessary in the proceedings in any case then pending in any Court, the Clerk of the House shall have authority to produce the same in such Court without the leave or order of the Speaker.

PART 8

LEAVE OF ABSENCE TO MEMBERS

Absence without leave.

48. - (1) A Member shall not be absent during the Session for more than Fourteen days at a time, without the express leave of the House, and any Member wilfully infringing this Order shall be held guilty of contempt.

(2) Except that, a Member shall be entitled, without a vote of the House, to 12 weeks maternity leave of absence, such leave to be taken in a consecutive period from the date its commencement is notified to the Speaker in writing.

Leave of absence.

49. Leave of absence may be given by the House to any Member for sufficient cause to be stated to the House.

Notice to be given of Motion for leave of absence.

50. Notice shall be given of a Motion for giving leave of absence to any Member, and such Notice shall state the cause and period of absence.

Member having leave of absence excused from service.

51. A Member shall be excused from service in the House, or on any Committee, so long as that Member has leave of absence.

Leave of absence forfeited.

52. Any Member having leave of absence shall forfeit the same by attending the service of the House before the expiration of such leave.

PART 9 ORDER OF BUSINESS

Private Members' Business.

53. Unless other wise ordered:-

~~(1) Private Members business will have priority from 12.00 pm till 6.00 pm on Wednesdays.~~

~~(2) Private Members business which has been on the Notice Paper for the period required by the Standing Orders be called on by the Leader of the Opposition, Leader of the Tasmanian Greens and the Government Whip respectively.~~

~~(3) At the commencement of each Parliament, it shall be determined by the House that the times within Private Members Business shall be allocated in accordance with a weekly rotation broadly reflective of the Private Membership of the House, but no allocation shall be made of a period less than 30 minutes.~~

~~(4) The Member calling on an item of Private Members' Business may, in doing so, state that at the conclusion of the time for the debate on that day, the matter be voted upon.~~

(1) Private Members business will have priority from 3.30pm till 6.00pm on Wednesdays.

(2) Private Members business which has been on the Notice Paper for the period required by the Standing Orders be called on by a member of the group which has been allocated time pursuant to the current schedule.

(3) At the commencement of each Parliament, it shall be determined by the House that the times within Private Members business shall be allocated in accordance with a weekly rotation broadly reflective of the non-Government Private Membership of the House, but no allocation shall be made for a period of less than 30 minutes.

(4) The Member calling on a matter in Private Members' Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon. (See annexure for current schedule)

Order of business on Notice Paper.

54. All business shall be placed on the Notice Paper in the order in which it originates.

Daily business.

~~55. The House shall proceed each day with –~~
~~(a) Petitions;~~
~~(b) Giving Notices of Motion;~~
~~(c) Giving Notices of Question;~~
~~(d) Questions seeking information;~~
~~(e) Orders of the Day and Motions as set down in the Notice Paper except –~~
~~(i) that Ministers' Orders of the Day and Motions may be called on in such order as the Leader of the Government thinks fit; or~~
~~(ii) as the House otherwise orders.~~

55. *The House shall proceed each day with –*
(a) Prayers;
(b) Questions seeking information;
(c) Petitions;
(d) Papers, Answers to Questions on Notice, and Government Responses to Petitions;
(e) Messages;
(f) Introduction of Bills;
(g) Other Formal Business;
(h) Notices of Motion;
(i) Matter of Public Importance;
(j) Government Business;
(k) Orders of the Day and Motions as set down in the Notice Paper except –
(i) that Ministers' Orders of the Day and Motions may be called on in such order as the Leader of the Government thinks fit; or
(ii) as the House otherwise orders.

Government General Business

56. – (1) Government General Business may be held on Tuesdays and Thursdays for a maximum period of three hours to debate Motions which have been given notice of by Ministers which have matured in accordance with Standing Orders.

(2) A vote may be called for on the first item to be debated if that matter is being debated when the time for House of Assembly Business expires.

(3) Notice of the intention to have a Government General Business session on any Tuesday or Thursday is to be given by a Minister when the Speaker calls for Notices of Motion and is to include the intention to have Government General Business on that day and the matter or matters to be debated and the time it would commence but no later than 3.00 pm.

PART 10

PREMIER'S ADDRESS

Premier's Address

57. - (1) The Premier shall make an Address to the House of Assembly within the first six sitting days of any calendar year reviewing the Government's past actions and its proposed policies and activities for the future.

(2) At the conclusion of the Address, the Premier shall lay on the Table of the House a copy of the Address and the Speaker shall propose the Question "That the Address be noted".

(3) Debate on the Question "That the Address be noted" shall take precedence over Private Members' Business.

(4) Provided that if in the same calendar year the Governor has opened Parliament and delivered an Address and an Address-in-Reply debate has taken place in accordance with Standing Order 24, this provision does not apply.

PART 11

PETITIONS

Petitions to be written, printed or lithographed.

58. A Petition shall be fairly written, printed, or lithographed, and shall before presentation, be forwarded for examination not less than one hour before the time of meeting of the House to the Clerk of the House, who, in returning the Petition to the Member in charge thereof, may require its Amendment, in accordance with the Rules of the House.

Shall contain a prayer.

59. A Petition must contain a prayer at the end thereof.

Shall be signed on the same skin or paper by at least one person.

60. A Petition shall be signed by at least one person on the sheet on which the Petition is written, printed, or lithographed.

Shall be in English, or with a certified translation.

61. A Petition shall be in the English language, or be accompanied by a translation, certified by the Member who presents it.

Shall be signed by the parties.

62. A Petition shall be signed by the parties whose names are appended thereto, by their names or marks, and by no one else, except in the case of incapacity by sickness.

Signatures to be written, not attached.

63. Every signature shall be written upon the Petition itself, and not pasted upon, or otherwise transferred thereto.

Petitions of Corporations.

64. Petitions of Corporations aggregate shall be under their Common Seal.

Petition of a Public Meeting, signed only by Chair.

65. A Petition signed by the Chair of a Public Meeting on behalf of such meeting, shall be received as the Petition of the person signing it only.

No letters, affidavits, &c., shall be attached.

66. Letters, affidavits, or other documents shall not be attached to any Petition, unless such Petition relates to a Private Bill.

Debates shall not be referred to.

67. References shall not be made in a Petition to any Debate in Parliament of the same Session.

Petitions for losses contingent on passing of Bills may be received.

68. Petitions praying that provision may be made for the compensation of the Petitioners for losses contingent upon the passing of Bills pending, may be received.

Member shall affix name.

69. A Member presenting a Petition to the House shall affix the Member's name at the beginning thereof.

Member responsible for contents.

70. A Member presenting a Petition shall take care that the same is in conformity with the Rules and Orders of the House.

Petition must be respectful.

71. Every Petition must be respectful, decorous, and temperate in its language, and free from any disrespectful reference to the Sovereign or the Governor, of offensive imputations upon the character or conduct of either House of Parliament, or the Courts of Justice, or other tribunal or constituted authority.

Petition presented by a Member only.

72. A Petition shall only be presented to the House by a Member.

Petition from a Member.

73. A Petition from a Member shall not be presented.

Member presenting Petitions confined to statement of certain facts.

74. A Member offering to present a Petition to the House, shall state only the parties from whom it comes, the number of signatures attached to it, the material allegations contained in it, and to the terms of the prayer of such Petition.

No Debate upon proceedings on presentation.

75. When a Petition is presented which contains no matters in breach of the privileges of the House and which is in accordance with the Rules and Practice of the House, it shall be read by the Clerk of the House, without a Question first put; after which a Question shall be put, "That the Petition be received", but no other Question relating to such Petition shall be then entertained.

Urgent Petitions may be taken into consideration on presentation.

76. In the case of a Petition complaining of some present personal grievance for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be taken into consideration on presentation thereof.

Petitions against taxes.

77. Subject to the above Rules Petitions against any Resolution or Bill imposing a tax or duty may be received.

Government response to Petitions

78. - (1) The text of each Petition which the House has received shall be communicated to the Premier by the Clerk of the House.

(2) A Government response to each Petition shall be laid before the House within 15 sitting days of its communication to the Premier.

Electronic petition ("E-Petition").

79. - (1) An e-petition is a petition:

(a) in the correct form, stating a grievance and containing a request for action by the House;

(b) sponsored by a Member and lodged with the Clerk for publication on the Parliament's Internet Website for a nominated period ("posted period");

(c) persons may elect to indicate their support of ("join the petition") by electronically providing their name, address (including postcode) and signifying their intention to join the petition.

(2) The posted period for an e-petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament's Internet Website.

(3) The member sponsoring the e-petition must provide the Clerk with the details of the petition in the correct form; the posted period and a signed acknowledgment that they are prepared to sponsor the e-petition.

(4) Once published on the Parliament's Internet Website an e-petition cannot be altered.

(5) Only one e-petition dealing with substantially the same grievance and requesting substantially the same action by the House shall be published on the Parliament's Internet Website at the same time.

(6) Once the posted period for an e-petition has elapsed, a paper copy of the petition shall be printed by the Clerk in full (including the details of the persons who joined the petition) and presented to the House by the Member who sponsored the e-petition.

(7) An e-petition published on the Parliament's Internet Website, but not presented to the House prior to the dissolution of the Parliament, may be presented to the subsequent Parliament to become a petition of the subsequent Parliament.

(8) An e-petition cannot be sponsored after the dissolution of the Parliament and until the new Parliament has been summoned and members sworn.

General Rules for E-Petitions.

80. (1) Persons must join an E-petition by filling out their correct details and personally agreeing to join the e-petition, and by no one else, except in case of incapacity from sickness.

(2) A person cannot sign or join the same e-petition more than once.

Duties and powers of the Clerk and Speaker regarding E-petitions.

81. (1) The Clerk may decline to publish an e-petition on the Parliament's Internet Website not in conformity with these Orders and advise the sponsoring member accordingly.

(2) The Clerk or a member may seek a ruling from the Speaker about the conformity of any petition with these Orders.

(3) The Clerk is authorised to create and maintain an appropriate Internet Website on which to publish electronic petitions, responses to petitions and explanatory information and do all things necessary in order to give effect to these Orders.

(4) The Clerk must dispose of all electronic personal data related to the posting and joining of an e-petition within six months after an electronic petition is printed and presented to the House.

Application of Standing Orders to E-Petitions.

82. The Standing Orders and Rules for Petitions apply to E-petitions in-so-far-as they can be applied.

PART 12
NOTICES OF MOTION

Duplicate copies to be delivered at the Table.

83. A Member in giving Notice of Motion shall deliver to the Clerk of the House two signed copies of such Notice, fairly written or printed, and showing the day proposed for bringing on such Motion.

Notice must be for a future date.

84. A Notice of Motion may not be given for the same day.

Notices may be given for absent Members.

85. A Member may give Notice for any other Member not then present, having been authorised to do so by such Member in writing; and may, when similarly authorised, take charge of a Motion in the absence of the Member in charge thereof.

Notices to be printed.

86. Every notice of Motion shall be printed and circulated prior to the hour fixed for the Sitting of the House.

Notices of Motion may not be anticipated.

87. A Notice of Motion, having been given for a certain day, may be postponed to a later, but shall not be brought on on an earlier, day.

The terms may be altered.

88. After a Notice of Motion has been given, the terms thereof may be altered by the Member giving such Notice. An amended Notice shall be given in the mode prescribed herein for giving of original Notices.

Consecutive Notices of Motion.

89. A Member, except a Minister of the Crown, may not give two Notices of Motion consecutively unless no other Member has any Notice to give.

Notice not received after orders proceeded with, except by leave.

90. A Notice of Motion shall not be received after the House has proceeded to the Orders of the Day, unless by leave of the House.

Lapsed Notices.

91. Notices of Motion that have been called on and not proceeded with, by reason of the absence of the Member giving Notice thereof, shall lapse unless moved by some other Member authorised by the Mover in writing.

Lapsed Notices may be restored.

92. A Notice of Motion which has lapsed by the absence of a Member when called, shall be removed from the Notice Paper, but may be restored by the Notice being renewed.

Notice containing unbecoming expressions.

93. If a Notice of Motion or of Question contains unbecoming expressions, the Speaker may direct that it shall not be printed, or it may be expunged from the Notice Paper by Order of the House.

Notices lapse if not brought on

93A. A Notice of Motion shall lapse if it has not been brought on for debate within three (3) months from the day it was given.

PART 13

QUESTIONS SEEKING INFORMATION

Questions to Ministers or other Members.

94. Before the Orders of the Day or Motions are called on, Questions may be put to Ministers of the Crown relating to public affairs, and to other Members relating to any Bill, Motion, or other public matter connected with the business of the House, in which such Members may be concerned, but a Minister or other Member may decline to answer a Question except upon Notice given for a subsequent day.

Such Questions not to involve argument.

95. In putting any such Question no argument or opinion shall be offered, nor inferences or imputations made, nor any facts stated, except so far as may be necessary to explain such Question.

In answering a Question the matter not to be debated.

96. In answering any such Question a Member shall not Debate the matter to which the same refers, and answers shall be relevant to the Question.

Supplementary Questions.

97. At the discretion of the Speaker, supplementary Questions may be asked to elucidate an answer.

Time limit on Question Time.

98. No Question shall be asked after the lapse of one hour from the Speaker calling on Questions. Further Notices may then be handed to the Speaker.

Answers terminated after sufficient time.

99. When the Speaker considers a Minister or other Member has had sufficient time to answer a Question the Speaker shall call for the next Question.

Minimum number of Questions

99A. Notwithstanding the provisions of Standing Order 98, the Speaker shall ensure that a minimum of questions without notice to be asked shall be seven by the Opposition, four by the Government Private Members and two by other members.

Answers to Questions must be in writing.

100. When Notices of Question are given the Clerk of the House shall place them at the commencement of the Notice Paper, and the reply shall be given by being laid upon the Table of the House, and a copy thereof supplied to the Member who has asked the Question.

Question Time – Attendance of Legislative Council Members

100A. The House of Assembly agrees to the following provisions relating to the participation by Members of the Legislative Council, who are Ministers of the Crown, in Question Time in the House of Assembly –

(1) That the Assembly seek the attendance of Members of the Legislative Council who are Ministers of the Crown by separate message requesting that leave be given to those Ministers to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.

(2) That the Standing Orders and practices of the House of Assembly have application, with qualification in relation to the requirement for any punishment for offences which constitute a contempt of the Assembly, committed by a Member of the Legislative Council, be not enforced until concurred with by the Legislative Council.

(3) That the Speaker of the House of Assembly have sufficient authority over a member of the Legislative Council participating in Question Time so as to retain control of proceedings and maintain the decorum of the House.

(4) That a member of the Legislative Council attending in the Assembly be not eligible to vote, be counted for the purpose of a quorum, attempt to make any motion or act in a way to initiate any business whatsoever.

(5) That a member of the Legislative Council attending the Assembly be not subject to Questions beyond the time of 10.50 a.m. on any sitting day on which sittings of the Legislative Council are to commence.

(6) That this Resolution expire upon the prorogation of the Houses of Parliament and the dissolution of the House of Assembly prior to the next general election of that House.

PART 14

ORDERS OF THE DAY

Orders of the Day defined.

101. An Order of the Day is a Bill or Other matter which the House has ordered to be taken into consideration on a particular day.

Precedence of Orders of the Day.

102. Unless the House otherwise orders, Orders of the Day shall be disposed of in the order in which they stand upon the Notice paper.

An Order discharged.

103. An Order of the Day may be read and discharged.

PART 15 MOTIONS

No Motion to be made without previous notice.

104. A Member shall not make any Motion initiating a subject for discussion except in pursuance of Notice, but Motions for the printing of papers may be made on the presentation of such Papers without Notice.

Anticipating Motions.

105. No Motion or Amendment shall anticipate an Order of the Day or another Motion of which Notice has been given.

Precedence of Motions.

106. Motions shall have precedence on each day according to the order in which the Notices for the same were originally given: Provided that if a Motion of which Notice has been given has not been called on by reason of the adjournment of the House, it shall be continued on the Notice Paper under the same conditions as an original notice.

Questions of privilege.

107. An urgent Motion, directly concerning the privileges of the House, shall take precedence of other Motions as well as of Orders of the Day.

Motions without Notice.

108. A Motion may be made without Notice by leave of the House.

Motions withdrawn.

109. A Member who has made a Motion may withdraw the same by leave of the House, such leave being granted without any negative Voice.

A Motion withdrawn may be made again.

110. A Motion which has been withdrawn by leave of the House may be made again in the same Session.

Motion may not be withdrawn if Mover absent.

111. A Motion shall not be withdrawn in the absence of the Member who made it.

Amendment withdrawn, &c., before original Motion.

112. When an Amendment has been proposed to a Question, the original Motion shall not be withdrawn until the Amendment has been withdrawn or negatived.

PART 16
QUESTIONS

Question proposed.

113. When a Motion has been made, a Question thereupon shall be proposed to the House by the Speaker.

Irregular Motion not put.

114. If a Motion or Amendment be irregular, or out of order, the Question thereupon shall not be put by the Speaker.

Complicated Question may be divided.

115. The House may order a complicated Question to be divided.

Question put and again stated.

116. So soon as the Debate upon a Question is concluded, the Speaker shall put the Question to the House.

Question determined by a majority of voices.

117. Subject to Standing Order No. 121 and Standing Order No. 423, a Question being put, shall be resolved in the Affirmative or Negative by the majority of voices, "Aye" or "No".

Speaker states whether "Ayes" or "Noes" have it.

118. The Speaker shall state whether the "Ayes" or the "Noes" "have it"; but, on the demand of any Member, the Question shall be determined by a Division.

Question superseded by adjournment or the Previous Question.

119. A Question may be suspended -
(a) By the Adjournment of the House, on notice being taken, and it appearing that a Quorum of Members is not present;
(b) By the Previous Question, viz., "That this Question be not now put", being proposed and agreed to.

The same Question not to be again proposed.

120. Except as provided for in Standing Order No. 121, no Motion or Amendment shall be proposed which is the same in substance as any Question or Amendment which, during the same Session, has been resolved in the Affirmative or Negative.

Resolution or Vote rescinded.

121. A Resolution or other Vote of the House may be read and rescinded upon Motion, of which three days' notice has been given: Provided that the Motion rescinding a Resolution or Vote passed during the same Session shall be approved by an absolute majority of the Whole House.

PART 17
PREVIOUS QUESTION

Form of Previous Question.

122. The Previous Question shall be put in the form “That this Question be not now put”.

Must be first dealt with.

123. The Previous Question having been proposed, no Amendment of the Main Question shall be entertained unless the Previous Question has been withdrawn.

Amendment shall not be offered.

124. No Amendment shall be offered to the Previous Question, but such Question may be superseded by the Adjournment of the House for want of a Quorum.

Debate thereon may be adjourned.

125. A Debate upon the previous Question may be adjourned.

Scope of Debate.

126. In a Debate on the Previous Question the Original Question and any Amendment thereon may be debated.

Previous Question affirmed.

127. The Previous Question having been resolved in the Affirmative, the Original Question and any Amendment thereon are thereby disposed of, and the House shall proceed to the next business, or may adjourn.

When passed in the Negative.

128. The Previous Question having been passed in the Negative, the Main Question shall be at once put, without Amendment or further Debate.

Previous Question.

129. Whenever the Previous Question shall be proposed upon any Question consisting of a series of Resolutions, which have been brought under discussion or Debate as one Motion, with the understanding that the Question be put on such Resolutions *seriatim*, the decision of the Previous Question, before putting the question of the first of such Resolutions, shall be taken and held to be conclusive, whether in the Affirmative or Negative, as regards the whole of such Resolutions.

May not be moved in Committee of the Whole House.

130. The previous Question shall not be moved in a Committee of the Whole House.

PART 18
AMENDMENTS TO QUESTIONS

Different forms of Amendment.

131. A Question having been proposed, may be amended -

- (a) By leaving out certain words only;
- (b) By leaving out certain words in order to insert or add other words; or
- (c) By inserting or adding words.

Amendment must be relevant.

132. An Amendment to a Question must be relevant to such Question.

Amendments to be seconded.

133. An Amendment proposed, but not seconded, shall not be entertained by the House, nor entered in the Journals.

Amendments to be in writing.

134. An Amendment to any Question before the House must, for the purposes of records, be in writing and be signed by the Member moving the same.

Amendment to insert or add words.

135. When the proposed Amendment is to insert or add certain words, the Speaker shall put a Question that such words be inserted or added.

Amendment to leave out words.

136. When the proposed Amendment is to leave out certain words, the Speaker, after stating the Amendment, shall put a Question, "That the words proposed to be left out, be so left out".

Amendment to leave out words and insert or add others.

137. When the proposed Amendment is to leave out certain words, in order to insert or add other words, the Speaker shall put the Question that the words proposed to be left out, be so left out; which, if resolved in the Negative shall dispose of the Amendment; but if in the Affirmative another Question shall be put, that the words of the Amendment be inserted or added instead thereof.

Amendments to proposed Amendments.

138. Amendments may be proposed to any proposed Amendment, whenever it comes to a Question whether the House shall agree to such proposed Amendment, as if such proposed Amendment were an Original Question.

When later part of a Question has been amended or proposed to be amended.

139. An Amendment shall not be proposed in any part of a Question after a later part has been amended, or has been proposed to be amended, unless the proposed Amendment has been, by leave of the House withdrawn.

No Amendment to be made to words already agreed to.

140. An Amendment shall not be proposed to be made to any words which the House has resolved shall stand part of the question, or which have been inserted in, or added to, a Question, except it be the addition of other words thereto.

Proposed Amendment withdrawn.

141. A Proposed Amendment may be by the unanimous leave of the House, withdrawn.

Question, as amended, put.

142. When an Amendment has been made the Main Question, as amended, shall be put.

When Amendments proposed but not made.

143. When Amendments have been proposed but not made, the original Question shall be put, unless other Amendments be offered.

Debate thereon may be adjourned Order in which Amendments to be put.

144. When several Amendments have been proposed to be made to a Question, they shall be put singly in the order in which, if agreed to, they would stand in the amended Question.

PART 19

CONDUCT OF MEMBERS

Entering and leaving the House.

145. No Member shall have head covered when entering or leaving the House, or moving to any other part of the House during a Debate and every Member shall bow to the Chair when entering, leaving, or crossing the House.

Members leaving their seats.

146. A Member shall not pass between the Chair and any Member who is speaking; nor between the Chair and the Table.

Members to take their places.

147. Members, when they come in to the House, shall take their places, and shall not stand in any of the passages or gangways.

PART 20

TIME-LIMIT OF SPEECHES

Time-limits.

148. - (1) Except where otherwise expressly provided, unless by leave of the House—

- (a) when the Speaker is in the Chair, Members shall not exceed thirty minutes in speaking to any Motion or Question before the House; and
- (b) in Committee of the whole House on a Bill, Address, or other Matter, Members shall not speak more than twice to any Question, nor for a longer period than ten minutes at a time, nor address the Committee for more than one period of time consecutively;

Provided that the following may speak for forty minutes when the Speaker is in the Chair and more than twice on any Question in Committee of the whole House:

- (i) the Premier;
- (ii) the Minister replying to any statement made in the House affecting him or any department of which he has the administration;
- (iii) the Member in charge of a Bill or Motion;
- (iv) the Leader of the Opposition or, if absent or waive the right under this proviso, the Deputy or, to the exclusion of the right of either, a Member of the Opposition whom the Leader of the Opposition or Deputy has nominated to the Speaker for the purpose in respect of the Bill, Motion, Question, or Matter being then considered by the House; and
- (v) the Leader of a Party other than the Government or the Opposition consisting of at least four Members, or if absent or waive the right under this proviso, another Member of that Party nominated by the Leader to the Speaker for the purpose in respect of the bill, Motion, Question, or Matter being then considered by the House.

(2) On any procedural Question, no Member may speak for more than seven minutes and the debate thereon shall not exceed thirty-five minutes, but the Speaker, or as the case may be, the Chair of the Committees is entitled to put the Question as soon as the Speaker or the Chair of Committees is of opinion that the question has been sufficiently debated.

PART 21

LIMITATION OF DEBATE

Limitation of Debate on Urgent Bill or Motion

149. - (1) On the reading of a Message from the Governor recommending an appropriation in connection with any Bill, on the calling on of a Motion for leave to introduce a Bill or a Notice of presentation, on the consideration of any Motion preliminary to the introduction of a Bill, at any stage of a Bill, or on the consideration of the Legislative Council Amendments or Requests for Amendments to a Bill, a Minister may declare "That the Bill is an urgent Bill, and on such declaration, the Question "That the Bill be considered an urgent Bill" shall be put forthwith - no Debate or Amendment being allowed - and on such Question being agreed to, a Minister may forthwith, or at any time during any Sitting of the House or Committee, but not so as to interrupt a Member who is addressing the House or Committee, move a Motion or Motions specifying the time which shall be allotted to all or any of the following:-

- (i) The initial stages of the Bill (including any Motion preliminary to the introduction of the Bill) up to, but not inclusive of, the Second reading of the Bill;

- (ii) The Second reading of the Bill;
- (iii) The Committee stages of the Bill;
- (iv) The remaining stages of the Bill;
- (v) The consideration of Legislative Council Amendments or Requests for Amendments to the Bill,

and the order with regard to the time allotted to the Committee stage of the Bill may, out of the time allotted, apportion a certain time or times to a particular clause or clauses, or to any particular part or parts of the Bill which in the opinion of the Speaker or Chair must be reasonable to allow adequate Debate.

(2) When any Motion of any kind whatsoever has been moved, a Minister may at any time declare that the Motion is an urgent Motion, and, on such declaration, the Question "That the Motion be considered an urgent Motion" shall be put forthwith - No Debate or Amendment being allowed - and on such Question being agreed to, a Minister may forthwith move a Motion specifying the time which shall be allotted to the Motion which in the opinion of the Speaker or Chair must be reasonable to allow adequate Debate.

(3) Upon such Motion or Motions with regard to the allotment of time being moved, no Debate thereon shall be allowed for more than twenty minutes, and in speaking thereon no Member may exceed five minutes. If the Debate be not sooner concluded, then forthwith upon the expiration of that time the Speaker or the Chair shall put any Questions on any Amendment or Motion already proposed from the Chair.

(4) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion on the expiration of the time allotted under any Motion passed under any of the preceding paragraphs of this Standing Order, the Speaker or the Chair shall, at the time appointed under the Motion for the conclusion of those proceedings, put forthwith any Question already proposed from the Chair and any other Question requisite to dispose of the business before the House or Committee, including, when considering any Bill in Committee or any Legislative Council Amendments or Requests for Amendments to a Bill, and Amendments, New Clauses and Schedules, and modifications, copies of which have been circulated by the Government among Members two hours at least before the expiration of the allotted time. No other Amendments, New Clauses or Schedules, or modifications may be proposed.

(5) Where any time has been specified for the commencement of any proceedings in connection with any business under this Standing Order, when the time so specified has been reached the business, whatsoever its nature be, then before the House or Committee shall be postponed forthwith, and the first-mentioned business shall be proceeded with, and all steps necessary to enable this to be done shall be taken accordingly.

(6) No Motion for the allotment of time under this Standing Order shall be made which provides less than, in the case of any Motion or any other Bill, a total of three hours, and in every case not less than one hour's further Debate must be allowed, regardless of the stage which has been reached and the time taken so far.

PART 22
RULES OF DEBATE

Order maintained by Speaker

150. Order shall be maintained in the House by the Speaker, and in the Committees of the Whole House by the Chair of Committees, but disorder in Committee may be censured by the House only on receiving a report.

When Speaker rises is to be heard without interruption

151. Whenever the Speaker rises during a Debate any Member then speaking, or offering to speak, shall sit down, and the Speaker shall be heard without interruption.

Members to address Speaker standing and uncovered

152. A Member desiring to speak shall rise in the Member's place and shall address the Speaker, or may address the Speaker from a lectern:-
- (a) in the case of Government Members, the lectern on the Government side of the Chamber;
 - (b) in the case of Opposition Members, the lectern on the Opposition side of the Chamber; and
 - (c) in the case of all other Members, the lectern at the end of the Table of the House.

Indulgence of Members unable to stand

153. By the special indulgence of the House, a Member, unable conveniently to stand, by reason of sickness or infirmity, may be permitted to speak sitting.

Debate closed

154. A Member shall not speak to any Question after the same has been put, and the Speaker has declared on the voices.

The Speaker calls on Members to speak

155. When two or more Members rise in their places to speak, the Speaker shall call upon the Member who rose first.

Motion that a Member "Be now heard".

156. A Motion may be made that any Member "be now heard", or "do now speak", but such Question shall be put without Debate.

Member to speak to the Question

157. A Member may speak to any Question before the House, or to any Amendment thereon, or upon a Question of Order arising out of the Debate or upon a matter of privilege but not otherwise.

Reference to the Legislative Council

158. Members may refer to the Legislative Council as "the Council".

No Member to speak twice

159. A Member shall not speak twice to a Question before the House, except in explanation or reply, or in a Committee of the Whole House.

Except to explain words

160. A Member who has spoken to a Question may again be heard in explanation of some material part of that Speech; but shall not introduce any new matter.

Personal explanation

161. By the indulgence of the House a Member may explain matters of a personal nature, although there be no Question before the House; but such matters shall not be debated.

Right of reply in certain cases.

162. A reply shall be allowed to a Member who has moved a substantive Motion, or has moved an Order of the Day, but not to any Member who has moved an Amendment, or an Instruction to a Committee, or the Previous Question, or the Adjournment of a Debate, and after such reply it shall not be competent for any Member to speak to the Question.

Adjournment of Debate

163. A Debate may be adjourned to a later hour on the same day, or to any other day.

Limitation of Adjournment of Debate

164. On the Question of the adjournment of the Debate no Member may speak for a longer period than seven minutes and the Debate thereon shall not exceed thirty-five minutes, but the Speaker shall, be entitled to put the Question as soon as the Speaker is of opinion that the Question has been sufficiently debated.

Privilege: Precedence of adjourned Debate on

165. An Adjourned Debate on a Question relating to the privileges of the House shall stand first on the Notice Paper for the day to which the House has adjourned.

Resumed Debate: Member who has spoken may not speak again

166. When a Debate is adjourned, no Member who has spoken to a Question may speak again to the same Question when the Debate is resumed.

Member may speak again to Question of Adjournment

167. A Member who has spoken to a Question may speak again to the Question of Adjournment, or to any other new Question which may arise.

Having spoken on Adjournment may speak subsequently on Main Question

168. A Member who has spoken only on the Question of Adjournment may speak subsequently on the Main Question.

Having spoken on main question may not enter upon same on question of adjournment

169. A Member who has spoken on the Main Question may not again enter upon it when speaking to the Question of Adjournment.

Having spoken may not move adjournment of House, or of Debate, but may speak on such Motion

170. A Member who has spoken may not move an Amendment, or the Adjournment of a Debate, or any similar matter, but may speak on any such Motion when it is made by another Member.

Motion negatived, Mover and Seconder may afterwards speak

171. In the event of a Motion for the adjournment of the Debate upon any Question being negatived, the Members moving and seconding the Motion for such Adjournment may address the House at any time during such Debate.

Member may resume Speech on a future day

172. A Member moving a Motion or speaking to a Question who desires to continue the Speech on a future day may move the Adjournment of the Debate; provided that should the Question for the Adjournment of the Debate be passed in the Negative, the Member may immediately resume the Speech.

Motion for Adjournment being negatived, not to be proposed again immediately

173. If a Motion for the Adjournment of the House or of a Debate has been negatived, no similar proposal shall be received within a quarter of an hour, and no similar proposal shall be received if the Speaker is of the opinion that it is an abuse of the Orders or forms of the House, or is moved for the purpose of obstructing business.

Debate interrupted by - Question of privilege, &c.

174. The Debate upon a Question may be interrupted -

- (a) By a matter of privilege suddenly arising;
- (b) By a Question of Order being raised;
- (c) By a Message from the Governor;
- (d) By the time being come for a Conference;
- (e) By a Member appearing to be sworn;
- (f) By attention being called to the want of a Quorum;
- (g) By a request being made that the words of a Member be taken down;
- (h) By attention being called to the presence of strangers.

Proceedings of Committees - no reference to until reports received

175. No reference shall be made to any proceedings of a Committee of the Whole House, or of any Select Committee until the same have been reported to the House, unless the House at the time of the appointment of the Committee shall otherwise direct.

Reflection upon Votes of the House

176. A Member shall not reflect upon any Vote of the House, except for the purpose of moving that such Vote be rescinded.

Allusions to Debates in the other House

177. A Member shall not allude to any Debate or proceedings in the other House of Parliament but may refer to printed Papers of that House.

Irreverent use of the Sovereign's or the Governor's name

178. A Member shall not use the name of the Sovereign or the Governor disrespectfully in a Debate, or for the purpose of influencing the House in its deliberations.

Offensive words against either House, or against Statutes

179. A Member shall not use offensive words against either House of Parliament, nor against any Statute unless for the purpose of moving for its repeal.

Member may be referred to by name

180. A Member may refer to any other Member by name for the purpose of distinguishing that Member from other Members returned for the same Electorate.

Offensive words against a Member

181. - (1) No Member shall use offensive or unbecoming words in reference to any Member of this House, nor attribute directly or by innuendo to another Member unbecoming conduct or motives; and all offensive reference to a Member's private affairs, and all personal reflections, shall be deemed highly disorderly.

(2) Any breach of this Rule shall be dealt with in such manner as the House may think fit.

(3) Whenever the Speaker rules that words used by any Member are highly disorderly, such words shall not be taken down by the Clerk of the House, nor shall they be published in the Press or in any report of the proceedings of the House.

(4) The provisions of this Standing Order relating to "unbecoming conduct" shall not apply where a substantive Motion on Notice brings a charge of misconduct against a Member.

Digressions from subject

182. A Member shall not digress from the subject-matter under discussion.

Debates of same Session not to be alluded to

183. No Member shall allude to any Debate of the same Session unless such allusion be relevant to the matter under discussion, nor to any speech made in Committee except by the indulgence of the House for personal explanation.

When Members not to read from newspapers

184. No Member shall read from a report of any speech made in Parliament unless that report is relevant to the matter upon which the Member is speaking.

Newspapers not to be read in House

185. Members may not read newspapers in the House.

Interruptions not allowed: Exceptions

186. A Member shall not interrupt another Member while speaking, unless -

- (a) To request that words be taken down;
- (b) To call attention to a Point of Order or Privilege suddenly arising;
- (c) To call attention to the want of a Quorum;
- (d) To call attention to the presence of strangers.

Speaking "To Order", or upon matter of privilege

187. Any Member may rise to speak "to Order", or upon a matter of Privilege suddenly arising.

Proceedings on Question of Order

188. Upon a Question of Order being raised, the Member called to Order shall sit down, and immediately after the Question of Order has been stated to the Speaker by the Member rising to the Question of Order, the Speaker shall rule thereon; but may first invite the opinion of the House.

Words taken down by direction of Speaker

189. When any Member objects to words used in Debate, and stating them, desires them to be taken down, the Speaker, if it appears to be the pleasure of the House, shall direct them to be taken down by the Clerk of the House accordingly.

Words to be objected to when used

190. Every such objection shall be taken at the time when such words are used, and not after any other Member has spoken.

House not to permit quarrels

191. Members shall not be permitted by the House to prosecute any quarrel arising out of a Debate or Proceeding of the House, or any Committee thereof.

Disorder and suspension

192. Any Member who has -
- (a) persistently and wilfully obstructed the business of the House; or
 - (b) been guilty of disorderly conduct; or
 - (c) used objectionable words, and has refused to withdraw; or
 - (d) persistently and wilfully refused to conform to any Standing Order; or
 - (e) persistently and wilfully disregarded the authority of the Chair,

may be named by the Speaker, or, if any of the above-named offences has been committed by a Member in Committee, the Chair.

Suspension or withdrawal from House

193. - (1) If the offence has been committed in the House, the Speaker may direct the Member to withdraw from the House for any period up to 24 hours or put the Question on a Motion being made, no Amendment, Adjournment, or Debate being allowed, "That such Member be suspended from the service of the House"; and, if the offence has been committed in Committee, the Chairman shall forthwith suspend the proceedings of the

Committee and report the circumstances to the House, and the Speaker shall thereupon without a Motion being necessary, put the same Question, without Amendment, Adjournment, or Debate, as if the offence had been committed in the House itself, or the Speaker may direct the Member to withdraw from the House for any period up to 24 hours.

(2) Where a Member is directed to withdraw from the House by the Speaker, the Member may attend for the purpose of voting in any division or being counted when attention has been drawn to the lack of a quorum, but shall withdraw when the vote has been declared or a quorum formed.

Period of suspension

194. If any Member be suspended under the foregoing Order, the suspension on the first occasion shall be for twenty-four hours, on the second occasion during the same year for seven days excluding the day of suspension, and on the third or any subsequent occasion during the same year for twenty-eight days excluding the day of suspension: Provided that any suspension in a previous Session shall be disregarded.

Continued irrelevance and tedious repetition: Speaker may order Member to discontinue Speech

195. The Speaker or the Chair of Committees, as the case may be, may call attention to continued irrelevance or tedious repetition, or the taking up of time by a speech of such unwarrantable length as to obstruct the business, on the part of a Member, and may direct such Member to discontinue the speech: Provided that such Member shall have the right to require that the Question whether the Member be further heard be put, and thereupon such Question shall be put without Debate.

Member to withdraw while conduct is under Debate

196. A Member against whom any charge has been made, having been heard in the Member's place, shall withdraw while such charge is under consideration.

Ruling of Speaker may be challenged

197. - (1) If an objection is taken to a ruling of the Speaker, the objection shall be taken at once and in writing and a Motion of dissent moved, which, if seconded, shall be proposed to the House and the Debate thereon shall proceed forthwith.

(2) The Speaker is entitled to put the question when Debate on any such Motion has exceeded thirty-five minutes, and no Member shall speak to the Motion for more than seven minutes.

PART 23 DIVISIONS

How Division may be called

198. Whenever the Speaker states, on putting a Question, that the Ayes or Noes (as the case may be) have it, the decision may be challenged by a Member calling "divide".

Minority demand Division

199. A Division shall be called for only by a Member who has given voice with the minority as declared by the Speaker.

Division bell rung and sand-glass turned

~~200. When a Division is demanded the Division Bell shall be rung, and the Clerk of the House shall turn a two minute sand glass, to be kept on the Table for that purpose, and the doors shall not be closed until after the lapse of two minutes as indicated by such sand glass.~~

200. When a Division is demanded the Division Bell shall be rung, and the Clerk of the House shall turn a five-minute sand-glass, to be kept on the Table for that purpose, and the doors shall not be closed until after the lapse of five minutes as indicated by such sand-glass, unless the Government Whip, the Opposition Whip and any other Member, not being a Member of the Government or Opposition, each signify that all Members who wish to vote are present in the Chamber, in which case the Speaker may order the Division Bells to cease being rung.

Doors locked after lapse of two minutes

~~201. The doors shall be locked after the lapse of two minutes by direction of the Speaker.~~

201. The doors shall be locked after the lapse of five minutes, or such lesser time as may be directed by the Speaker after signification from the Government Whip, Opposition Whip and any other Member, not being a Member of the Government or Opposition, that all Members who wish to vote in the Division are present in the Chamber.

Second division

201A If a second Division is demanded following an earlier Division and limited or no intervening debate has taken place the Speaker may, if there is unanimous agreement, order the doors to be locked and the vote taken.

Question put "Ayes" and "Noes" divide and Tellers appointed

202. - (1) When the doors have been locked, and Members are in their places, the Speaker shall state the Question and without allowing further Debate, direct the "Ayes" to go to the right and the "Noes" to the left of the Chair, and shall appoint one Teller for each side, and after the Tellers have been appointed, Members shall not move from their places.

(2) In case there should not be at least one Member supporting the Teller for one of the parties, the Speaker or the Chair shall forthwith declare the Resolution of the House, or of the Committee.

Division may be withdrawn

203. At any time before the Tellers are appointed, a call for a Division may be withdrawn by leave of the House, such leave being granted without any negative voice, and the Division shall not be proceeded with. The decision of the Speaker, which was challenged, shall stand.

Members speaking to order

204. While the House is dividing, Members may speak to a Point of Order arising out of or during the Division.

Every Member then present must vote

205. Every Member then present in the House when the Question is put with the doors locked shall be required to vote.

Members counted and their names taken down

206. Members having taken their sides, every Member present shall then be counted, and their names taken down by the Teller on either side, who shall sign the lists and present the same to the Speaker, who will declare the result to the House.

Division lists to be entered in Journals

207. An entry of the Divisions List shall be made in the Journals.

Recording of pairs

208. Lists of Members pairing on any Division, duly signed by the Whips of the respective parties, shall be handed in duplicate to the Clerk of the House, who shall enter one of the same in the Journals immediately following the Division Lists, and the other shall be handed to the Press.

In case of error House again divides

209. In case of confusion or error concerning the numbers reported, unless the same can be otherwise corrected the House shall proceed to a second division.

Mistakes corrected in Journals

210. If the numbers have been inaccurately reported, the House, on being afterwards informed thereof, may order the Journals to be corrected.

When votes equal, Speaker gives casting vote.

Cf. Constitution Act 1934, s. 25.

211. In case of an equality of Votes, the Speaker shall give a casting vote, and may state the reasons for the Vote; and any reasons so stated shall be entered in the Journals of the House.

Division frivolously claimed.

212. If, in the opinion of the Speaker, the Division is frivolously or vexatiously claimed, the Speaker may take the vote of the House by calling upon the Members who support, and who challenge the decision, successively to rise in their places; and shall thereupon, as the Speaker thinks fit, either declare the determination of the House, or allow the Division to proceed.

No Member to vote if pecuniarily interested

213. Members shall not be entitled to vote upon any Question in which they have direct pecuniary interest, such interest being of an immediate and personal, and not merely of a general or remote description; and the vote of any Member so interested shall be disallowed; but any such

Member shall not be precluded from proposing any Motion or Amendment relating to such Question.

Direct pecuniary interest, how vote of Member dealt with

214. The Vote of any Member who is supposed to have a direct pecuniary interest in a matter under the consideration of the House may be taken notice of by a Motion that the vote be disallowed, and after the Member whose vote has been challenged has been heard, the vote may be allowed or disallowed by the House.

Rule to apply to Committees

215. The Rule of this House relating to the vote upon any Question in the House, of a Member having an interest in the matter upon which the vote is given, shall apply likewise to any vote of a Member so interested, in a Committee.

PART 24 MESSAGES FROM GOVERNOR

Message from Governor

216. When a Message is brought from the Governor, the bearer shall present it to the Speaker.

Message read

217. The Speaker shall immediately read the Message to the House, all the Members being uncovered, and, if necessary, the House shall fix a future day for taking, or forthwith take, the same into consideration.

Verbal Message

218. A verbal Message from the Governor may be communicated to the House by a Minister of the Crown, being a Member.

Recommendation or consent of the Governor

219. The recommendation or consent of the Governor to the introduction of any Motion or Bill may be signified to the House by a Minister of the Crown, being a Member.

PART 25 ADDRESSES TO THE CROWN OR GOVERNOR

Addresses to the Sovereign shall be proposed upon Motion of Notice

220. Whenever it be deemed proper to present an Address to the Sovereign, or to the Governor, the same shall be proposed, except in cases of emergency, on Motion upon Notice.

Addresses of congratulation or condolence in a similar manner

221. Addresses of Congratulation or Condolence to Members of the Royal Family shall also be proposed in a similar manner.

Addresses to the Sovereign transmitted to the Governor by Speaker

222. Addresses to the Sovereign shall be transmitted to the Governor by the Speaker, requesting the Governor to cause the same to be forwarded for presentation.

Addresses to the Governor presented by Whole House, or such Members as House may name

223. Addresses to the Governor shall be presented by the Whole House, or by such Members as the House may appoint for that purpose, or may be forwarded by the Speaker.

By The Whole House

224. When an Address is to be presented by the Whole House, the Speaker, with the House, or such Members as may accompany the Speaker, shall wait upon the Governor, and the Speaker shall read the Address, the Mover, and Seconder of the Address being on the left hand side.

Concurrence of the Legislative Council desired

225. The concurrence of the Legislative Council in any Address to the Sovereign, or Member of the Royal Family, or the Governor, if desired shall be communicated by Message with a blank for the insertion of "The Legislative Council and".

Concurrence signified

226. The concurrence of this House in an Address communicated by the Legislative Council is signified by Message.

Governor's answer to any address, reported by Speaker

227. The Governor's Answer to any Address presented by the Whole House shall be reported by the Speaker.

PART 26

15. MINISTERIAL STATEMENTS

Ministerial Statements

228. - (1) A Minister may make a statement to the House at any time when other business is not before the House.

(2) A ministerial statement is to be confined to matters of policy or fact and must be submitted to the Speaker for perusal before it is made.

(3) Any Member may move that a statement be noted provided that no Member shall speak for a longer period than seven minutes and the Debate thereon shall not exceed thirty-five minutes.

PART 27

PUBLIC BILLS INITIATION

Bills Initiated

229. A Public Bill (unless received from the Legislative Council) shall be initiated by a Member receiving the call and presenting it to the House by reading the short title and handing to the Clerk of the House a fair copy.

Bills not prepared according to order shall be withdrawn

230. A Bill not prepared pursuant to the Order of Leave, or according to the Rules and Orders of the House, shall be withdrawn.

No perpetual clause shall be inserted in any temporary Bill

231. No perpetual clause shall be inserted in any Bill the main provisions of which are temporary.

Precise duration of temporary Bills

232. The precise duration of every temporary Bill shall be expressed in a distinct Clause at the end of the Bill.

Title of Bill only read

233. On every reading of a Bill the Title only shall be read.

FIRST READING

First reading forthwith

234. The First reading of every Bill shall be proposed immediately after the same has been presented.

First reading without Amendment or Debate

235. When any Bill shall be presented by a Member, or shall be brought from the Legislative Council, the Question, "That this Bill be now read a First time" shall be put without Amendment or Debate.

Bills to be printed and circulated amongst Members

236. When a Bill has been read a First time it shall be printed with as little delay as possible, and a copy shall be provided for each Member by the Clerk of the House.

Printing of Bills

237. In the printing of a Bill, clauses for the appropriation of any part of the revenue or of any tax, rate, duty, or impost shall be marked with a heavy perpendicular line in the margin (called by printers a "gross line") until agreed to by a Committee of the Whole House and while so marked shall be deemed to be printed in italics.

SECOND READING

Bills listed for Second reading

238. A Bill having been read a First time shall be listed for Second reading on a future day, provided that-

- (a) a bill for an Appropriation Act may be read a Second time whenever the House thinks fit; and
- (b) a Minister may make the Second reading speech on a Bill as soon as it has been read a First time, at the conclusion of which the debate stands adjourned till a future day, but not less than two days hence.

No Bills to be read a Second time until distributed two days

239. A Bill shall not be read a Second time until two days after printed copies shall have been distributed to Members.

Second reading

240. On the Order of the Day being read for the Second reading of a Bill, a Question shall be proposed, "That the Bill be now read a Second time".

Amendments to Question for Second reading

241. - (1) Amendments may be moved to such Question by leaving out "now", and, at the end of the Question, adding the words "on this day Six Months", "on this day Three Months", or any other time; or the Previous Question may be moved.

(2) No other Amendment shall be moved to such Question, except in the form of a Motion strictly relevant to the Bill.

Bill committed

242. A Bill having been read a Second time may, by unanimous agreement be ordered to be read a Third time forthwith; or, committed to a Committee of the Whole House forthwith or at a later hour or on a future day, such Question being decided without Debate, or it may first be referred to a Select Committee.

Bill reported by Select Committee

243. When a Bill has been referred to a Select Committee and reported, it shall be committed to a Committee of the Whole House on a future day not less than three days hence, and when the Order of the Day for the Committee is called on, the reception of the Report of the Select Committee and the further progress of the Bill may be debated on the Question "That the Speaker do now leave the Chair".

Committee of the whole House on the Bill

244. On the Order of the Day being read for the Committee on a Bill or on an Order that a Bill be committed forthwith, the Speaker shall put the Question, "That I do now leave the Chair"; which being resolved in the Affirmative, the House shall resolve itself into a Committee of the Whole House on the Bill.

Amendments on Speaker leaving the Chair

245. Amendments may be moved to the Question "That the Speaker do now leave the Chair", by leaving out all the words after the word "That", in order to add the words "this House will on this day Three Months (*or* Six Months, *or other time*) resolve itself into the said Committee.

Bills may be considered in Committee together

246. Bills which may be fixed for consideration in Committee on the same day may be referred together to a Committee of the Whole House, which may consider on the same day all the Bills so referred to it, without the Chair of Committees leaving the Chair on each separate Bill.

Preamble postponed. Marginal note of Bill read

247. - (1) When a Bill is under consideration in Committee, the Preamble (if any) shall stand postponed without Question first put, and each Clause shall be considered *seriatim*.

(2) The marginal note only of each Clause shall be read by the Clerk, but if a Member so requires, any Clause shall be read at length.

Order of business in Committee on Bill

248. The following order shall ordinarily be followed in considering a Bill in a Committee of the Whole House:-

- (a) Clauses as printed;
- (b) Proposed New Clauses;
- (c) Postponed Clauses (not having been specially postponed to certain Clauses);
- (d) Schedules as printed;
- (e) Proposed New Schedules; Preamble;
- (g) Title,

but this order may be varied at the discretion of the Chair of Committees.

Relevancy of Debate

249. The Debate shall be confined to the Clause or Amendment before the Committee.

What Amendments admissible

250. Any Amendment may be made to a Clause provided the same is relevant to the subject-matter of the Bill, or pursuant to an Instruction, and be otherwise in conformity with the Rules and Orders of the House.

Question that each Clause stand part of the Bill

251. The Chair of Committees shall propose a Question on each Clause of the Bill, "That the Clause, as read, stand part of the Bill".

Amendments to Clauses

252. Such Question being proposed, Amendments may be proposed to the Clause -

- (a) To leave out words;
- (b) To leave out words in order to add or insert other words;
- (c) To add or insert words,

and such Amendments shall be given to the Chair of Committees in writing, if so desired by the Chair, and shall be dealt with as in the House itself.

Subdivisions of Clause may be treated as a separate Clause

253. If a Clause should have two or more Subdivisions, the Chair may treat any such Subdivision as if it were a separate Clause.

Question on Clause as amended

254. When a Clause has been amended, the Question shall be put, "that the Clause, as amended, stand part of the Bill".

Proceeding upon blanks

255. In going through a Bill, no Questions shall be put for the filling up of words already printed in italics, and commonly called “blanks”, unless exception be taken thereto; and if no alterations have been made in the words so printed in italics, the Bill shall be reported without Amendment, unless other Amendments have been made thereto.

Clauses postponed

256. Any Clause may be postponed, whether the same has already been considered and amended or not.

New Clauses and Schedules

257. New Clauses and Schedules may be inserted in a Bill if they be relevant to the subject-matter of the Bill, or pursuant to an Instruction, and be otherwise in conformity with the Rules and Orders of the House.

Preamble and Title

258. After each Clause and Schedule has been agreed to, and any New Clauses or Schedules added, the Preamble shall be considered, and, if necessary, amended; and the Question shall be put, “that this be the Preamble of the Bill”; after which the Title of the Bill shall be considered, and, if necessary, amended; and the Question shall be put, “that this be the Title of the Bill”.

Amendment of Title

259. If any Amendment has been made (or any New Clause or Schedule inserted) in the Bill not coming within the original Title (or any subject mentioned the original Title have been left out of the Bill) its Title shall be amended, and the Amendment of the Title shall be reported specially to the House.

Report of progress

260. When all the Clauses of a Bill have not been considered, the Chair shall be directed to report progress, and ask leave to sit again.

Report of Bill

261. The Bill having been fully considered the Chair shall put the Question, without Debate, “That this Bill (or this Bill as amended) be reported to the House”, and if the Question be agreed to, shall leave the Chair and report the Bill to the House.

Chair of Committees to sign copy of Bill and Amendments

262. The Chair shall sign a printed copy of every Bill to be reported with the Amendments clearly set out thereon or therewith, and shall initial any Clauses added in the Committee and any sheets containing Amendments attached thereto; and the Bill so signed and initialled shall be handed by the Chair to the Speaker when reporting to the House.

Bill with Amendments

263. When a Bill is reported with Amendments, a future day shall be appointed for taking the report into consideration and moving its adoption and the Bill may, in the meantime, be printed as reported.

Bill reported without Amendment

264. When a Bill is reported without Amendment, the adoption of the report may be moved immediately.

Amendments made on recommitment

265. On the Order of the Day being read for taking into consideration the Report of the Committee, a Motion may be made to discharge the Order of the Day and to recommit the Bill, either in whole or in respect of certain Clauses, and, if such Motion be agreed to, the Bill shall be recommitted accordingly; and, if further Amendments are made, the Second Report of the Committee shall be taken into consideration on a future day, and the Bill as reported shall in the meantime be printed, unless the House otherwise orders; but if no further Amendments be made, the Report may be at once adopted.

On consideration as amended may be referred to Select Committee

266. On consideration of the Bill as amended, the Bill may be referred to a Select Committee.

Third reading

267. When the report of the Committee is finally adopted, the Bill may be read a Third time forthwith.

THIRD READING

Motion for Third reading

268. - (1) The Order of the Day being read for the Third reading of a Bill, a Question shall be proposed "That the Bill be now read a Third time", to which Amendments may be moved -

- (a) By leaving out "now" and adding "this day Three Months", "Six Months", or any other time, which, if carried, shall finally dispose of the Bill; or
- (b) By leaving out "now read a third time" and adding "Be recommitted to a Committee of the Whole House" and, if thought fit, "in respect of *such and such* Clauses [or Schedules]".

(2) On an Amendment for Recommitment, Debate shall be limited to whether or not the Bill, Clauses, or Schedules, be recommitted. A Member, in speaking, shall not exceed seven minutes and the whole discussion shall not exceed thirty-five minutes.

Certificate of Chair of Committees

269. Before any Bill shall be read a Third time, the Chair of Committees shall certify in writing that the Bill is in accordance with the Bill as agreed to in Committee and reported; and the Speaker shall announce that the Chair has so certified.

Verbal Amendments

270. Amendments merely of a Verbal or formal nature may be made, on Motion, in any part of a Bill, at any time during its progress through the House, or in Committee of the Whole House.

Chair of Committees may correct clerical errors

271. Clerical and typographical errors may be corrected in any part of a Bill by the Chair of Committees and any change in the numbering of Parts, Divisions, Clauses, Subclauses, Paragraphs, and Subparagraphs consequential on any Amendment to a Bill and in references thereto in the text may be made by the Chair before it is sent to the Legislative Council for its concurrence.

Bill passed

272. After the Third reading no further Question shall be put, and the Bill shall be deemed to have passed the House.

Clerk to certify the passing

273. When a Bill originated in this House shall have passed, the Clerk of the House forthwith certify at the top of the first page, that "This Public Bill originated in the House of Assembly, and having this day passed, is now ready for presentation to the Legislative Council for its concurrence."

TRANSMISSION TO COUNCIL

Bill sent to the Legislative Council

274. When all the proceedings on a Bill have been concluded, the Bill shall be forwarded with a Message to the Legislative Council.

COUNCIL'S AMENDMENTS ON BILLS ORIGINATED IN THE ASSEMBLY

Council's Amendments to be considered on a future day

275. When a Bill is returned from the Legislative Council with Amendments, such Amendments shall be appointed to be considered on a future day, unless the House shall order them to be considered forthwith.

Council's Amendments considered in Committee

276. The consideration of all Amendments made by the Legislative Council in Bills which shall have first passed this House, and Messages relating to any such Amendments, shall in every case be in a Committee of the Whole House.

Bill returned from the Legislative Council

277. Amendments made by the Legislative Council shall be agreed to either with or without Amendments; or disagreed to; or the consideration thereof postponed; or the Bill may be again sent to the Legislative Council with a Message desiring its reconsideration; or the Bill may be ordered to be laid aside.

Council's amendments in Bills, Messages, &c

278. When Amendments made by the Legislative Council in Bills which shall have first passed this House, shall have been agreed to by the House without Amendments, or disagreed to, a Message shall be sent informing the Legislative Council thereof; and if they shall have been agreed to with Amendments, the Bill shall be returned to the Legislative

Council with a Message desiring the concurrence of the Legislative Council therein.

Council's amendments disagreed to. Reasons to be assigned

279. In any case, when a Bill is returned to the Legislative Council with any of the Amendments made by the Council disagreed to, or for reconsideration, the Message returning such Bill shall also contain written reasons for the House not agreeing to the Amendments proposed by the Legislative Council; and such reasons shall be drawn up by a Committee of three Members, to be appointed for that purpose when the House adopts the Report of the Committee of the Whole House disagreeing to the Amendments in question.

Final procedure on Council's Amendments

280. If the Legislative Council returns the Bill with a Message informing the House that it -

- (a) Insists on its original Amendments to which the House has disagreed; or
- (b) Disagrees to the Amendments made by the House on the Council's original Amendments; or
- (c) Agrees to Amendments made by the House on the original Amendments of the Council, with further Amendments,

and the House -

- (d) May -
 - (i) Agree, with or without Amendment, to the Amendments to which it previously disagreed, and make, if necessary, consequential Amendments to the Bill; or
 - (ii) Insist on its disagreement to such Amendments;
- (e) May -
 - (i) Withdraw its Amendments and agree to the Council's original Amendments;
 - (ii) Make further Amendments to the Bill consequent upon the rejection of its Amendments;
 - (iii) Propose new Amendments as alternative to the Amendments to which the Council has disagreed; or
 - (iv) Insist on its Amendment to which the Council has disagreed;
- (f) May -
 - (i) Agree with or without Amendment, to such further Amendments of the Council, making consequential Amendments to the Bill, if necessary;
 - (ii) Disagree thereto and insist on its own Amendments which the Council has amended,

and in all such cases, if agreement be not thereby arrived at, or if the Bill be again returned by the Council with any of the requirements of the House still disagreed to, the House shall order the Bill to be laid aside.

Council to be informed by Message if Amendments agreed to

281. If the Council's Amendments shall be agreed to and the Bill finally passed by this House, a Message shall be sent informing the Legislative Council thereof.

BILLS RECEIVED THE FIRST TIME FROM THE COUNCIL

Bills from Council proceeded with as similar Bills of the House

282. Bills coming to this House the first time from the Legislative Council shall be proceeded with in all respects as similar Bills presented in pursuance of Orders of the House.

Clerk certifies Bill agreed to, or otherwise

283. When any such Bill shall have been passed by the House, it shall be returned to the Legislative Council by Message, with the Clerk's certificate "The House of Assembly has this day agreed to this Bill without Amendment", or "with Amendments", as the case may be.

Council's Amendments considered

284. If the Legislative Council shall return such Bill with any of the Amendments made by the House disagreed to, or further Amendments made thereon, together with written reasons for its disagreeing to any such Amendments proposed by the House, a time shall be fixed for taking the Message into consideration in a Committee of the Whole House.

Council's Amendments, how dealt with

285. In cases where the Legislative Council -

- (a) Disagrees to Amendments made by the House; or
- (b) Agrees to Amendments made by the House with Amendments,

the House -

- (c) May -
 - (i) Insist, or not insist, on its Amendments;
 - (ii) Make further amendments to the Bill consequent upon the rejection of its Amendments;
 - (iii) Propose new Amendments as alternative to the Amendments to which the Council has disagreed; or
 - (iv) Order the Bill to be laid aside;
- (d) May -
 - (i) Agree to the Council's Amendments on its own Amendments, with or without Amendment, making consequential Amendments to the Bill if necessary;
 - (ii) Disagree thereto and insist on its own Amendments which the Council has amended; or
 - (iii) Order the Bill to be laid aside,

and, unless the Bill shall be laid aside, a Message shall be sent to the Legislative Council to such effect as the House has determined.

WAIVER OF PRIVILEGES OF HOUSE

House waives privileges in certain cases

286. With respect to any Bill brought to the House from the Legislative Council, or returned by the Legislative Council to the House, with Amendments, whereby pecuniary penalty, forfeiture, or fee shall be authorised, imposed, appropriated, regulated, varied, or extinguished, the House shall not insist on its privileges in the following cases:-

- (a) When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences;
- (b) Where such are imposed in respect of benefit taken or service rendered under the Act, and for the purpose of executing the Act, and are not made payable into the Treasury, or in aid of the Public Revenue, and do not form ground of public accounting by the parties receiving the same, either in respect of deficit or surplus.

PRESENTATION FOR ASSENT

Bills when passed to be transmitted to Legislative Council

287. All Bills, whether originating in this House or in the Legislative Council, shall, so soon as they have passed through their several stages, be forwarded to the President of the Legislative Council to await the Governor's Assent, excepting Bills of Supply, which shall be presented for the Governor's Assent by the Speaker.

Amendments proposed by Governor

288. Whenever it is transmitted by Message to the House any Amendment which the Governor shall desire to be made in any Bill presented for the Royal Assent, such Amendment shall be treated and considered in the manner as Amendments proposed by the Legislative Council.

Such Amendments, if agreed to, to be forwarded to the Council.

Cf. Australian Constitutions Act 1842, s. 30

289. When the House shall have agreed to any Amendment proposed by the Governor, such Amendment together with any alterations rendered necessary to be made in the Bill in consequence of such Amendment, shall be forwarded to the Legislative Council for its concurrence; and any Amendment made by the Council thereto shall be dealt with in the same manner as Amendments made by the Council in Bills originated in this House.

Consideration of such Amendments received through the Council

290. Amendments proposed by the Governor in Bills, which shall be agreed to by the Legislative Council and forwarded for the concurrence of this House, shall be proceeded with in the same manner as Amendments made by the Council on the Assembly's Amendments in Bills first received from the Council.

ROYAL ASSENT

Assent

291. The Royal Assent is signified to every Bill by the Governor, in person or by Commission, the attendance of the House of Assembly in the Legislative Council having been desired for that purpose, or by Message to the House, or notification in the "Tasmanian Government Gazette".

PART 28

SPECIAL PROVISIONS RELATING TO BILLS WHICH LEGISLATIVE COUNCIL MAY NOT AMEND

Requests considered in Committee

292. If a Bill is returned by the Legislative Council with a Request for Amendments, such Request shall, unless otherwise ordered, be considered in Committee of the Whole House at such time as the House may appoint.

Form of Motion on Request

293. On consideration of the Request for Amendments made by the Council in regard to such Bill, the Following Motions may be made:-

- (a) That the Amendments requested by the Council be made;
- (b) That the Amendments requested by the Council be not made;
- (c) That the Amendments requested by the Council be made with modification;
- (d) That further Amendments be made consequent on the Amendments made at the Council's request.

Resolution to be reported

294. After the Council's request for Amendments has been fully considered in Committee, the Chair shall report that the committee has considered such Request, and has agreed to one or more of the following Resolutions:-

- (a) To agree to make the Amendments requested by the Council;
- (b) To disagree to the Amendments requested by the Council;
- (c) To agree to make the Amendments requested by the Council with modifications;
- (d) To agree to make the Amendments requested by the Council with consequential Amendments,

and, on such Resolution or Resolutions being reported, the House shall appoint a time for taking the same into consideration; and, on consideration by the House, such Resolution or resolutions may be agreed to, disagreed to, or amended and agreed to.

Return of Bill to Council

295. When Amendments requested by the Council have been made by the Assembly without modification, the Bill shall be returned with a Message informing the Council thereof; when the Amendments shall have been made with modifications the Bill shall be returned with a Message

requesting the concurrence of the Council therein; and when Amendments shall not have been made the Bill shall be returned with a Message informing the Council thereof, or the Bill may be ordered to be laid aside.

Pressing of Requests

296. If the Bill be again returned by the Council -
- (a) Pressing a request for Amendment;
 - (b) Not agreeing to the Assembly's modifications of the Request for Amendment;
 - (c) Making some other modification of its original Request;
 - (d) -
 - (i) Not pressing its requests; or
 - (ii) Agreeing to modifications of the original Request,
- the Assembly shall consider the same in Committee, unless otherwise ordered, and may -
- (e) Agree to make, or insist on not making, the Amendments requested;
 - (f) Not insist or insist on its modifications to the Council's original Request;
 - (g) Agree or disagree to the Council's modifications of the Council's original Request;
 - (h) Return the Bill to the Council.

Reasons for non-compliance

297. In any case where the Assembly resolves not to comply with a Request of the Council, it shall return the Bill to the Council with a Message containing the Reasons for the Assembly's not complying with such Request.

Chair to make Amendments

298. When Amendments requested by the Council have been made by the Assembly, the Chair of Committees shall make such Amendments in the Bill before such Bill is returned to the Council.

PART 29 LAPSED BILLS

Resumption of proceedings on lapsed Bills

299. Any Bill which lapses by reason of a Prorogation before it has reached its final stage may be proceeded with, in the next ensuing Session at the stage it had reached in the preceding Session, if a General Election for the House of Assembly has not taken place between such two Sessions, under the following conditions:-

- (a) If the Bill be in the possession of the House in which it originated, not having been sent to the other House, or, if sent, then returned by Message, it may be proceeded with by Resolution of the House in which it is, restoring it to the Notice Paper;
- (b) If the Bill be in the possession of the House in which it did not originate it may be proceeded with by Resolution of the House in which it is, restoring it to the Notice Paper; but such Resolution shall not be passed unless a Message has been received from the

House in which it originated requesting that its consideration may be resumed.

Proceedings on restored Bills

300. Any Bill so restored to the Notice Paper shall thenceforth be proceeded with in both Houses as if its passage had not been interrupted by a Prorogation, and, if finally passed, be presented to the Governor for Assent.

Bill not restored may be brought in in ordinary manner

301. Should the Motion for restoration to the Notice Paper be not agreed to by the House in which the Bill originated, the Bill may be brought in and proceeded with in the ordinary manner.

PART 30
COMMITTEES OF THE WHOLE HOUSE

House resolves itself into a Committee

302. A Committee of the Whole House shall be appointed by a Resolution, "That this House will resolve itself into a Committee of the Whole House", for the purpose specified in the Resolution.

Speaker leaves the Chair

303. When such a Resolution has been agreed to, or an Order of the Day read for the House to resolve itself into a Committee, the Speaker shall put the Question, "That I do now leave the Chair", which being agreed to, the Speaker shall leave the Chair accordingly.

Amendment to the Question for Speaker to leave the Chair

304. Amendments may be moved to the Question for the Speaker to leave the Chair, by leaving out all the words after the word "That", in order to add the words "this House will on this day" Three months (*or* Six months, *or any other time*) resolve itself into the said Committee.

When Committee has reported progress

305. When a Bill or other matter has been partly considered in Committee, and the Chair has been directed to report progress, and ask leave to sit again, and the House has ordered that the Committee shall sit again, the Speaker, when the Order for the Committee has been read, shall forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee; and when progress has been reported from the Committee for the second time, and leave given to sit again, on the reading of the Order of the day for the House to again resolve itself into such Committee, the Speaker shall forthwith leave the Chair, and the House shall thereupon resolve itself into such Committee.

The Chair of Committees takes the Chair

306. So soon as the Speaker has left, the Chair of Committees shall take the Chair of the Committee, at the Table.

Committee to consider matters referred

307. A Committee shall consider such matters only as have been referred to it by the House.

Questions decided by a majority of votes

308. Every Question in Committee shall be decided by the votes of the majority of the Members present, not including the Chair; and in case of an equality of votes, the Chair shall give a casting vote.

Questions put on longer time and smallest sum

309. When there comes a question between the greater and lesser sums, or the longer and shorter time, the least sum and the longest time shall first be put to the Question.

Order in Committee

310. Except as provided by these Standing Orders, the same Rules as to the conduct of Members and of Debate, Procedure, Divisions, and the general conduct of business, shall be observed in Committee as in the House itself, the Chair of Committees being invested with the same authority as the Speaker for the preservation of Order; but Disorder in a Committee can only be censured by the House.

Chair's ruling may be challenged

311. - (1) If any ruling of the Chair of Committees is challenged by a Member, it shall be done when the Ruling is given, and shall be in writing.
(2) The Chair shall thereupon leave and the Speaker resume; and the Chair, having stated the case, the Speaker shall rule upon the point; and the proceedings in Committee shall thereupon be resumed where they were interrupted.

Disorder arising

312. If any sudden disorder should arise in Committee, the Speaker shall resume the Chair, without any Question being put.

Speaker to resume the Chair in certain cases

313. The Speaker shall also resume the Chair if the time be come for doing anything which the House has ordered to be done at a stated time, or if a Message be received to attend the Governor or the Commissioners in the Legislative Council.

Speaker may adjourn House or suspend Sitting in case of grave disorder

314. In the case of grave disorder arising in the House, the Speaker may adjourn the House without Question put, or suspend any Sitting for a time to be named.

Quorum in Committee

315. The Quorum in a Committee of the Whole House shall consist of the same number of Members as shall be requisite to form a Quorum of the House.

When Quorum not present in Committee

316. If it appears on Notice being taken, or on the Report of a Division in Committee by the Tellers, that a Quorum of Members is not present, the Chair of Committees shall direct the bell to be rung for two minutes, and if a Quorum is then present, the business before the Committee shall be resumed; but if a Quorum is not then present, the Chair shall leave, and the Speaker shall resume, and the Chair shall report accordingly.

House counted out by Speaker

317. If a Quorum is present when the House is counted by the Speaker, the House shall again resolve itself into the Committee of the Whole House; but if the House be thereupon adjourned for want of a Quorum, the House may, by Motion on Notice, order the resumption of such Committee, and the Debate shall be resumed at, and all other proceedings restored to, the point at which it or they were interrupted.

Report

318. When all the matters referred to a Committee have been considered, the Chair shall be directed to report the same to the House.

Report of Progress

319. When all such matters have not been considered, the Chair shall be directed to report Progress, and ask leave to sit again.

Motion to report Progress

320. A Motion may be made at any time during the proceedings of a Committee "That the Chair do report Progress, and ask leave to sit again.

Debate on Motion and report Progress or that the Chair of Committees leave the Chair

321. - (1) When a Motion is made that the Chair of Committees do report Progress or do leave the Chair or that the Clause be postponed, the Chair of Committees shall be entitled to put the Question when Debate thereon has exceeded thirty minutes.

(2) No Member may speak more than once nor for a longer period than five minutes and no Member except the Member or Minister in charge of the question before the Committee who has moved such a Motion may move any similar Motion during the same Debate on the Clause then under consideration.

Motion that the Chair of Committees do now leave the Chair

322. A Motion "That the Chair do leave the Chair", shall, if agreed to, supersede the proceedings of a Committee, but such proceedings may, by Motion on Notice, be revived by Resolution of the House.

Committee of the Whole House cannot adjourn Sittings or Debate

323. A Committee of the Whole House cannot adjourn its own sitting, or any Debate in the Committee.

Report to be brought up without Question

324. Every Report from a Committee of the Whole House shall be brought up without any Question being put.

Resolutions of Committee

325. The Resolutions reported from a Committee of the Whole House shall be read by the Clerk of the House without a Question first put, and may be agreed to or disagreed to by the House, or agreed to with Amendments, or recommitted to the Committee, or the further consideration thereof postponed.

PART 31

PROCEEDINGS ON FINANCIAL BILLS AND PROPOSALS

Bills submitted by Minister without Notice

326. A Bill to grant and apply moneys from the Consolidated Fund, or for the imposition of any tax, rate, duty, or impost, or for releasing or compounding any money due to the Crown may be submitted to the House by a Minister without Notice.

Motions shall not be presently entered upon

327. If a Motion is made in the House for any Public aid or charge upon the people, the consideration and Debate thereof shall not be presently entered upon, but shall be adjourned to such future day as the House thinks fit to appoint.

No appropriation unless recommended by Governor

328. - (1) No proposal for the appropriation of any public money shall be made unless the subject of the proposal has in the same Session been recommended to the House by Message of the Governor, but a Bill (except a Bill the sole purpose of which is to grant and apply moneys from the Consolidated Fund or to issue and apply moneys from the Consolidated Fund) which requires the Governor's recommendation may be brought in by a Minister and proceeded with before the Message is announced.

(2) No Amendment of such a proposal shall be moved which would increase, or extend the objects and purposes or alter the destination of, the appropriation so recommended unless a further Message is received.

Taxation proposals to be initiated only by a Minister

329. A proposal for the imposition, or for the increase or alleviation, or for the alteration of the incidence, of a tax, rate, duty, or impost shall not be made except by a Minister, and no Member other than a Minister may move an Amendment to increase or extend the incidence of a tax, rate, duty, or impost unless the tax, rate, duty, or impost so extended does not exceed that already existing by virtue of any Act.

When Motion made to omit or reduce any item, Question shall be proposed accordingly

330. When a Motion is made to omit or reduce any item of a Vote, a Question shall be proposed from the Chair for omitting or reducing such item accordingly, and Members shall speak to such Question only until it has been disposed of.

When reduction is proposed

331. When a reduction of the amount of an item or Vote is proposed, the Question shall be first put upon the smallest sum and if that is negatived then upon the next largest sum; and so on if necessary until the Question is put upon the original Vote, after failure of the several Motions for a reduction thereof.

When several Motions offered, order to be taken.

332. When several Motions are offered, they shall be taken in the order in which the items to which they relate appear in the printed estimates.

After a Question proposed no Motion or Debate allowed upon preceding item

333. After a Question has been proposed from the Chair, for omitting or reducing any item, no Motion shall be made or Debate allowed upon any preceding item.

When proposal to omit or reduce items, Questions afterwards put on original Vote

334. When it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote, or upon the reduced Vote, as the case may be.

After Question proposed no Motion shall be made for omitting or reducing

335. After a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item.

PART 32 INSTRUCTIONS TO COMMITTEES

Effect of an instruction

336. An Instruction shall empower a Committee of the Whole House to consider matters not otherwise referred to it.

What Instructions shall not be moved

337. No Instruction shall be moved to order a Committee to make provision in a Bill, nor to empower a Committee to make provision, if it already has power to make such provision.

Instructions to Committee not to be moved as an Amendment

338. Before the first sitting of the Committee, an Instruction shall be proposed only as a distinct Motion after the Order of the Day for the Committee has been read or an Order that the Bill be committed forthwith, and before any Question has been proposed thereupon, and not as an Amendment to the Question, "That the Speaker do now leave the Chair".

When moved

339. When after the first sitting of the Committee it is proposed to move a distinct Instruction, it shall be done before the Order of the Day for the Committee is read.

Scope of Instructions to a Select Committee

340. An Instruction to a Select Committee may extend or restrict the Order of Reference, and may be moved, after Notice, at any time prior to the Report of the Committee.

**PART 33
SELECT COMMITTEES**

Speaker or Chair of Committees not compellable to serve on

341. It shall not be compulsory on the Speaker or the Chair of Committees to serve on any Select Committee.

Committees to consist of not more than seven Members

342. A Select Committee shall not, without leave of the House, consist of more than Seven Members; such leave may be moved for without Notice.

Willingness of Members to attend to be ascertained

343. A Member intending to move for the appointment of a Select Committee shall endeavour to ascertain previously whether each Member proposed to be named on such Committee will give attendance thereupon.

Notice of nomination to be given

344. A Member intending to move for the appointment of a Select Committee shall, on the day on which Notice of intention is given to move the appointment of such Committee, name the Members intended to be proposed to be Members of such Committee.

When to report

345. On the appointment of every Select Committee a day shall be fixed on or before which its proceedings shall be reported to the House, and on or before such day the final Report of the Committee shall be brought up by the Chair, unless the time for bringing up the Report shall have been extended by the House.

Members discharged and others appointed

346. Members may be discharged by the House from attending a Select Committee, and other Members appointed after Notice has been given.

Mover fixes date of first meeting

347. The Mover of the Committee shall fix the time for the first meeting of the Committee.

Quorum

348. In all Select Committees three shall form a Quorum to take evidence, and a majority of the Committee shall form a Quorum to pass Resolutions.

When Quorum not present

349. If, at any time during the sitting of a Select Committee, a Quorum be not present, the Clerk of the Committee shall call the attention of the Chair to the fact, who shall thereupon suspend the proceedings of the

Committee until a Quorum be present, or shall adjourn the Committee to some future time.

Committee to elect a Chair

350. Every Select Committee, before commencing its business, shall elect one of its Members to be the Chair. In the absence of the Chair the Members present shall elect another Chair *pro tempore*.

Names of Members present to be entered

351. The names of the Members present at each sitting of a Select Committee, and a record of every Motion or Amendment proposed, together with the name of the Mover thereof, shall be entered in the Minutes of Proceedings of the Committee.

Divisions to be entered

352. In the event of any Division taking place in any Select Committee, the Question proposed, the name of the Proposer, and the Vote thereon of each Member present, shall be entered in the Minutes of Proceedings of the Committee.

Refusal of Member to attend Select Committee

353. Any Member appointed to serve on a Select Committee who shall neglect or refuse to attend such Committee shall be reported by the Chair to the House, which will thereupon deal with the default as it may think fit.

Power to send for Persons, Papers, and Records

354. Whenever it may be necessary, the House may give a Committee power to send for Persons, Papers, and Records.

Admission of Strangers

355. When a Committee is examining Witnesses, strangers may be admitted, but shall be excluded at the request of any Member, or at the discretion of the Chair of the Committee, and shall always be excluded when the Committee is deliberating.

Admission of other Members

356. Members of the House may be present when a Committee is examining Witnesses, but shall not be allowed to speak or in any way interfere in the proceedings of the Committee, and shall withdraw if requested by the Chair or any Member of the Committee, and shall always withdraw when the Committee is deliberating.

Secret Committee

357. No Stranger, or Member not being of the Committee, shall be admitted, at any time, to a Secret Committee.

Chair shall have deliberative vote only

358. The Chair of a Select Committee shall have a deliberative vote only. When the votes are equal the Question shall pass in the Negative.

Days of meeting

359. Select Committees may meet for the despatch of business on any day except Sunday, during any Adjournment of the House which shall not exceed Fourteen days, and by leave of the House, during any longer adjournment.

Committee may adjourn

360. A Select Committee may adjourn from time to time; and by leave of the House, from place to place.

May not sit during Sitting of the House

361. Except by leave of the House, no Select Committee shall sit during the Sitting of the House.

Procedure on Public Bills

362. A Select Committee on a Public Bill shall deal with the same in the mode prescribed for a Bill in a Committee of the Whole House.

Evidence, &c., before a Committee

363. - (1) The evidence taken by any Select Committee, and documents presented to such Committee which have not been reported to the House, shall not, unless authorised by the Committee, be referred to in the House by any Member or published or disclosed by any Member or by any other person.

(2) Paragraph (1) does not apply to –

- (a) any proceedings of the Committee that are open to the public and the news media;
- (b) press releases or statements made by a Member of the Committee on the authority of the Committee; and
- (c) written submissions presented to a Select Committee and authorised to be published by the Committee.

(3) A Select Committee may, by its own Resolution, authorise the publication or disclosure of any evidence of documents presented to such Committee meeting in public.

Certain evidence not to be published

364. A Select Committee may in its report recommend that any evidence taken by it or any document presented to it -

- (a) which discloses any trade secret or secret process of manufacture;
- (b) which discloses any private matter of a personal or commercial nature unrelated to the subject- matter of its enquiries; or
- (c) which the Committee has resolved unanimously should not be made public,

be not published, and shall be so recommended in the case of any evidence or document which the Committee has told the witness giving or presenting it will not if given or presented be published.

Matters ordered not to be published to remain confidential

365. Any evidence or document which a Select Committee recommends pursuant to Standing Order No. 364 not to be published shall remain

strictly confidential and shall at no time be referred to in the House by any Member or Officer of the House or by any witness or any other person.

Report from time to time.

366. By Leave of the House, a Committee may report from time to time its opinions or observations, or its Proceedings with or without the evidence, or the evidence only.

Consideration of Draft Report

367. - (1) The Chair shall prepare a Draft Report which shall be read to the Committee convened for the purpose.

(2) Such Report may at once be considered, but if desired by any member, shall be printed and circulated among the Committee, and a subsequent time fixed for its consideration; and when the Committee proceeds to take the Report into consideration, the Chair shall read the Draft Report, paragraph by paragraph, putting the question to the Committee on each paragraph - "That it do stand part of the Report".

(3) A Member objecting to any portion of the Report shall propose an Amendment at the time the paragraph to be amended is under consideration.

Dissenting Statement

368. The Chair will sign the unanimous or majority report. A dissenting statement, confined to issues in dispute, may be added to the report but may not be presented separately to either House of Parliament.

Report brought up

369. - (1) The Report of a Committee shall be signed and brought up by the Chair, and, if the House so orders, but not otherwise, shall be read by the Clerk of the House.

(2) No Debate shall take place upon the presentation of the Report, but it may be ordered to be printed with the documents accompanying it.

(3) If any further proceedings be necessary, such proceeding shall be by Motion, of which Notice shall be given in the usual manner.

PART 34

JOINT COMMITTEES OF BOTH HOUSES

Select Committees not to confer without Order

370. A Select Committee of this House shall not confer with a Select Committee of the Legislative Council without an Order of this House.

Such Order communicated by Message

371. When any such Order has been made, it shall be communicated by Message to the Legislative Council, with a Request that leave may be given to the Select Committee of the Legislative Council to confer with the Select Committee of this House.

Proceedings of Conference to be reported

372. The proceedings of every Conference between a Select Committee of this House and a Select Committee of the Legislative Council shall be reported in writing to this House by its own Committee.

Joint Committees

373. Where the proposal for the appointment of a Joint Committee originates in this House, a Motion shall be made that the Legislative Council be requested to agree thereto; which Motion shall state, in general terms, the object for which the Committee is desired, and the number of Members proposed to serve thereon.

Request sent to Council by Message

374. If that Motion be agreed to, the same shall be communicated by Message to the Legislative Council, with a request that they will agree to the appointment of such Joint Committee; upon being informed of such agreement, this House will appoint the Members to serve on such Committees.

Members proposed

375. This House, where it agrees to the appointment of any Joint Committee proposed by the Legislative Council, shall forthwith name the Members of this House to serve on such Committee.

Number equal to number appointed by the Council

376. The Members of this House to serve on any such Committee shall, in every case, be the same in number as those appointed by the Legislative Council.

Time and place

377. When the proposal for the Committee originates in the Legislative Council, the time and place for holding the first meeting shall be appointed by this House; and when the proposal originates in this House, this House will agree that the first meeting shall be held at a time and place appointed by the Legislative Council.

Quorum

378. A majority of the Members of a Joint Committee, irrespective of the House by which they are appointed, shall constitute a Quorum of the Committee and, so long as a Quorum is present at any meeting, the Members present shall be competent to exercise all the powers and authorities of the Committee; but no report or recommendation shall be made by the Committee unless the same be approved at a meeting at which a majority of the Members appointed by each House to serve on the Committee is present.

Chair

379. The Chair of every Joint Committee shall be appointed by the majority of the Members present at any meeting thereof.

Chair to have a deliberative vote only

380. The Chair of a Joint Committee shall have a deliberative vote only, and in any case where, at any meeting of a Joint Committee, the voting on any Question is equal, that Question shall pass in the Negative.

Report

381. When the Committee has concluded its Sittings, a copy of the Report, signed by the Chair, shall be presented to the House by one of the Members it shall have appointed to serve on such Committee.

Procedure of Select Committee to apply to Joint Committee

382. In all cases relating to Joint Committees, and not otherwise provided for in these Standing Orders, the Rules for Select Committees shall be followed as far as they can be applied.

Joint House Committee, Library Committee

383. - (1) At the commencement of every Session this House shall appoint the following Committees:-

- (a) A Committee of three Members, one of whom shall be the Speaker, to serve on a Joint Committee (to be known as the House Committee) to control the Parliament House and the grounds appurtenant thereto, with power to regulate and control all matters relating to -
 - (i) catering for Parliament;
 - (ii) allotment of rooms, subject to the approval of the President or Speaker, as the case may be;
 - (iii) repairs, renewals, and alterations to the Parliament House and all fittings and furniture therein connected therewith;
 - (iv) maintenance and upkeep of the gardens and roadways of Parliament Reserve;
 - (v) any other matters referred to the Committee by a Joint resolution of both Houses, and any expenditure incurred by the House Committee in the exercise of any of its functions shall be defrayed out of money to be provided by Parliament for the purpose of the Committee;
- (b) A Committee of Six Members to serve on a Joint Committee of the Two Houses, to manage the Library.

(2) Each of such Committees shall have power to sit during any recess of Parliament.

(3) Three Members irrespective of the House to which they belong, shall form a Quorum of each of the said Committees, provided that the Quorum shall not consist exclusively of Members of one House only.

(4) The House Committee shall meet within one month after the commencement of every Session when summoned by its Secretary.

(5) The Library Committee shall meet within one month after the commencement of every Session when summoned by the Librarian.

**PART 35
STANDING COMMITTEES**

Standing Orders Committee

384. A Standing Orders Committee, to consist of the Speaker, the Chair of Committees, and three other Members, shall be appointed at the commencement of each Parliament, and such Committee shall have power

to act during recess, and to confer with a similar Committee of the Legislative Council.

Committee of Privileges

385. A Committee of Privileges, to consist of five Members, shall be appointed at the commencement of each Parliament to enquire into a report upon complaints of breach of Privilege which may be referred to it by the House.

Public Accounts Committee

386. Repealed 26 August 2010.

Quorum

387. The Quorum of a Standing Committee shall be three unless otherwise ordered.

**PART 36
WITNESSES**

Witnesses may be summoned.

Cf. Parliamentary Privileges Act 1858 and 1885

388. Witnesses may be summoned, in order to be examined at the Bar of the House, or before a Committee of the Whole House, or a Select Committee; the Summons being signed by the Speaker or the Chair, as the case may be.

Speaker interrogates Witnesses

389. When a Witness is examined by the House at the Bar, all Questions addressed to a witness shall be put through the Speaker.

In Committee Members may interrogate Witness

390. In Committee of the Whole House any Member may put Questions directly to the witness.

During discussion witness withdraws

391. If any Question be objected to, or other matter arise, the Witness shall be ordered to withdraw while the same is under discussion.

A Member is examined

392. When the attendance of a Member is desired, to be examined by the House, or a Committee of the whole House, the Member shall be ordered to attend in the Member's place for that purpose, and shall be there examined.

Member or Officer of Legislative Council requested to attend by Message to the Council

393. When the attendance of any Member or Officer of the Legislative Council is desired, to be examined by the House or any Committee thereof, a Message shall be sent to the Legislative Council requesting that leave may be given to such Member or Officer to attend in order to being examined accordingly, upon the matters stated in such Message.

Attendance of Members or Officer of House requested by Legislative Council

394. - (1) Should the Legislative Council request by Message the attendance of a Member of the House, to be examined by the Council or any Committee thereof, the House may authorise such Member to attend, if that Member think fit.

(2) The House, if similarly requested by the Council, may also instruct its own Officers to attend, if the House think fit.

Disobedience of Witnesses, how dealt with.

Cf. Parliamentary Privileges Act 1858

395. Witnesses, whether Members or any other persons, who shall disobey any Order of the House, or of any Committee thereof duly authorised in that behalf, to attend, or to produce papers, books, records, or other documents, or shall refuse to be examined, or to answer any lawful and relevant question, are liable to be summarily punished by imprisonment for any time during the continuance of the Session.

Payment of Witnesses and others at Committees

396. Payment of fees, expenses and compensation, for loss shall be made, if claimed, to witnesses before a Committee and to persons whom the Committee may deem necessary to employ in furtherance of its enquiry in such amounts or at such rates as the committee may determine.

Witnesses may be examined upon declaration

397. If any Member of a Select Committee or a Joint Committee of both Houses shall so require, a Witness shall be examined upon solemn declaration, as provided by Law.

PART 37 ACCOUNTS AND PAPERS

Accounts, &c., ordered

398. Accounts and Papers may be ordered to be laid before the House.

Addresses for Papers, &c.

399. - (1) When the Sovereign's Prerogative is concerned in any Account or Paper required by the House, an Address shall be presented to the Governor by Resolution of the House, praying that the same may be laid before the House.

(2) Papers may also be presented pursuant to Statute or by command of the Governor.

House of Assembly Papers to be supplied to Legislative Council

400. The Clerk of the House shall transmit to the Clerk of the Legislative Council a sufficient number of all Papers printed by Order of the House for distribution to the Members of the Legislative Council.

Papers presented by command

401. When any Account or Paper is presented by a Member, that Member shall deliver it to the Clerk of the House.

Deposited with the Clerk of the House, who lays them upon the Table

402. Accounts and other Papers which shall be required to be laid before this House by any Act of Parliament, Act of Council, or by any Order of the House, may be deposited in the Office of the Clerk of this House, and the same shall be laid upon the Table, and a list of such Accounts and Papers read by the Clerk of the House.

Orders for Papers

403. All Orders for Papers made by the House shall be communicated to the Premier by the Clerk of the House.

Return of documents

404. All documents which may be laid on the Table of the House, being Record Papers, shall be returned as soon as they are done with.

Papers in possession of Legislative Council asked for by Message

405. If it be desired that any Paper in the possession of the Legislative Council may be laid before the House, a Message shall be ordered to be sent to the Legislative Council requesting that such Paper (or a copy thereof) may be communicated to the House.

Printing Committee

406. - (1) At the commencement of each Session a Select Committee shall be appointed for the purpose of selecting and arranging for printing Returns and Papers presented in pursuance of Motions made by Members, and of regulating all matters which relate to printing for the House.

(2) The first meeting of the Committee for each Session shall be summoned by the Clerk of the House to take place within one month of the appointment of the Committee.

PART 38 MESSAGES BETWEEN THE TWO HOUSES

Communications with the Legislative Council

407. Communication with the Legislative Council may be by Message, by a Joint Committee, or by Select Committee conferring with each other.

Message to Legislative Council

408. Every Message from the House to the Legislative Council shall be in writing, signed by the Speaker and entered upon the Journals, and may be conveyed to the Legislative Council by one of the Clerks of this House, or delivered to the President by two Members.

Messages from Legislative Council

409. - (1) Every Message from the Legislative Council to this House, if conveyed by a Clerk of the Legislative Council, shall be received by one of the Clerks of this House at the Bar and delivered to the Speaker, who shall report the same to the House as soon as the business then in progress is disposed of.

(2) Should the Legislative Council not be sitting at the same time that the Assembly is to receive the Message, such Message may be received by the Clerk of the House of Assembly or Deputy in the office of the Clerk

and delivered to the Speaker who shall report the same before the Assembly proceeds to business.

(3) If the Message is conveyed by Members of the Legislative Council, it shall be received by the Speaker at the Bar, and the business before the House shall be suspended.

(4) The Clerk of the House shall read the Message, and, if necessary, the House shall fix a future day for taking, or forthwith take, the same into consideration.

PART 39 ELECTION OF SENATORS

Joint Meetings

410. After the Governor has notified the Speaker that a vacancy has occurred in the Senate of the Parliament of the Commonwealth which requires to be filled by a Joint Sitting of both Houses, arrangements shall be made with the Legislative Council for a Joint Sitting not sooner than seven days after the receipt of the Governor's Message.

Conduct of election

411. At the Joint Sitting the Members present shall proceed to elect their Presiding Officers in the same manner as the House of Assembly elects the Speaker.

PART 40 STRANGERS

Strangers not admitted to certain parts of the House

412. - (1) No Members of this House shall bring any Stranger into any parts of the House appropriated to the Members of this House, while the House, or a Committee of the Whole House, is sitting.

(2) Paragraph (1) does not apply to a female Member feeding, or otherwise caring for, their infant child (who is under twelve months of age) who is not disrupting the proceedings of the House.

Strangers, how admitted to body of House.

413. The Speaker only shall have the privilege of admitting Strangers to the Body of the House.

Strangers may be ordered to withdraw

414. If at any sitting of the House, or in a Committee of the Whole House, any Member takes notice that Strangers are present, the Speaker, or the Chair of Committees, as the case may be, shall forthwith put the Question that Strangers be ordered to withdraw, which Question shall be decided without Debate: Provided that the Speaker, or the Chair, may, whenever thought fit, order the withdrawal of Strangers from any part of the House.

PART 41
CONTEMPT

Member guilty of Contempt to be fined or committed to custody of the Sergeant-at-Arms or other Officer.

Cf. Parliamentary Privilege Act 1858

415. Any Member adjudged by the House to be guilty of Contempt shall be fined at the discretion of the House in a penalty not exceeding Forty Dollars; and in default of immediate payment, be committed by order of the Speaker, for a period not exceeding Fourteen days, to the custody of the Sergeant-at-Arms or other officer of the House appointed by the Speaker, who shall detain the Member in custody for the period directed, unless sooner discharged by Order of the House, or the Fine be sooner paid; or, in lieu of a fine, may at once be so committed for any period, not exceeding beyond the duration of the Session, which the House may appoint; but in either case shall pay a Fine of Four Dollars to the Sergeant-at-Arms or other Officer of the House appointed by the Speaker for every day so detained.

Arrest of strangers in the House or Gallery

416. The Sergeant-at-Arms or other Officer of the House appointed by the Speaker attending the House shall, from time to time, on being so directed by the Speaker, take or deliver into custody any Stranger who may be seen, or who may be reported to be, in any part of the Chamber appropriated to the Members of the House; and also any Stranger who, having been admitted into any other part of the House or gallery, shall misconduct, or shall not withdraw when Strangers are directed to withdraw, while the House or any Committee of the whole House is sitting; and no person so taken into custody shall be discharged out of custody except on the special order of the House and on payment of the fee hereinafter provided.

Arrest of Member or Stranger to be reported

417. When any Member or other person shall have been taken into custody of the Sergeant-at-Arms, or other Officer of the House appointed by the Speaker, such arrest shall be reported to the House by the Speaker without delay; and the House shall fix the time for such Member or other person being brought to the Bar, to receive orders for commitment or discharge after payment of the prescribed fee.

Personal fee to Sergeant-at-Arms

418. The following fee shall be payable to the Sergeant-at-Arms or other Officer of the House appointed by the Speaker as remuneration for personal expenses incurred in the custody of the person arrested, and no person ordered by the House to be so detained shall be discharged out of the custody until such fee be paid, viz:-

For each day's detention, including sustenance\$4

PART 42
ABSENCE OF THE CLERK OF THE HOUSE

Absence of the Clerk of the House

419. In the case of the illness or unavoidable absence of the Clerk of the House, the duties of the Clerk shall be performed by the Deputy Clerk or other person appointed by the Speaker.

PART 43
GENERAL PROVISIONS

Mechanical recording of proceedings and note taking

420. - (1) No person shall, without the express permission of the Speaker, bring into the House or use in the House any mechanical recording device or photographic equipment.

(2) Subject to Clause (3) of this Standing Order, a person may take notes of the proceedings of the House.

(3) If at any time the Speaker is of the opinion that this Standing order is being abused, the Speaker may prohibit the taking of notes of the proceedings of the House, either generally or in particular cases.

(4) A Stranger who infringes this Standing Order shall, for the purposes of Standing Order No. 416, be deemed to have misconducted, and may accordingly be dealt with in accordance with the provisions of that Standing Order.

Debate on Question of House granting leave

421. On the Question of the granting of leave by the House or by a Committee of the Whole House, no Member may speak for more than seven minutes and the Debate thereon shall not exceed thirty-five minutes, but the Speaker or, as the case may be, the Chair of the Committee is entitled to put the Question as soon as of opinion that the question has been sufficiently debated.

PART 44
CITIZENS RIGHT OF REPLY

Citizens Right of Reply

422. - (1) A person who has been referred to in the House of Assembly by name, or in such a way as to be readily identified, may make a submission in writing to the Speaker –

(a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that person's privacy has been unreasonably invaded by reason of that reference; and

(b) requesting that the person be permitted to incorporate an appropriate response in the Parliamentary Debates (*Hansard*).

(2) If, upon considering a submission under this Order, the Speaker is satisfied that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character the Speaker shall then refer the matter to the Privileges Committee which may determine –

(a) that no further action be taken in relation to the submission; or

(b) that a response by the person who made the submission be incorporated in *Hansard* – and the Speaker shall inform the House of such decision.

The response shall be incorporated into *Hansard* as an appendix to the record of debate for the next day's sitting.

- (3) In considering a submission under this Order the Committee –
- (a) may confer with the person who made the submission;
 - (b) must give notice of the submission in writing to the Member who referred in the House of Assembly to that person and then consult with the Member prior to any response being presented to the House; and
 - (c) shall not consider or judge the truth of any statements made in the House or the submission.
- (4) A response presented to the House of Assembly –
- (a) shall be succinct and strictly relevant to the issue at hand and shall not contain any matter which may be offensive in character; and
 - (b) shall not contain any matter the publication of which would have the effect of –
 - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in (1) above; or
 - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (5) The action of the Speaker or the Committee pursuant to the provisions of this Order shall be deemed to be final and no motion of dissent shall be permitted.
- (6) This Order shall have effect on and from the day upon which it passed the House of Assembly.
- (7) Any events prior to the passage of this Order are expressly excluded from its provisions.

PART 45 SUSPENSION OF STANDING ORDERS

Standing Orders not suspended without Notice

423. In cases of urgent necessity any Standing Order or Orders of the House, except Standing Order No. 121, may be suspended on a Motion duly made and seconded without Notice, provided that such Motion has the concurrence of a two-thirds majority of the Members present.

Motion for suspension carried by majority

424. When a Motion for the suspension of any Standing Order or Orders appears on the Notice Paper, such Motion may be carried by a majority of the Members present.

PART 46
DURATION OF STANDING ORDERS

Duration

425. The whole of these Standing Orders shall continue in force until altered, amended, or repealed.

E. N. ARCHER, *Speaker*

SHANE DONNELLY, *Clerk of the House*

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S.O. No. 148 -

These limitations not to apply to -

- (a) The Leader of the Government
- (b) A Member in charge of a Bill or Motion
- (c) A Minister replying to any statement made in the House affecting the Minister or Department under the minister's administration
- (d) The Leader of the Opposition, or when absent the Deputy-Leader of the Opposition, or Member nominated by either of above to Speaker for the purpose in respect of the Bill, Motion, Question, or Matter then being considered

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5.00 to 6.00 pm	Other Members