



2010

STANDING ORDERS LEGISLATIVE COUNCIL

Revised November 2010

Contents

STANDING ORDERS

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PART 1 – INTRODUCTORY

1. Repeal

All the previous Standing Orders and rules of this Council are hereby repealed.

2. General and rule

In all cases not provided for in the Standing Orders or by sessional or other orders, or by the practice of the House, the President will determine the matter and reference may be made to the rules, forms and practices of any Parliament operating under the Westminster system.

3. Reservation of powers

These Standing Orders shall in no way restrict or prejudice the method by which the Council may exercise and uphold its powers, privileges and immunities.

4. Definitions

In these Standing Orders, if not inconsistent with the context, the words and phrases following shall have meanings assigned to them as follows:

"Assembly" means the House of Assembly of Tasmania.

"Clerk" means the Clerk of the Legislative Council, or the Deputy Clerk when performing the Clerk's duties.

"Council" means the Legislative Council of Tasmania; or the Council sitting as a House as distinct from sitting in Committee.

"Leader" means the Leader for or of the Government in the Council.

"Leave of the Council" means leave given by a majority of the voices or votes of the Members present.

"Session" means a period within the life of a Parliament, commencing on the day upon which the Parliament is summoned by Proclamation to assemble and ceasing on the day upon which it is prorogued, or the House of Assembly is dissolved.

"Sitting" means a meeting of the Council (consisting of at least seven Members including the President or Deputy-President), called for the despatch of business in compliance with a Proclamation of the Governor or of an Order of the Council.

"Visitors" means all persons other than Members or Officers of the Council.

"Written" means hand-written, hand-printed, machine printed or type-written, or partly the one and partly the other.

PART 2 – OPENING OF PARLIAMENT

5. (a) If there is a President and the Session being the first Session of a new Parliament is to be opened by His or Her Excellency the Governor -

President takes chair

- (i) The President shall take the chair at the hour named in the Proclamation.

Clerk reads proclamation

- (ii) The Clerk shall read the Proclamation calling Parliament together.

Governor introduced

- (iii) The Governor shall then be introduced to the Council by the Usher of the Black Rod.

The Governor having withdrawn after having summoned the House of Assembly and having declared the cause of his or her calling the Parliament together, and before the Council proceeds to other business, new Members present, unless previously sworn, shall be admitted within the Bar and take and subscribe the Oath or affirmation provided by the Constitution Act; the Writ of Election of each new Member, with the Return duly endorsed thereon, having been received previously and laid upon the Table.

- (b) If there is a President and the Session is to be opened by Commissioners, the procedure shall be as in (c) of this Standing Order, except that there shall not be an election of a President.

- (c) If there is not a President —

Commissioners introduced

- (i) at the time named in the Proclamation for calling Parliament together, Commissioners or a Commissioner from the Governor shall be introduced by the Usher of the Black Rod to the Council Chamber.

Clerk reads proclamation

- (ii) The Clerk shall read the Proclamation.

Commissioners summon Assembly

The Senior Commissioner, if there be more than one, shall instruct Black Rod to let Members of the Assembly know "The Commissioners desire their immediate attendance in this Council to hear the Commission read".

Clerk reads commission

When the Members of the Assembly have come into the Chamber, the Clerk shall read the Commission.

Cause of calling together

The Senior Commissioner, in command from the Governor shall inform the Members of the Council and the Assembly, the cause of his or her calling Parliament together.

House of Assembly Members withdraw

The Members of the House of Assembly shall then withdraw.

Oath or affirmation

New Members present unless previously sworn shall be admitted within the Bar and take and subscribe the Oath or Affirmation provided by the Constitution Act, the Writ of Election of each new Member, with the Return duly endorsed thereon, having been received previously and laid upon the Table.

Election of President

The Council shall then elect a President in the manner hereinafter provided.

6. Bill pro forma

Before the Governor's Speech is reported to the Council by the President, or when the Commissioners have declared the cause of summons some Bill shall be presented and read a First time *pro forma*.

7. Speech reported

The Speech having been reported by the President, a Motion for an Address to the Governor in reply to the same shall be made and seconded.

8. Motion to present address

The Address-in-Reply having been agreed to, a Motion shall then be made that the Address be presented to the Governor by the President, accompanied by the Mover and Seconder and so many of the Members as think proper to attend, at such time and place as the Governor may appoint.

9. Governor's reply reported

The President shall report to the Council the Governor's reply to their Address.

10. Precedence of debate on address

- (1). Except as provided by these Standing Orders or by leave of the Council, the Debate on the Address-in-Reply shall take precedence over all but formal business. Formal business which may be entered upon includes Petitions, Notices of Question and of Motion, appointment of Standing or Sessional Committees, formal procedural Motions, Tabling of Papers and Ministerial Statements.
- (2)
 - (a) The Leader shall present a State of the State Address to the Legislative Council on behalf of the Premier, within the first six sitting days of any calendar year in which the Governor has not opened the Parliamentary session and an Address-in-Reply debate has not ensued.
 - (b) At the conclusion of (a) above, the Leader shall lay upon the Table of the Council a copy of the Address and the President shall propose the Question, "That the Address be noted".

PART 3 – ELECTION OF PRESIDENT

11. Member proposed

When the Council proceeds to elect a President, a Member, addressing the Clerk who acts as Chair, shall propose another Member then present to the Council for its President, and shall move that such Member "do take the Chair of this Council as its President".

12. One Member proposed

If only one Member be proposed as President, the Member shall be called to the Chair without question put, whereupon he or she shall express their acknowledgment of the honour so conferred.

13. Two or more Members proposed

If two or more Members be proposed, a similar motion shall be made in regard to each, and thereupon an election by ballot shall be had in the manner hereinafter provided to determine which Member shall be President.

14. Procedure when two or more candidates

- (1) In the event of there being two or more Members proposed as President, the following procedure shall be followed:—
 - (a) When it appears to the Clerk that no more Members will be proposed as President, the Clerk shall announce that a ballot will now be taken, and if no Member rises to speak the Division Bells will be rung.
 - (b) No other Member can then be proposed.
 - (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.
 - (d) The Clerk shall initial and deliver to each Member present a list of all the Members of the Council, and shall check the names of the Members to whom lists are given.

- (e) A Member shall record his or her vote by placing a cross opposite the name of the Member for whom he or she wishes to vote.
 - (f) If any ballot-paper contains any marks made by the Member other than the cross signifying for whom the Member wishes to vote, it shall be informal.
 - (g) Any ballot-paper containing a vote for a Member who has not been duly proposed shall be invalid.
 - (h) When a Member has marked the ballot-paper it shall be folded and placed in some receptacle placed on the Table for that purpose.
 - (i) When all the ballot-papers have been so deposited, the Clerk, assisted by the scrutineers, shall count the votes, and declare the result.
 - (j) The procedure hereinbefore set out shall be repeated as often as may be necessary.
- (2) In the event of there being two Members only proposed as President, the Member receiving the greater number of votes shall be declared by the Clerk to be elected.
- (3) If more than two Members have been proposed, the vote shall be taken in the manner hereinbefore provided, and the Member receiving the greatest number of votes shall be declared to be elected as President, provided that the Member has received a majority of the votes cast. 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 by the Clerk to be elected.

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 cross 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 Council continuously for the longest period shall be retained for further ballot; or if both Members have been Members of the Council continuously for the same period, the Clerk shall determine by lot which of the two Members shall be retained for further ballot.

- (4) In the event of there being an equality of votes between Members under subsection (2), or, in the event of there being an equality of votes between Members when the number has been reduced to two under subsection (3), the Member who has been a Member of the Council continuously for the longest period shall be declared by the Clerk to be elected, or, if both Members have been Members of the Council continuously for the same period, the Clerk shall determine by lot which of the two Members shall be President.
- (5) The result of the election shall be declared by the Clerk, and the Member elected shall be called to the Chair.

15. Acknowledgment by President elect

Having been conducted to the Chair, the President-elect, standing on the upper step, shall return his or her humble acknowledgments to the Council for the great honour which it has been pleased to confer, and thereupon shall take the Chair.

16. President presented to Governor

Before proceeding to any business, the President, with such Members of the Council as desire to accompany him or her, shall present her or himself to the Governor as the choice of the Council.

17. Term of office

The President shall continue in office until death, resignation, periodical retirement or removal by the vote of an absolute majority of the Council; provided that on periodical retirement he or she shall continue to hold office until the next sitting of the Council, unless he or she is not re-elected.

PART 4 – CHAIR OF COMMITTEES

18. Election and term of office

The Chair of Committees shall be elected in a similar manner to the President and shall continue in office until death, resignation, periodical retirement or removal by the vote of an absolute majority of the Council; provided that on periodical retirement he or she shall continue to hold office until the next sitting of the Council, unless not re-elected.

19. Takes chair as Deputy President

The Chair of Committees shall take the chair as Deputy-President whenever requested to do so by the President during the sitting of the Council, without any formal communication to the Council.

20. Absence of President, Deputy President performs duties

Whenever the President is absent owing to leave of absence granted by the Council or through illness or other unavoidable cause, the Chair of Committees shall fill the office and perform the duties of the President as Deputy-President during such absence.

21. Absence of President and Chair of Committees

Whenever the Council has been informed by the Clerk of the absence of the President and the Chair of Committees, a Deputy-Chair of Committees in order of seniority shall fill the office and perform the duties of the President during such absence but shall give place to the President or the Chair of Committees upon the arrival of either.

22. Appointment of Deputy Chairs of Committees

At the beginning of each Session of Parliament the Council shall appoint three of its Members to be Deputy-Chairs of Committees, seniority being determined by order of appointment, as shown in the Motions to Appoint.

23. Deputy Chair takes chair

Any Deputy-Chair in order of seniority, if not in charge of the business before the Committee, or if he or she does not desire to speak, shall take the chair at the Table when requested by, or in the absence of, the Chair or a senior Deputy-Chair.

24. Powers of Deputy Chair

A Deputy-Chair so presiding over a Committee of the Whole Council shall have all the powers of the Chair of Committees, including powers as Deputy-President. He or she shall defer to the Chair or a senior Deputy-Chair when either enters the Chamber, except that when a Division is called, he or she shall continue to preside until the result of the Division is announced.

PART 5 – SITTING AND ADJOURNMENT OF THE COUNCIL

25. Ordinary sitting times

Unless otherwise ordered, the ordinary sitting times of the Council during a Session will commence at 2.30 o'clock p.m. on Tuesdays, and at 11.00 o'clock a.m. on Wednesdays and Thursdays.

26. Suspension of sitting at 1.00 p.m.

Unless otherwise ordered, whenever the Council or a Committee of the Whole is sitting at one o'clock p.m., the sitting will be suspended without a Question first put, until half past two o'clock p.m., provided that, if at the time a Division has been ordered, the President or the Chair of Committees as the case may be, will not leave the Chair until the Division has been taken and any formal business immediately consequent thereon has been completed.

~~**27. Suspension of sitting at 4.00 p.m.**~~

(Deleted November 2010)

28. Opening of sitting

The President will take the Chair and read Prayers at the time appointed on every day fixed for the meeting of the Council but if, after ten minutes, and the Bells having been rung again for two minutes, there is not a quorum of seven Members including the President, the President shall adjourn the Council until the next ordinary sitting time, or an earlier time, not exceeding two hours from the time so appointed, as the President may determine.

29. Adjournment for want of a quorum – reported by tellers or Chair

- (1) If it appears on the report of a Division of the Council by the Tellers, or upon the report of the Chair of Committees consequent upon a Division of a Committee of the Whole, that a quorum is not present, the President will adjourn the Council without a Question first put, until the next ordinary sitting time, or an earlier time, not exceeding two hours from the time so appointed, as the President may determine. No decision shall be considered to have been arrived at by the Division.

Adjournment for want of a quorum when notice taken by Member

- (2) At any time after the Council has proceeded to business, if a Member notices that seven Members including the President or Deputy President are not present, and so states, the Bells shall be rung as for a Division, and if a quorum is not present at the expiration of three minutes the President shall adjourn the Council without a Question first put, until the next ordinary sitting time.

30. Provision when next sitting day a holiday

Whenever the Council is adjourned for want of a quorum (S.O. No. 29) or for the purpose of superseding a Question, (S.O. No. 34) to the next ordinary sitting time, and the same shall prove to be a public holiday proclaimed by the authority of the Government, then the Council shall stand adjourned to the next succeeding ordinary sitting time.

31. Council adjourned only by its own resolution

Except as provided in Standing Order No. 29 (relating to the absence of a quorum), the Council can be adjourned only by its own Resolution.

32. Adjournment of Council

- (1) **Substantive Motion:** The adjournment of the Council may be moved by the Leader or a Member deputed by him or her, without Notice, at any time when there is no other Question before the Council.
- (2) **Motion to supersede a Question:** A Motion for the adjournment of the Council made by a Member who, having been called by the President in the course of the Debate is in possession of the Council, and where the Motion is moved for the purpose of superseding a Question, will be "That the Council does now adjourn". A reply is not allowed to the Member moving such Motion.

(3) Motion to debate matter of public importance:

- (a) A Motion Without Notice, "That the Council does now adjourn" for the purpose of discussing a matter of public importance, may be made by a Member rising in his or her place before the business of the day is proceeded with.
- (b) A reply is not allowed to the Member moving the Motion.
- (c) The Member so moving will hand to the President and to the Leader, at least two hours before the time appointed for the meeting of the Council a statement of the matter of importance, and the Debate will be strictly confined to the matter stated.
- (d) The Motion will be proposed without any supporting words, but must be supported by at least three Members rising in their places indicating their support.
- (e) Not more than one such Motion shall be made during a sitting of the Council unless by leave of the Council.
- (f) Where two or more statements of Motion it is proposed to move are supplied to the President for the same day, he or she shall determine which one be given precedence.
- (g) The duration of the debate on the subject of the Motion shall not exceed two and a half hours.
- (h) A matter of public importance may be superseded by -
 - (i) A Motion "That the Council do pass to the Orders of the Day".
 - (ii) Absence of a quorum.

(4) Adjournment of the council: no amendment to motion, except as to time:

An Amendment cannot be moved to the Question "That the Council do now adjourn", and the only Amendment which may be moved to the Question that the Council adjourn to a stated time, is that the Council adjourn until some other time.

PART 6 – ATTENDANCE OF MEMBERS

33. Attendance of Members obligatory

Every Member shall attend the service of the Council unless leave of absence is given by the Council.

34. Leave of absence

Leave of absence may be given by the Council to any Member on account of illness or of the illness or death of a near relation, or of urgent business, or for other sufficient cause.

35. Leave excuses from service and forfeiture

A Member shall be excused from service in the Council, or on any Committee, so long as he or she has leave of absence.

36. Leave forfeited by attendance

A Member attending the service of the Council before the expiration of leave forfeits the balance of such leave.

37. Member returned on new writ

A Member returned on a new Writ shall be introduced to the Council by the Usher of the Black Rod.

38. Member seated on application

A Member seated on Application shall not be introduced.

PART 7 – ORDER AND CONDUCT OF BUSINESS

39. Order of business

The Council, unless otherwise ordered, shall proceed with business each day in the following order: —

1. Petitions.
2. Notices of Question.
3. Notices of Motion.
4. Answers to Questions.
5. Tabling of Papers.
6. Questions without Notice shall be called by the President at 2.30 p.m. each Sitting
7. Special Interest Matters shall be called by the President on Thursday morning each sitting.
8. Ministerial Statements or Statements by the Leader.
9. Motions and Orders of the Day in the order in which they are set down on the Notice Paper.

40. Precedence of Government business

- (1) Government business shall take precedence at all sittings except on Tuesdays.
- (2) On days fixed for consideration of Government business, related matters shall take precedence on the Notice Paper over all other business, and the Orders of the Day shall be disposed of in the order in which they appear, with the right being reserved to the Leader for placing Government business on the Notice Paper in the order in which it is to be taken.
- (3) The President shall direct the Clerk to read the Orders of the Day, without any Question first put.

41. Special Interest Matters

That before Orders of the Day are read each Thursday a period of 20 minutes shall be set aside to provide for 'Special Interest Matters' to be brought to the attention of the House provided that —

- (1) Members notify the President or Clerk at least 30 minutes before the commencement of their wish to speak;
- (2) each speaker be granted five minutes to speak on an item of Special Interest; and
- (3) Members be granted the call in the order in which their notice of intention was lodged.

PART 8 – PETITIONS

42. Contents of petition

A Petition will —

- (1) Be lodged only by a Member.
- (2) Be legible.
- (3) Be addressed to the President of the Council.
- (4) State the action or remedy sought on the top of every sheet.
- (5) Be in English or be accompanied by a translation certified to be correct.
- (6) Contain at least one signature.
- (7) Contain the names and addresses of the petitioners and their own signatures or marks, except in case of incapacity or sickness where someone else may sign on their behalf.
- (8) Be respectful and temperate in its language.
- (9) If from a corporation, be made under its common seal.

43. Petitions will not contain

A Petition will not —

- (1) Have letters, affidavits or other documents attached to it.
- (2) Be lodged by a Member who has signed the petition as a petitioner.
- (3) Make an application for direct grant of public money to be paid to an individual.
- (4) Have signatures pasted or otherwise transferred to the petition.

44. Procedure for lodgement and presentation

The procedure for the lodging and presentation of a Petition —

- (1) The Member must write the number of signatures contained in the petition on the front sheet and sign the front sheet.
- (2) The Clerk will, prior to presentation, certify on the petition that it is in conformity with the Standing Orders.
- (3) The Member presenting the petition will announce the subject matter of the petition in brief and the number of signatures attached to it unless the President determines otherwise.
- (4) It is in order for a petition to be received unless the President determines otherwise.
- (5) No discussion of the subject matter is allowed.
- (6) The Clerk shall read the Petition in full after which a question shall be put “That the Petition be received”.
- (7) The text of each Petition which the House has received shall be communicated to the Premier by the Clerk.
- (8) A Government response to each Petition shall be laid before the House within 15 sitting days of its communication to the Premier by the Leader of the Government.

PART 9 – QUESTIONS SEEKING INFORMATION

45. Questions to Ministers, the Leader of the Government and Members on notice

A Member may put a Question on Notice to —

- (a) A Minister relating to public affairs with which he or she is connected, or to any matter of administration for which the Minister is responsible.
- (b) The Leader relating to public affairs with which he or she is connected or to proceedings in the Council.
- (c) A Member except the President relating to any Bill, motion or other public matter connected with the business of the Council of which the Member has charge.

46. New question given

Notice of Question shall be given by the Member when the President calls for Notices of Question, by stating its terms to the Council and delivering at the Table two signed copies of such Notice, and showing the day he or she proposes to ask such Question.

47. No debate on giving notice

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

48. No debate on answer

In answering any such Question the matter to which the Question refers shall not be debated.

49. Oral questions without notice

- (a) A Member may ask an oral question without notice and the Minister, Leader or Member concerned, if it is one that in his or her opinion may be answered immediately, may thereupon answer the question and, if not, request that it be placed on notice; [*the Member being responsible for it being so placed*].

- (b) Unless the House otherwise orders, the President at 2.30 pm each sitting Tuesday, Wednesday and Thursday shall interrupt any business then under consideration and call on questions without notice. At the conclusion of questions without notice the House shall resume the business so interrupted. On any sitting day commencing after 2.30 pm, Question Time should be held as soon as practicable after that commencement.
- (c) No question shall be asked after the lapse of 30 minutes from the President calling on questions.
- (d) The Leader of the Government may, by leave of the Council, terminate oral questions without notice requesting the President to proceed to the next item of business; with the question of leave being determined without debate.

50. Rules governing questions

- (a) Questions shall be concise and not contain —
 - (i) statement of facts and names of persons unless they are strictly necessary to render the question intelligible and can be authenticated; or
 - (ii) arguments, inferences, imputations, epithets, ironical expressions or expressions of opinion; or
 - (iii) discreditable references to the House or any Member of Parliament or any offensive or unparliamentary expressions.
- (b) Questions shall not —
 - (i) seek an expression of opinion or a legal opinion.
 - (ii) quote or refer to speeches made in either House during the same session, or proceedings of a committee not reported to the Council.
 - (iii) refer to a case pending adjudication in a court of law;
 - (iv) anticipate discussion of an Order of the Day.

- (c) The President may disallow any question that is the same in substance as one already answered, disallowed or to which an answer has been refused in the same session.

51. Supplementary questions

At the discretion of the President, supplementary questions may be asked to elucidate an answer.

PART 10 – NOTICES OF MOTION

52. New notice given

Notice of Motion shall be given by the Member stating its terms to the Council when the President calls for Notices of Motions, and delivering at the Table two signed copies of such Notice, and naming the day on which it is proposed to bring on such Motion.

53. Notices of Motion: requirements

Notices of Motion —

Given by proxy

- (1) may be given by a Member on behalf of any other Member not then present, by putting the name of such Member on the Notice of Motion in addition to their own;

Containing unrelated matters

- (2) may be divided by the Clerk if instructed by the President if the Motion contains matters unrelated;

Containing unbecoming expressions

- (3) containing unbecoming expressions may be removed from the Notice Paper;

Not effective on day it is given

- (4) may not be given for the same day;

Not to be given after Council proceeds to other business

- (5) shall not be given after the Tabling of Papers or after the Council has proceeded to the Orders of the Day, except by leave of the Council.

No discussion except as to day

- (6) shall not be the subject of discussion except with reference to the day on which the Motion shall be made.

May be postponed but not anticipated

- (7) having been given for a certain day, may be postponed to a later, but shall not be brought on on an earlier day.

Terms or time may be altered

- (8) once given, the terms thereof, or the day for bringing it on, may be altered by the Member on delivering at the Table an amended Notice; provided that, where such alteration of the Notice differs materially from the terms of the original Notice, it can only be made with the consent of the Council, or upon withdrawal of the original Notice and renewal in the amended form for a future day.

Order on Paper

- (9) shall be set down on the Notice Paper for the days in respect of which they have been given subject to Standing Order No. 40 and on those days, in the order in which they were delivered at the Table.

54. Notices deferred

Notices of Motion which have dropped by the adjournment of the Council shall be set down on the Notice Paper for the next sitting day.

55. Lapsed and withdrawn notices

- (1) A Notice of Motion which has lapsed because of the absence of a Member when his or her name is called shall be removed from the Notice Paper, but may be restored by the Notice being renewed.
- (2) A Notice of Motion shall not lapse in the absence of the Member who gave the Notice if another Member at the Member's written request shall fix a future time for bringing on the Motion.

May be withdrawn

- (3) A Notice of Motion may be withdrawn at the request of the Member who gave Notice.

PART 11 – MOTIONS

56. Motions moved on notice: exceptions

A Member shall not move any Motion initiating a subject for discussion unless in pursuance of Notice, excepting —

- (a) for the printing or consideration of Papers (other than Petitions).
- (b) for urgent consideration of a matter directly concerning the privileges of the Council (Standing Order 57).
- (c) by leave of the Council (Standing Order 58).

57. Urgent motion: privilege

An urgent Motion, directly concerning the privileges of the Council, may be made without Notice and shall have precedence over all other Motions and Orders of the Day. Such Motion, when not at once disposed of but appointed for consideration on a future day, shall stand first on the Notice Paper for that day.

58. Motion without Notice by leave

A Motion may be made without Notice, by leave of the Council, the question of leave to be decided without debate.

59. Order of precedence

Motions shall take precedence over Orders of the Day (except on those days on which Government business has precedence) and shall be moved in the order in which they stand on the Notice Paper.

60. Withdrawal of motion

A Motion once moved shall be deemed to be in possession of the Council, and may be withdrawn by leave of the Council, only -

- (a) by the Member who moved it (unless he or she has requested another Member to seek its withdrawal); and
- (b) if leave is granted by a majority of Members present.

61. Withdrawn motion reintroduced

A Motion which has been withdrawn by leave of the Council, or superseded, may be moved again in the same Session.

62. Moved by another Member

A Member, having been so requested by the Member who gave Notice, may move the Motion of which Notice has been given.

63. Not to be withdrawn until amendment withdrawn

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 12 – ORDERS OF THE DAY

64. Definition

An Order of the Day is a Bill or other matter which the Council has ordered to be taken into consideration, or done, on a particular day.

65. Disposal of orders of the day

The Orders of the Day shall be disposed of in the order in which they stand upon the Notice Paper, the right being reserved to the Leader in the Council of placing Government business on the Notice Paper in the order in which it is to be taken, on the days on which it has precedence.

66. To be read without question put

The President shall direct the Clerk to read the Orders of the Day, without any Question first put.

67. Orders not called on

All Orders of the Day not called on prior to the adjournment of the Council, shall be set down on the Notice Paper for the next day on which the Council may sit.

68. Lapsed by adjournment

When an Order of the Day, having been read and proceeded with, is superseded by the adjournment of the Council before it is disposed of, it shall be removed from the Notice Paper, but may be revived on a fresh Notice being given.

69. Order discharged

An Order of the Day may be read and discharged.

PART 13 – QUESTIONS FROM THE CHAIR

70. Question: when proposed

- (1) When a Motion has been made a Question thereupon shall be proposed to the Council by the President.
- (2) If an Amendment be irregular, or out of Order, the Question thereupon shall not be put by the President.

71. Question put

The Debate upon a Question being closed, the President shall put the Question to the Council; and if the same shall not be heard, shall again state it.

72. Decided by majority of voices

A Question being put, shall be decided by the majority of voices – Aye or No.

73. President to declare majority

The President shall state whether in his or her opinion the Ayes or Noes have it; but on the demand of any Member who has given their voice with the minority, the Question shall be determined by a Division.

74. Same question twice proposed

No Question or Amendment shall be proposed which is the same in substance as any Question which, during the same Session, has been decided in the Affirmative or Negative. *This Standing Order shall not be suspended.*

75. Question divided

The Council may order a complex Question to be divided.

76. Question superseded

A Question may be superseded —

- (a) by the adjournment of the Debate on the Motion of a Member "That the Debate be now adjourned";
- (b) by the adjournment of the Council on the Motion of a Member who, having possession of the Council, moves "That the Council do now adjourn";
- (c) by notice being taken that a quorum is not present;
- (d) where the Council resolves to proceed to some other business;
- (e) by Amendments.

PART 14 – AMENDMENTS TO QUESTIONS FROM THE CHAIR

77. Forms of amendment

A Question, having been proposed, may be amended —

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

78. Amendment relevant and in writing

An Amendment proposed to any Question before the Council must be relevant to the Question, be in writing, and be signed by the Member moving such Amendment.

79. Amendment to leave out words

When the proposed Amendment is to leave out certain words, the President shall put a Question "That the words proposed to be left out be so left out", which the Council shall decide in the Affirmative or Negative, as the case may be.

80. To substitute words

When the proposed Amendment is to leave out certain words in order to insert or add other words, the President shall put a Question, "That the words proposed to be left out be so left out"; which if Negatived, shall dispose of the Amendment; but if resolved in the Affirmative, another Question shall be put, "That the words proposed to be inserted (or added) be so inserted (or added)."

81. To insert or add words

When the proposed Amendment is to insert or add certain words, the President shall put a Question, "That such words be inserted (or added)"; which the Council shall decide in the Affirmative or Negative, as the case may be.

82. Discretion of Chair on question

When in Committee of the Whole, at the discretion of the Chair, the Question may be put, "That the Amendment be agreed to".

83. No amendment when later part of question amended

No Amendment may be proposed in the earlier part of a Question after a later part has been amended, or to which later part an Amendment has been proposed unless such proposed Amendment has been, by leave of the Council, withdrawn.

84. Words already agreed to

No Amendment shall be made to any words which the Council has resolved shall stand part of a Question, except that of adding other words thereto. But such exception shall not apply to Questions relating to Bills.

85. Amendment may be withdrawn

A proposed Amendment may be withdrawn by leave of the Council, but not in the absence of the Member who proposed it (unless he or she has requested another Member to seek its withdrawal).

86. Original question put

When Amendments have been proposed but not agreed to, the Question shall be put as originally proposed, unless other Amendments be offered.

87. Question as amended put

When Amendments have been agreed to, the Main Question, as amended, shall be put.

88. Order in which amendments to be put

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

89. Amendments to amendments

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

90. Council now adjourn – no amendment

Amendments shall not be moved to the Question, "That the Council do now adjourn".

91. Amendment to question for adjournment

The only Amendment which may be moved to the Question for adjourning the Council to a stated time, is that the Council do adjourn until some other time.

PART 15 – CONDUCT OF MEMBERS AND RULES OF DEBATE

92. Maintenance of order

Order shall be maintained in the Council by the President and in a Committee of the Whole Council by the Chair of Committees; but if any disorder arises in Committee, the Chair shall report the same to the Council.

93. When President stands

Whenever the President stands during a Debate, any Member speaking must resume his or her seat, and be silent.

94. Member sick or infirm

By permission of the President a Member, unable to stand by reason of sickness or infirmity, may speak sitting in his or her place.

95. Entering or leaving the council

Members on entering and leaving the Chamber, or moving from one side of the Chamber to the other, shall acknowledge the Chair.

96. Not to pass between Chair, etc

A Member shall not pass between the Chair and any Member who is speaking, or between the Chair and the Table.

97. Member to take place

Every Member of the Council when he or she comes into the Chamber shall take his or her place.

98. Subjudice convention

Subject always to the discretion of the President and to the right of the Council to legislate on any matter, matters awaiting or under adjudication in any court of record —

- (a) in criminal matters from the time a person is charged, until sentence; and
- (b) in civil matters from the time that the case has been set down for trial or otherwise brought before the court,

may not be referred to in any motion, debate or question if it appears to the President that there is a real and substantial danger of prejudice to the trial of the case.

99. A Member shall not in the course of debate —

Offensive words against Parliament

- (1) use offensive words against either House of Parliament or any Member thereof, or against either House of Parliament of the Commonwealth; or against any Statute, unless moving for its repeal.

Reflections upon vote of the Council

- (2) reflect upon a vote of the Council unless moving for its rescission.

Allusion to Debates in the other House

- (3) allude to any Debate in the other House of Parliament, but may refer to the Reports of Debates or other printed Papers of that House.

Refer to Member by name

- (4) refer to another Member by name.

Comment on expressions by other Members

- (5) digress from the subject matter under discussion, or comment upon expressions used by any other Member in a previous Debate. All imputations of improper motives and all personal reflections are disorderly.

Make reference to proceedings

- (6) make reference to any proceedings of any Select Committee, until the same has been reported to the Council.

Use Sovereign's name

- (7) use the name of the Sovereign or the Governor irreverently in Debate, or for the purpose of influencing the Council in its deliberations.

Promote a quarrel

- (8) promote a quarrel with another Member.

100. Repetitious or irrelevant debate

A Member who persists in irrelevance or tedious repetition, either of the Member's own arguments or of the arguments used by other Members, may be directed by the Chair to discontinue the speech. A Member directed to discontinue may require that the question, "That the Member be further heard" be put which will be decided without debate.

101. Objection to words

If a Member objects to words used in debate —

- (1) the objection must be taken immediately;
- (2) if the President considers that the words are objectionable or unparliamentary the President may order the words to be withdrawn and may require an apology;
- (3) a withdrawal, and an apology must be made without explanation or qualification.

102. Motion that Member be heard, etc

A Motion without Notice may be made that any Member who has risen "be now heard", or "do now speak", or that any Member who is speaking "be not further heard", and the Question on such Motion shall be decided without Debate.

103. Pecuniary interest

- (1) A Member having a pecuniary interest in any question (such interest being direct and personal and not merely of a general or remote character), shall declare, or another Member may draw attention to such interest prior to the vote on a question and the Council shall decide, on Motion, whether the Member may vote upon the question.
- (2) A Member having a pecuniary interest in any question (such interest being direct and personal and not held in common with all other subjects of the Crown) and who fails to declare that interest shall have his or her vote disallowed, on Motion, and any record of such vote in the Journals of the Council shall be amended accordingly.
- (3) The President shall determine whether such failure should be referred to the Privileges Committee.

104. Member to withdraw while conduct under deliberation

A Member against whom any charge has been made, having been heard in his or her place, shall withdraw beyond the Bar of the Council whilst such charge is under deliberation.

105. Suspension of Member

Whenever any Member shall have been named by the President or the Chair of Committees, as the case may be, immediately after the commission of the offence of disregarding the authority of the Chair, or of abusing the Rules of the Council by persistently and wilfully obstructing the business of the Council, or of disorderly conduct, then -

- (a) if the offence has been committed by such Member in the Council, the President shall forthwith put the Question, no Amendment, Adjournment, or Debate being allowed, "That such Member be suspended from the service of the Council"; and
- (b) if the offence has been committed in a Committee of the Whole Council, the Chair shall forthwith suspend the proceedings of the Committee and report the circumstances to the Council; and the President shall, thereupon put the Question, without Amendment, Adjournment, or Debate, as if the offence has been committed in the Council itself.

106. Period of suspension

If a Member be suspended, his or her suspension unless otherwise ordered shall be —

- (a) on the first occasion, for twenty-four hours.
- (b) on the second occasion, for seven days.
- (c) on any subsequent occasion of the same Session, for twenty-eight days.

107. Suspended Member to withdraw from precincts

A Member who has been suspended shall immediately withdraw from the Chamber, and shall not re-enter during the period of suspension.

108. If suspended Member does not withdraw

If a suspended Member does not immediately withdraw from the Chamber of the Council, or enters the Council during the period of suspension, the President may direct the Usher of the Black Rod to remove the Member.

109. President calls on Member to speak

When two or more Members rise to speak, the President shall call upon the Member who, in his or her opinion, first rose in their place.

110. No speaking after decision given

A Member may not speak to any Question after the same has been put and the President has given his or her decision on the voices.

111. Right of speech

A Member may speak once to any Question before the Council, or upon a Motion or Amendment to be proposed by himself or herself, or, subject to Standing Order No. 131, upon a Question of Order arising out of the Debate, but not otherwise.

112. Not to speak more than once

A Member shall not speak more than once to the same Question, except in explanation, or in Committees of the Whole Council.

113. Personal explanation

A Member may rise to make a personal explanation, although there be no question before the Council; and such matter may not be debated.

114. Adjournment of debate

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

115. Member to continue speech

The Member upon whose Motion any Debate is adjourned by the Council, shall be entitled to continue his or her speech on the resumption of the Debate.

116. Precedence of adjourned debate on privilege

An adjourned debate on a question relating to the privileges of the Council shall stand first on the Notice Paper for the next sitting day.

117. Debate being resumed; Members not to speak again

When a Debate is adjourned, a Member who has spoken to a Question may not speak again to the same Question when the Debate is resumed.

118. May speak again to new question

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.

119. Having spoken to adjournment

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

120. Having spoken to main question, not to enter upon it again

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

121. Member who has spoken not to make motion, but may speak to motion

A Member who has spoken on the Main Question (other than the Member when exercising his or her right of reply and closing the Debate) may not move an Amendment, or the Adjournment of the Council, or the Adjournment of the Debate, or any similar matter, but may speak on any such Motion when it is made by another Member.

122. Member who has moved amendment not to speak again on main question

A Member who has moved an Amendment in Council may not speak upon the Main Question after such amendment has been withdrawn or otherwise disposed of.

123. Same Member not to move adjournment of council and debate

A Member who has moved the Adjournment of the Council may not afterwards move the Adjournment of the Debate, or *vice versa*.

124. Member to resume speech

If a Member moving a Motion or speaking to a Question desires to continue his or her speech at some future time they 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 shall immediately resume his or her speech.

125. Adjournment motion, procedure when negatived

If any of the Motions —

- (1) “That the Council do now adjourn”
- (2) “That the Debate stand adjourned”
- (3) “That the Question be now put”

are negatived the same motion cannot be moved again within 15 minutes.

126. Debate on motion where lack of quorum

A Debate on any Motion or Order of the Day, interrupted by want of a quorum, or by any adjournment of the Council, may be resumed by Motion on Notice at the point where it was so interrupted.

127. Debate interrupted by other matter

The Debate upon a Question may also be interrupted by —

- (i) a matter of Privilege suddenly arising;
- (ii) a Question of Order;
- (iii) an urgent Message from the Governor or the Assembly;
- (iv) a Motion that a Member "be not further heard."

128. No reference to proceedings of committees until reported

Reference shall not be made to any proceedings of any Select Committee, until the same have been reported to the Council.

129. Member not to interrupt another

A Member shall not interrupt another Member who is addressing the Council, unless -

- (a) for the purpose of making a personal explanation;
- (b) to call attention to a point of Order or Privilege suddenly arising;
- (c) to call attention to the want of a quorum; or
- (d) to move that "The Member be not further heard".

130. Speaking to order or privilege

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

131. Question of order

Upon a Question of Order being raised the Member addressing the Council shall resume his or her seat; and after the Question of Order has been stated to the President by the Member rising thereto, the President may either give his or her decision without further discussion, or may, at his or her discretion, first hear the opinion of Members.

132. Ruling of President may be challenged

If any objection is taken to the ruling of the President, such objection must be taken at once and in writing, a Motion of Dissent moved and Question proposed, and debate thereon shall proceed forthwith.

133. Right of reply

A reply shall be allowed to a Member who has moved —

- (i) a Substantive Motion;
- (ii) the Second or Third reading of a Bill; or
- (iii) an Order of the Day;

but a reply shall not be allowed to a Member who has moved —

- (i) an Amendment;
- (ii) the adjournment of the Council for the purpose of discussing a matter of public importance, or as a delaying motion;
- (iii) the adjournment of the Debate to supersede a Question; or
- (iv) the suspension of a Sitting.

134. Reply closes debate

In all cases the reply of the mover of the original Motion shall close the Debate.

135. Motions not open to debate

The following Motions, Questions and procedures are not open to debate, and where applicable shall be moved, without argument or opinion offered, and shall be put forthwith by the President or Chair of Committees as the case may be, and the vote taken —

- (1) Personal Explanation (Standing Order 113);
- (2) Whether a Member be further heard when directed by President or Chair to discontinue his or her speech because of irrelevance or tedious repetition (Standing Order 100);
- (3) that a Member "be now heard" or "be not further heard", (Standing Order 102);
- (4) Divisions (Standing Order 136);
- (5) that a Member be suspended from the service of the Council (Standing Order 105);
- (6) that the Bill be now read the First time (Standing Order 259);
- (7) presentation of Reports of Select Committees (Standing Order 197);
- (8) Questions seeking information and answers thereto (Standing Orders 46 and 48);
- (9) That the Petition be received (Standing Order 44);
- (10) Reports from Committees of the Whole Council (Standing Order 164);
- (11) Where leave is sought for Motion without Notice to be made.

PART 16 – DIVISIONS

136. Calling a division

- (1) A Member may call for a division after the President has announced an opinion on the voices as to whether the 'Ayes' or 'Noes' have it.

- (2) A Member who calls for a division will not leave the Council and will vote with those who, in the opinion of the President, were in the minority.

137. Member may cancel call for division

If a Member accidentally calls for a division, the call for a division may be cancelled if the Member brings it to the attention of the President prior to the completion of the ringing of the bells. The division will then be called off by the President who will again announce an opinion on the voices.

138. After division called

After a division has been called for —

Visitors withdraw

- (1) Visitors will withdraw from the body of the Chamber.

How Division taken

- (2) The President will order the division bells to be rung for three minutes.

How seated

- (3) Members will sit in their allotted seats.

Locking of Doors

- (4) After the three minutes have expired, or such lesser time at the discretion of the President, he or she will order the doors to be locked and no Member will enter or leave the Chamber until after the division.

Question put a Second time

- (5) The President will state the question and direct the 'Ayes' to pass to the right of the Chair and the 'Noes' to the left.

Tellers appointed

- (6) The President will appoint at least one Teller for each side.

Casting of Vote

- (7) No Member will cross from one side to the other after the President has appointed the Tellers.

Counting Votes and result

(8) After counting the votes the Tellers will sign their respective list and the President will declare the result of the division.

Inclusion in Journals

(9) The Division Lists shall be made part of the Journals.

Members present to vote

(10) Every Member present in the Council when the Question is finally put must vote.

139. Error in tally

If there is confusion or error in the numbers reported, unless they can be corrected, the President will conduct another division.

140. President's casting vote

In the case of an equality of votes the President shall give a casting vote, and may state the reasons for his or her vote, which shall be entered in the Journals of the Council.

141. Vote not recorded if Member not present

A Member who is not present in the Council when the Question is finally put, cannot have a vote recorded.

142. Recording of pairs

Unless otherwise ordered, Members paired on any Division must be recorded by the Tellers. The names of all Members paired must be recorded on the Tellers' lists and be printed in the Votes and Proceedings and Hansard.

143. President may call off division

The President may, if, in his or her opinion, the Division is frivolously or vexatiously claimed, take the vote of the Council by calling on Members who support, and who challenge his or her decision, successively to rise in their places; and shall thereupon either declare the determination of the Council or allow the Division to stand.

144. Member's voice and vote to be the same

A Member, having given voice with the Ayes or Noes as the case may be, shall not, on a Division being taken, be at liberty to vote with the opposite party; and should the Member do so, the President, on being informed thereof, shall order the Divisions Lists to be corrected. Such correction shall not be made unless attention is drawn to the error immediately after the result of the Division is announced, and before a further Question is proposed.

145. Question of order during division

A Member, when proposing a Question of Order for the decision of the President during a Division, shall remain sitting.

146. Divisions in committee

Divisions shall be taken in Committee of the Whole Council in the same manner as in the Council itself, but it shall not be mandatory for the Chair to vote in the Committee.

PART 17 – COMMITTEES OF THE WHOLE COUNCIL

147. Council resolves itself into committee and President leaves chair

A Committee of the Whole Council is appointed when the Question —

"That the Council does resolve itself into a Committee of the Whole Council, and I do now leave the chair" is put by the President and agreed to.

148. Committee may be deferred

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

149. Committee reports progress

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 Council has ordered that the Committee shall sit again on a particular day or at a later hour, the President, when the order for the Committee has been read, shall forthwith leave the Chair without putting any Question, and the Council will resolve itself into such Committee.

150. Chair of committees takes chair at table

When the President leaves the chair, the Chair shall take the chair of the Committee at the Table.

151. Committee to consider matters referred

The Committee shall consider only such matters as have been referred to it by the Council.

152. Vote of chair

Every Question in Committee shall be decided by the voices of the majority of the Members present. The Chair shall have a deliberative vote only, which he or she may exercise when a vote is taken by a Division or on the voices. When the votes are equal the Question shall pass in the Negative.

153. Chair's ruling may be challenged

If any ruling, decision, or opinion of the Chair of Committees is challenged by a Member, it shall be done when the ruling, decision, or opinion is given, and shall be in writing, and if the Committee so decide the Chair shall leave the chair, and the President resume the chair; and the Chair having stated his or her case, the President shall give his or her ruling upon the point; and the proceedings in Committee shall be resumed where they were interrupted.

154. Debate in committee same as in council

The same order in debate, and the same proceedings in regard to divisions, shall be observed as in the Council itself, but in a division in Committee it shall not be mandatory for the Chair to vote.

155. Members may speak more than once

In Committee Members may speak more than once to the same question, but except in the case of the Member in charge of the measure before the Committee, not more than three times, except in explanation.

156. On disorder, President to resume chair

If any sudden disorder should arise in Committee, the President shall resume the chair, without any question being put.

157. President to resume chair in certain other cases

The President shall also resume the chair for doing any thing which the Council has ordered to be done at a stated time, or if a Message from the Governor be announced, without any question being put.

158. Lack of quorum

If notice is taken, or it appears on a division in Committee, that seven Members including the Chair are not present, the Chair shall leave the chair at the table, and the President shall resume the chair and count the Council.

159. Lack of quorum proceedings

If there are seven Members present when the Council is counted by the President, the Council will again resolve itself into a Committee of the whole Council; but if the Council be thereupon adjourned for want of a quorum, the Council may, on motion upon notice, order the resumption of such Committee, and the proceedings in such Committee shall be resumed at the point at which they were interrupted.

160. Report

After all the matters referred to the Committee have been considered, the Chair shall be directed to report the same to the Council.

161. Report of progress

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

162. Motion that chair leave the chair

A motion that the Chair do now leave the chair shall, if agreed to, supersede the proceedings of a Committee; but such proceedings may, by motion on notice, be revived by Order of the Council.

163. Motion that chair leave the chair, when not to be moved

A motion that the Chair do now leave the chair shall not be in order if there is a question before the Committee to report progress; and likewise, a question that the Chair do leave the chair shall be disposed of before a motion to report progress may be entertained.

164. Report brought up without question put

Every report from a Committee of the whole Council shall be brought up without any question being put, and without debate.

165. Resolution cannot be postponed

A resolution proposed in a Committee of the whole Council cannot be postponed, but must be withdrawn, amended, negatived, agreed to, or superseded.

166. Committee not to adjourn

A Committee of the whole Council cannot adjourn its own sittings, or any debate in the Committee, unless there be grave disorder.

167. Consideration of committee resolutions

Resolutions reported from a Committee shall be read a first time throughout by the Clerk, without a question first put, and a second time with a question being put that they be agreed to: and such resolution may be agreed to or disagreed to by the Council, or agreed to with amendments, or recommitted to the Committee, or the further consideration thereof may be postponed.

168. Proceedings in committee to form part of journals

The Proceedings in Committee of the whole Council shall be printed with and form part of the Votes and Proceedings.

PART 18 – STANDING COMMITTEES

169. Standing Orders Committee

A Standing Orders Committee, to consist of the President, 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 House of Assembly.

170. Committee of Privileges

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

171. First meeting

Standing Committees shall meet when summoned by the Clerk of the Council.

PART 19 – SELECT COMMITTEES

172. Committee membership

It shall not be compulsory for any Member to serve on any Select Committee.

173. Willingness to attend to be ascertained

A Member intending to move for the appointment of a Select Committee shall endeavour to ascertain previously whether each Member proposed to be named to be on such Committee is willing to attend its meetings.

174. Member pecuniarily interested not to serve

A Member who has a direct pecuniary interest in the enquiry before a Select Committee, if such interest is immediate and personal, and not merely of a general or remote character, shall not serve on such Committee.

175. Number of Members

A Select Committee shall not consist of fewer than three or more than five Members, unless the Council shall otherwise order.

176. Notice to specify names of Members

Subject to Standing Order No. 174 every Notice of Motion for the appointment of a Select Committee, with the exception of a Joint Committee of both Houses, shall contain the names of the Members proposed to serve on such Committee.

177. Committee may be chosen by secret ballot

If upon such Motion any Member so requires, the Committee shall be chosen by secret ballot in the manner following:- Each Member present shall give to the Clerk a list of the Members whom he or she desires to be chosen to serve on such Committee in order of preference; and the Members whom the Clerk reports to have the greatest number of votes shall be declared by the President to be the Members of such Committee.

178. Notice of election by ballot

If the Mover desires that the Committee be chosen by ballot, the Member may give Notice that he or she will move for a Committee of a certain number of Members to be chosen under Standing Order No. 177.

179. Members discharged and others appointed

Members may be discharged from attending a Select Committee and other Members appointed, by Motion on Notice.

180. Notice to specify names

Every Notice of Motion for discharging, adding, or substituting Members of a Select Committee shall contain the names of the Members to be discharged, added, or substituted.

181. List of committees to be exhibited

Lists of the Members serving on Select Committees shall be exhibited in some conspicuous place in the Council.

182. Quorum

- (1) In all Select Committees, unless otherwise ordered, three shall form a quorum to take evidence, and a majority of the Committee shall form a quorum to adopt the Committee's Report.
- (2) If, after the lapse of half an hour from the time appointed for the meeting of a Committee, or if at any time during the sitting of a Committee a quorum is not present, the proceedings of the Committee shall be suspended until a quorum is present, or the Committee shall stand adjourned until such time as the Members then present shall appoint; if fewer than three Members be present, the Chair shall fix the time for the next meeting.

183. Neglect of Member to attend

A Member appointed to serve on a Select Committee of the Council who neglects or refuses to attend such Committee shall be reported by the Chair to the Council, which will unless there be just cause, discharge the Member from the Committee and appoint another.

184. Election of chair

Every Select Committee, before proceeding to any other business, shall elect its own Chair. In his or her absence the Members present shall elect one of their number to act as Chair.

185. Vote of chair

The Chair of a Select Committee shall have a deliberative vote only. When the votes are equal the question shall pass in the negative.

186. Meetings

- (1) The mover of a Committee, if a member of it, shall fix the time for the first meeting of the Committee; if the mover is not a Member the secretary shall fix the time.
- (2) Notice of meetings subsequent to the first meeting shall be given by the secretary attending the Committee —
 - (a) pursuant to resolution of the Committee;
 - (b) on instruction of the Chair; or
 - (c) upon a request by a quorum of Members of the Committee.
- (3) A Committee is authorised to hold meetings but not take sworn evidence by electronic communication without the Members of the Committee being present in one place, provided that when a Committee deliberates, members of the Committee constituting a quorum are able to speak to, and hear, each other contemporaneously.

187. Days of meeting

Select Committees may —

- (1) meet for the despatch of business on any day, and during any adjournment of the Council; and
- (2) not sit when the Council is in session except by leave of the Council.

188. Adjournment of committee

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

189. Power to send for papers

Whenever it may be necessary, the Council may empower a Committee to send for persons, papers and records.

190. Names of Members recorded

The names of the Members present each day at the sitting of any Select Committee shall be entered on the minutes of the proceedings of the Committee, and reported to the Council on the report of such Committee.

191. Committee to delegate Members to travel on inspections

Whenever it is deemed necessary by the Committee to make inspections or otherwise to seek information on matters within the order of reference outside the State of Tasmania, authority may be given by majority decision at a meeting at which all of its Members is present for one or more of its Members to visit such place or places instead of the Committee having to adjourn from place to place, subject to the approval of the President and Clerk.

192. Admission of strangers

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.

193. Admission of other Members

Any Member of the Council shall be at liberty to be present when a Select Committee is examining witnesses, but shall not be allowed to speak or in any way interfere in the proceedings of the Committee; and shall always withdraw when the Committee is deliberating, or when ordered to withdraw by the Committee.

194. Divisions to be reported

In the event of any division taking place in any Select Committee, the question proposed, the name of the proposer, and the vote thereupon of each Member present, shall be entered on the minutes of the proceedings of the Committee, and reported to the Council on the report of such Committee.

195. Draft report

The Chair shall prepare a draft report, which shall be distributed to a meeting of the Committee convened for the purpose. 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. On taking the report into consideration, the Chair shall, paragraph by paragraph, or chapter by chapter or division by division put the question to the Committee - "That the paragraph, chapter or division stand part of the report". A Member objecting to any portion of the report shall propose his or her amendment at the time the paragraph he or she wishes to amend is under consideration.

196. Report brought up

Every report of a Select Committee shall be signed by the Chair, on behalf of the Committee; and having been brought up by the Chair, or by some other Member of the Committee, shall be dealt with as the Council may direct.

196A. Dissenting Statements in Report

The Chair shall sign the unanimous or majority report. A Dissenting Statement, confined to the issues in dispute, may be added to the report but may not be presented separately.

197. Report presentation before sitting

If the Legislative Council is not sitting when a Select Committee completes its report, the report may be presented to the President or if the President is unable to act, to the Deputy President and in that event —

- (a) the report shall be deemed to have been presented to the Council;
- (b) the publication of the report is authorised by this Resolution;
- (c) the President or Deputy President, as the case may be, may give directions for the printing and circulation of the report; and
- (d) the President or Deputy President, as the case may be, shall direct the Clerk to lay the report upon the Table at the next sitting of the Council.

198. Subsequent proceedings on motion

If any proceeding be necessary upon a Report of a Committee, such proceeding shall be brought under the consideration of the Council by a specific motion of which notice shall be given.

199. Progress report

Every Select Committee may report, from time to time, by way of interim report, and may also make a special report of any matters which it may think fit to bring to the notice of the Council, provided such matters are comprised within the order of reference.

200. Evidence, etc not reported not to be published

The evidence taken by any Select Committee of the Council, and documents presented to such Committee, which have not been reported to the Council shall not be referred to in the Council by any Member, or published or disclosed by any Member or by any other person.

201. Evidence reported: disclosure

The evidence taken by any Select Committee of the Council, and documents presented to such committee, which have been reported to the Council, shall be kept in the custody of the Clerk of the Council. Evidence and where practicable all documents, shall be made available to any person at the discretion of the Clerk through the Clerk of Committees.

202. Certain evidence not to be published

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 so recommend 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.

203. Matters ordered not to be published to remain confidential

Any evidence or document which a Select Committee recommends pursuant to Standing Order No. 201 not be published shall remain strictly confidential and shall at no time be referred to in the Council by any Member or Officer of the Council or by any witness or any other person.

204. Not to confer with committee of assembly without leave

No Select Committee of the Council shall confer with a Select Committee of the Assembly without an Order of the Council.

205. Message to assembly requesting leave to confer

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

206. Conference between select committees may be free

Every Select Committee of the Council directed to confer with any Select Committee of the Assembly may confer freely by word of mouth, unless the Council shall otherwise order.

207. Proceedings to be reported in writing

The proceedings of every conference between a Select Committee of the Council and a Select Committee of the Assembly shall be reported in writing to the Council by its own Committee.

PART 20 - JOINT COMMITTEES

208. Appointment when proposal originates in council

Where the proposal for the appointment of a Joint Committee originates in the Council, a motion shall be made that the Assembly's agreement be requested, which motion shall state, in general terms, the object for which the Committee is desired, and the number of Members proposed to serve on it.

209. Concurrence of assembly requested and Members appointed

If that motion is agreed to, it shall be communicated by Message to the Assembly, with a request that they agree to the appointment of the Joint Committee. Upon being informed of the agreement, the Council will appoint the Members to serve on the Committee.

210. Council may rescind resolution for joint committee

Where the Council has not received a reply by message from the Assembly to a proposal from the Council for the appointment of a Joint Committee, the Council's resolution for the appointment of the Committee may be read and rescinded upon three days' notice being given: provided that if such a message agreeing to the Joint Committee be received from the Assembly before the motion to rescind has been moved, the motion shall be read and discharged.

211. When proposal originates in assembly

The Council, where it agrees to the appointment of any Joint Committee proposed by the Assembly, shall name the Members of the Council to serve on such Committee.

212. Number for each house to be equal

The Members of the Council to serve on a Joint Committee shall, in every case, be the same in number as those appointed by the Assembly.

213. Time and place for first meeting

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

214. Quorum

A majority of the Members of a Joint Committee irrespective of the House by which they are either elected or appointed, shall constitute a quorum of the Committee and, so long as a quorum is present at any meeting, the Members 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 the majority of the Members appointed by each House to serve on the Committee is present.

215. Appointment of Chair

The Chair of every Joint Committee shall be appointed by the majority of the Members present at the first meeting thereof, and if the position becomes vacant, another Chair shall be appointed by those Members present. A Deputy Chair shall be appointed in the temporary absence of the Chair.

216. Vote of Chair

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 is equal, that Question shall pass in the Negative.

217. Proceedings to be reported in writing

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

218. Joint committees - House and Library

(1) At the commencement of every Session the Council shall appoint the following Committees:—

(a) A committee of three Members, one of whom shall be the President, to serve on a Joint Committee to be known as the House Committee to control the Parliament House and the grounds appurtenant thereto, with powers 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 Parliament House and all fittings and furniture therein or 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.

(b) A Committee of six Members to serve on a Joint Committee of both Houses, to manage the Library.

(2) Any expenditure incurred by the House Committee in the exercise of any of its functions shall be defrayed out of moneys to be provided by Parliament for the purposes of the Committee.

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

(4) A majority of Members shall form a quorum of each of the said Committees, provided that the quorum of each of the said Committees shall not consist exclusively of Members of one House only.

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

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

219. Select committee procedure applies to joint committees

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.

PART 21- ESTIMATES COMMITTEES

220. Budget papers referred

When debate has concluded on the Question ‘That the budget papers be noted’ the budget papers are to be referred to Estimates Committees A and B of the Council. Such Committees may not vote on, but may examine and report upon the proposed expenditures contained in the appropriation bill. Such expenditures shall be considered on an output by output basis, including grants, subsidies and loans and the Capital Investment Program.

221. Members

The Estimates Committees shall consist of not less than five members. The President, the Leader of the Government and any member who holds a ministerial portfolio shall not be appointed as members of a Committee.

222. Appointment of members

Appointment of members to serve on Estimates Committees shall be done upon motion by the Leader of the Government after consultation with the President.

223. Chairs

The Chair of Committees shall be the Chair of Estimates Committee A and the Deputy Chair of Committees shall be the Chair of Estimates Committee B. In the absence of the Chair of either Committee, the members of the Committee present shall elect another Chair *pro tempore*. The Chair of each Committee has a deliberative vote only.

224. Membership

(1) **Vacancy in membership:** If a vacancy occurs in the membership of a Committee, the President may nominate a member in substitution, but in so doing has regard to the composition of the Committee as appointed by the Council.

A Committee may proceed with business despite a vacancy in its membership.

(2) **Quorum:** The quorum of a Committee is a majority of the Committee. If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.

Any time lost for lack of a quorum shall be added to the time allocated to that session.

(3) **Non-committee members:** Members of the Council who are not members of the Committee may participate in proceedings by asking a maximum of two questions on each program unit, but may not vote, move any motion or be counted for the purposes of a quorum.

(4) **Substitute members:** During meetings of the Committees, substitute members may be allowed at the discretion of the Chair.

Ministerial and departmental advisers

Advisers who are present at an Estimates Committee sitting to assist ministers shall not directly answer questions or otherwise address the committee except with the approval of and in the presence of the relevant minister. Officers shall not be required to comment on matters of policy.

226. Sitting times

Estimates Committees may sit only when the Council is not sitting. Each Estimates Committee, when examining a minister, shall meet only in accordance with a timetable agreed by the Council or as varied by the Chair.

If a Committee is sitting on any day —

It commences at 9.30 a.m. and is suspended at 12.30 p.m., unless otherwise ordered;

- (ii) it recommences at 2.00 p.m. and is suspended at 5.00 p.m, unless otherwise ordered;

(iii) it recommences at 7.00 p.m. and is adjourned at 10.00 p.m., unless otherwise ordered, if required. Notice must be given to the President by 3.00 p.m. on the day if a Committee is to meet at 7.00 p.m.

A minister shall appear before an Estimates Committee for six hours, but at the request of two or more members of a Committee the Chair may extend the hearing to a maximum period of nine hours.

227. Open hearings

All sittings of the Estimates Committees are open to the public unless otherwise ordered.

228. Proceedings

(1) *Committee procedures*

Consideration of proposed expenditures in an Estimates Committee follows as far as possible the procedure observed in a Committee of the Whole House.

A Committee will consider expenditures on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.

A Committee may ask for explanations from a minister relating to the outputs.

The minister who is asked for explanations may be assisted where necessary by officers in the provision of factual information.

A minister may advise an Estimates Committee that an answer to a question, or part of a question, asked of the minister will be given later to the Committee, where possible that committee sitting day.

A minister may provide additional information to a Committee about an answer given by or for the minister.

- Additional information —
 - (a) is to be written;
 - (b) given by a time decided by the Committee; and
 - (c) may be included in a volume of additional information laid on the Table of the Council, as the case may be, by the Committee.

If any member persistently disrupts the business of an Estimates Committee, the Chair —

- (a) names the member;
- (b) if the member named is a member of the Estimates Committee, suspends the sittings of the Estimates Committee until the Chair has reported the offence to the President; and
- (c) if the member named is not a member of the Estimates Committee, orders that member's withdrawal from the sittings of the Committee until the Chair has reported the offence to the President;

as soon as practicable, the Chair advises the President who then gives notice that the Member of the Estimates Committee be replaced.

Any question of procedure or point of order shall be determined by the Chair of the Committee.

If any objection is taken to a ruling or decision of the Chair —

- (a) the objection must be taken at once and stated in writing;
- (b) the Chair, as soon as practicable, advises the President who makes a ruling on the matter; and
- (c) the Estimates Committee may continue to meet but may not further examine the output or other matter then under consideration.

(2) ***Media coverage of proceedings***

Television coverage is allowed, subject to the same conditions that apply to televising of the Legislative Council.

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(3) ***Meeting by electronic means***

Estimates Committees are authorised by this Standing Order to hold meetings by electronic communication without the members of the Committee being present in one place.

(4) ***Hansard report***

An unedited transcript of Estimates Committee proceedings is to be circulated, in a manner similar to that used for the Council Hansard, as soon as practicable after the Committee's proceedings.

(5) *Reporting date*

The time for presentation of the Estimates Committees reports shall be as determined by the Council. The failure of an Estimates Committee to report on any part of the estimates within the time required by the Council shall be deemed to be a report recommending the proposed expenditures.

(6) *Presentation of reports*

A report of an Estimates Committee is presented by the Chair of that Committee or the Deputy Chair to the Council – such reports to contain any resolution or expression of opinion of that Committee.

When the reports of the Estimates Committee are presented they may be taken into consideration at once or at a future time.

If the Legislative Council is not sitting when Estimates Committee A and B complete their reports, those reports may be presented to the President or if the President is unable to act, to the Deputy President and in that event —

- (a) the reports shall be deemed to have been presented to the Council;
- (b) the publication of the reports is authorised by this Resolution;
- (c) the President or Deputy President, as the case may be, may give directions for the printing and circulation of the reports; and
- (d) the President or Deputy President, as the case may be, shall direct the Clerk to lay the reports upon the Table at the next sitting of the Council.

**PART 22 – GOVERNMENT BUSINESSES
SCRUTINY COMMITTEES**

229. Establishment

When required there is to be established, on motion, two Government Businesses Scrutiny Committees with leave to sit on a day or days to be appointed by the Council to inquire into Government Business Enterprises and Government Corporations (GBE's and GC's) in accordance with a schedule agreed by the Council.

The two committees shall be referred to as Committees A and B.

230. Membership

- (1) Committee A and Committee B shall consist of not less than five Members appointed by the Council.
- (2) During sittings, substitute Members may be allowed at the discretion of the Chair.
- (3) If a vacancy occurs in the membership of a Committee, the President may nominate a Member in substitution, but in so doing has regard to the composition of the Committee appointed by the Council.
- (4) A Committee may proceed with business despite a vacancy in its membership.
- (5) The Chair of a Committee has a deliberative vote only.
- (6) The quorum of a Committee is three of whom one is the Chair of the Committee or Deputy Chair.
- (7) If at any time a quorum is not present the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.
- (8) Any time lost for lack of a quorum shall be added to the time allocated to that session.
- (9) Members of the Council who have not been appointed as Members of a Committee, may participate in proceedings by asking questions at the discretion of the Chair; but may not vote, move any motion or be counted for the purposes of a quorum.
- (10) A responsible Minister and Chairperson of the Board of a GBE or GC shall be examined before a Committee for a maximum period of four hours.

231. Sitting times

- (1) Each Committee meets only in accordance with the timetable adopted by the Council or as varied by the Chair.
- (2) A one-hour period shall be provided each day at the discretion of the Chair for the purpose of a luncheon break.
- (3) Each Committee may sit only when the Council is not sitting.

232. Hearings

All hearings of each Committee are open to the public except that any evidence stated by a witness to be of a commercially sensitive or confidential nature shall, if requested by at least one Member of the Committee, be heard in camera. Any such evidence shall not be published or in any way divulged by any Member of a Committee or any other person unless the Committee recommends it to the Council and the Council resolves that the information be made public.

233. Proceedings

- (1) When the activities of a GBE or GC are to be examined at a Committee hearing it shall be represented by the responsible Minister and the Chairperson of the Board.
- (2) Questions may be put directly to the responsible Minister and the Chairperson of the Board.
- (3) A Committee may ask for explanations relating to the activities, performance, practices and economic management of the GBE or GC.
- (4) The witnesses who are asked for explanations may be assisted where necessary by other officers of the GBE or GC in the provision of factual information.
- (5) Officers may answer questions at the request of the Minister but shall not be required to comment on policy matters.
- (6) The ratio of questions to be asked may be in such form as the Committee determines.
- (7) A witness may advise a Committee that an answer to a question, or part of a question, will be given later to that Committee, and where possible that Committee sitting day.
- (8) Additional information may be sought by the Committee and provided prior to the presentation of the Committee's report.
- (9) Additional information —
 - (a) is to be written;
 - (b) given by a time decided by a Committee; and
 - (c) may be included in a volume of additional information laid on the Table of the Council by the Committee.

(10) If any Member persistently disrupts the business of a Committee, the Chair —

- (a) names the Member;
- (b) if the Member named is a Member of the Committee, suspends the sittings of the Committee until he or she has reported the offence to the President;

as soon as practicable, the Chair advises the President who then gives notice that the Member of the Committee be replaced; and

- (c) if the Member named is not a Member of the Committee, orders that Member's withdrawal from the sittings of the Committee until he or she has reported the offence to the President;

(11) If any objection is taken to a ruling or decision of the Chair,

- (a) the objection must be taken at once and stated in writing;
- (b) the Chair, as soon as practicable, advises the President who makes a ruling on the matter; and
- (c) the Committee may continue to meet but may not further examine the matter then under consideration.

(12) Television coverage will be allowed subject to —

- (a) the foregoing provisions contained under “Hearings”; and
- (b) the same guidelines that apply to televising of the Legislative Council.

234. Transcript

An unedited transcript of Committee proceedings is to be circulated, in a manner similar to that used for other Committee transcripts, as soon as practicable after the Committee's proceedings.

Evidence taken in camera shall be printed on coloured paper and shall be circulated only to the Committee Members and shall not be divulged in any way to any other person.

235. Reports

A report of each Committee is to be brought up by the Chair or the Deputy Chair to the Council as shall be the transcript of the public hearings and the minutes of the meetings of the Committee.

PART 23 – INSTRUCTIONS TO COMMITTEES OF THE WHOLE COUNCIL

236. Effect of instruction

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

237. Instructions not to be moved

An Instruction shall not be moved to empower a Committee to make provision for any matter in a Bill if it already has power to make such provision.

238. When moved before first sitting

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, and before any Question has been proposed thereupon, and not as an Amendment to the Question, "That the Council does resolve itself into a Committee of the Whole Council, and I do now leave the Chair".

239. When moved after first sitting

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.

240. Instructions to select committee

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 24 – WITNESSES

241. Witness summoned by order

- (1) Any person, not being a Member or Officer of the Assembly, ordered to attend or to produce documents before the Council, shall be notified by summons under the hand of the President; and any such Order to attend, or to produce documents before any Committee of the Council, shall be notified by a summons under the hand of the Chair of the Committee.
- (2) Such summons shall be served either personally, or by leaving the same with some other person, at the person's usual or last known place of abode.
- (3) If a witness fails or refused to attend or give evidence the matter shall be reported to the Council.

242. Expenses of summoned witness

Every witness summoned shall be entitled to be paid reasonable expenses to be calculated in accordance with the scale in force for the time being for the payment of witnesses in actions in the Supreme Court.

243. Attendance of Member or officer of assembly

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

244. Attendance of Member or officer of council requested by assembly

Should the House of Assembly request by Message the attendance of a Member of the Council, to be examined by the House or any of its Committees, the Council may authorize such Member to attend, if he or she think fit. The Council, if similarly requested by the House, may also instruct its Officers to attend, if the Council think fit.

245. Witness not attending

Witnesses, whether Members or any other persons, who disobey any Order of the Council, or of any Committee thereof duly authorized 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 guilty of contempt.

246. Payment of expert advisers

A Select Committee may engage the services of any professional or other expert person it deems necessary to employ in any enquiry with which it is charged, in accordance with such rate of remuneration as may be determined by the President. The correctness of an account for any such payment shall be certified by the Chair of the Committee, and the President's authority, whether General or Special, shall be sufficient authority for its payment.

247. Questions to be put through President

When a witness is examined by the Council at the Bar, all Questions addressed to him or her shall be put through the President.

248. Questions in Committee

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

249. Withdrawal of witness

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

250. Member examined in their place

When the attendance of a Member is desired, to be examined by the Council or a Committee of the Whole, he or she shall be ordered to attend in his or her place to be examined.

251. Witness examined upon declaration

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 25 – MESSAGES FROM THE GOVERNOR

252. Message presented

Whenever a Message from the Governor is announced, other than a Message relating to Royal Assent to Bills, the business before the Council shall be suspended, and the bearer shall present the Message to the President.

253. Message to be read and considered

The President shall immediately read the Message to the Council and, if necessary, the Council shall fix a future day for taking, or forthwith take the same into consideration.

PART 26 – COMMUNICATIONS BETWEEN THE TWO HOUSES

254. Communications with assembly

Communications with the Assembly may be by Message, by a Joint Committee, or by Select Committees conferring with each other.

255. Messages to the assembly

Every Message from the Council to the Assembly shall be in writing, signed by the President, and entered in the journals, and conveyed to the Assembly by one of the Clerks.

256. Messages from the assembly

- (1) Every Message from the Assembly to the Council, if conveyed by a Clerk of the Assembly, shall be received by one of the Clerks of the Council at the Bar, and delivered to the President, who shall report the same to the Council as soon as the business then in progress is disposed of.
- (2) Should the Assembly not be sitting on the day that the Council is to receive the Message, such Message may be received by the Clerk of the Council in his or her office and delivered to the President, who shall report the same before the Council proceeds to business.
- (3) If the Message is conveyed by Members of the Assembly, it shall be received by the President at the Bar, the business before the Council being suspended.
- (4) The President shall read to the Council all Messages received from the Assembly, and if necessary, the Council shall fix a time for taking the same into consideration.

257. Message may refer to more than one bill

The Council will receive from the Assembly, in one Message, all Bills first communicated, all Bills returned without Amendment, and all Bills with the Amendments of the Council agreed to without Amendment; a List of such Bills being delivered together with such Message and Bills.

PART 27 – BILLS

258. Bills initiated

A Bill, unless received from the Assembly, shall be initiated by a Member upon motion, of which notice has been given, receiving the call and presenting it to the Council by reading the Short Title and handing to the Clerk of the Council a fair copy.

259. Bill's content

After a Bill has been presented and read the First time —

Alterations clerical only

- (1) no other than clerical alterations shall be made to it except in Committee or in the Council itself;

No provision foreign to title

- (2) no clause or provision shall be inserted in any Bill foreign to the Title of the Bill;

No heterogeneous matters

- (3) matters which have no proper relation to each other shall not be included in one and the same Bill;

Perpetual clauses

- (4) no perpetual clause shall be inserted in any Bill the main provisions of which are temporary;

Duration of Temporary Bills

- (5) the precise duration of every law proposed to be temporary shall be expressed in a distinct clause at the end of the Bill;

Title only Read

- (6) on every reading of a Bill, the Title only shall be read;

First reading without Debate

- (7) on the First reading of every Bill, the Question "That the Bill be now read the First time" shall be put without amendment or debate;

After First reading to be printed

- (8) every Bill read a First time shall be printed with as little delay as possible, and a copy shall be provided for each Member by the Clerk.

260. Second reading on future day

A Bill having been read a First time shall be listed for Second reading on a future day, provided that the Leader or Member in charge of the Bill may make the Second reading speech on a Bill as soon as it has been introduced, at the conclusion of which the debate stands adjourned.

261. No bill to be read a second time until three days after first reading

A Bill from the Assembly shall not be read a Second time until three days after its First reading, and an endorsed copy has been distributed to Members.

262. Second reading

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 the Second time”.

263. Amendments

Amendments may be moved to such Question, by leaving out the word “now”, and at the end of the Question adding “on this day three months”, “on this day six months”, or any other time.

264. Three months to six months rule

If the Question that a Bill be now read a Second or a Third time be negatived, the Bill may be revived on Motion after Notice, but if the Bill be ordered to be read a Second or a Third time, “this day three (or six) months” it shall be withdrawn from the Notice Paper, and shall not be revived during the same Session. *This Standing Order shall not be suspended.*

265. Amendment to be relevant

No other Amendment may be moved to such Question, unless the same be strictly relevant to the Bill.

266. Committed

A Bill having been read the Second time —

- (a) shall either then or at a future time, be committed to a Committee of the Whole Council; or
- (b) in the case of a Cognate Bill by unanimous agreement, be ordered to be read a third time forthwith.

- (c) it may be referred to a Select Committee in which case when the Order of the Day for the Committee of the Whole Council is called on, the Report of the Select Committee, and further consideration of the Bill may be debated on the Question “That the Council does resolve itself into a Committee of the Whole Council and that the President do now leave the Chair...”

267. Bill reported by select or standing committee

A Bill which has been referred to a Select or Standing Committee and reported, shall be committed to a Committee of the Whole Council.

268. Headnote only to be read

When a Bill is under consideration in Committee, the headnote or marginal note only of each Clause shall be read; but, if a Member so require, any Clause shall be read in full.

269. Question proposed on each clause

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

270. Amendments to clauses

Such Question being proposed Amendments may be proposed to the Clause —

- (1) To leave out words.
- (2) To leave out words in order to add, or insert, other words instead thereof.
- (3) To add or insert words.

And such Amendments shall be given to the Chair of Committees in writing, if requested, and shall be dealt with as in the Council itself.

271. Question on clause, as amended

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

272. What amendments admissible. title amended

Any Amendment may be made to a Clause or other part of a Bill, provided the same be relevant to the subject-matter of the Bill, or pursuant to any Instruction, and be otherwise in conformity with the Rules and Orders of the Council; but if any Amendment be not within the Title of the Bill, the Committee shall amend the Title accordingly, and report the same to the Council.

273. Clauses or schedules postponed

Any clause or Schedule or Item may be postponed, notwithstanding that the same has already been considered and amended.

274. Reconsideration of clause or schedule

A Clause or Schedule or Item in a Schedule may be reconsidered by the Committee reporting progress and obtaining leave of the Council for such reconsideration.

275. Preamble

After all the Clauses and Schedules have been dealt with, and new Clauses and Schedules added, the Preamble shall be considered, and, if necessary, amended.

276. No notice of proceedings in committee until reported

No notice shall be taken in the Council of any proceedings in a Committee of the Whole Council, or a Standing or Select Committee on a Bill, until such Bill has been reported.

277. Report of progress

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

278. Report of bill

The Bill having been fully considered, the Chair shall be directed to report the Bill without Amendment, or to report the Bill with the Amendment or Amendments, to the Council.

279. Bill ordered to be read third time

A Bill, being reported without Amendment, shall be ordered to be read the Third time on a future day.

280. Amendments considered on future day

When Amendments have been made to a Bill, the same shall be received without debate, and a future day shall be appointed for taking the Bill, as amended, into consideration.

281. On consideration, further amendments may be made

Resolutions reported from a Committee may be agreed to or disagreed to by the Council, or agreed to with amendments, recommitted to the Committee, or the further consideration thereof postponed.

282. When further amended, third reading on future day

When on consideration of the Bill, as amended, further Amendments have been made, the Bill shall be ordered to be read a Third time on a future day.

283. Amendments on recommittal consideration

When Amendments have been made to a Bill on recommittal, the Bill as amended, shall be taken into consideration on a future day.

284. Consideration of amendments

When the amended Bill is under consideration, the Amendments made in Committee shall be read by the Clerk a First time throughout, and a Second time one by one, a Question being put, "That the Amendment(s) be agreed to", which Amendment(s) may be agreed to, disagreed to, or amended.

285. New clauses or schedules

A Clause or Schedule, proposed to be added in Committee, or on consideration of the Bill as amended, shall be read the First time without a Question put, and the Second time on Motion made and Question put.

286. Clauses made part of bill

A Clause or Schedule, proposed to be added in Committee, or on consideration of the Bill as amended, having been read the First and Second time, the Question shall be put by the Chair or President, "That the Clause (or Schedule), or Clause (or Schedule) as amended, be made part of (or added to) the Bill".

287. Chair to certify bill

Before the Third reading, the Chair of Committees shall certify in writing "that the Bill as printed" (or "That the Bill as printed, and amended in writing") "is in accordance with the Bill as reported", and the President shall announce that the Chair has so certified.

288. Amendments on third reading: recommittal of bill

No other than verbal or consequential Amendments shall be made to a Bill on the Third reading; but the Order of the Day for the Third reading may be discharged, and the Bill, in respect to the whole or any part, recommitted, when any Amendments may be made.

289. Question for third reading

The Order of the Day being read, and a Motion being made, for the Third reading of a Bill, a Question shall be proposed, "that the Bill be now read the Third time", to which Amendments may be moved, as on the Second reading.

290. Bill passed

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

291. Clerical errors corrected

Clerical and typographical errors may be corrected in any part of the Bill by the Chair of Committees before it is sent to the House of Assembly for its concurrence.

292. Clerk to certify passing of bill

When a Bill is passed by the Council, the Clerk shall certify at the top of the first page the date of its passing; and the Bill shall be sent to the Assembly, with a Message requesting its concurrence therein.

293. Amendments of assembly considered in council or committee

When any such Bill is returned to the Council from the Assembly with Amendments, the Amendments shall be considered in Council or in Committee, and shall be agreed to, either with or without Amendments; disagreed to; or disagreed to, and other Amendments proposed instead thereof; or the consideration thereof put off for three or six months, or any other time.

294. Council not to amend any part of bill previously agreed to

In taking into consideration Amendments of the Assembly, the Council may not leave out or otherwise amend anything which it has itself already passed, unless such Amendment be immediately consequent upon the Amendments of the Assembly which have been agreed to, and are necessary for carrying them out.

295. Amendments disagreed to

When any such Amendments of the Assembly are disagreed to, a Committee shall be appointed to draw up Reasons to be assigned to the Assembly for such disagreement; which Committee may meet while the Council is sitting.

296. Messages relating to amendments

When Amendments made by the Assembly to a Bill originating in the Council shall have been —

- (a) Agreed to by the Council without Amendment, a Message shall be sent informing the Assembly thereof.

- (b) Agreed to, with Amendments, the Bill shall be returned to the Assembly with a Message requesting its concurrence therein.
- (c) Disagreed to, the Bill shall be returned to the Assembly with a Message containing the Reasons for such disagreement.

297. Further procedure on assembly's amendments

If the Assembly returns the Bill with a Message informing the Council that it —

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

The Council may —

- (a) Not insist on disagreeing; or not insist on disagreeing but propose further amendments to the amendments to which it had previously disagreed, and make, if necessary, consequential amendments to the Bill; or may insist on its disagreements to such amendments;

And may —

- (b) Withdraw its amendments and agree to the Assembly's original amendments; or make further amendments to the bill consequent upon the rejection of its amendments; or propose other amendments as alternative to the amendments to which the Assembly has disagreed; or may insist on its amendments to which the Assembly has disagreed;

And may —

- (c) Agree, with or without amendment, to such further amendments of the Assembly, making consequential amendments to the Bill, if necessary; or may disagree thereto and insist on its own amendments which the Assembly has amended -

and in all such cases, if the Bill be again returned by the Assembly without agreement being arrived at, the Council shall order the Bill to be laid aside.

298. Bills received from assembly

Bills coming to the Council for the First time from the Assembly may be forthwith read a First time, and shall afterwards be severally proceeded with in all respects in pursuance of Orders of this Council; but the Clerk shall certify at the top of the first page of every such Bill as shall pass without amendment, that "The Legislative Council has this day agreed to this Bill"; and at the top of every such Bill as shall pass with amendments, that "The Legislative Council has this day agreed to this Bill with amendments".

299. When amended to be returned

If any such Bill be amended, it shall be returned to the Assembly with the amendments, and a Message requesting its concurrence therein.

300. Council's amendments

In cases where the Assembly -

- (a) Disagrees to amendments made by the Council; or
- (b) Agrees to amendments made by the Council with amendments,

the Council may —

- (c) Insist or not insist on its amendments; or not insist on its amendments and propose other amendments as alternative to the amendments to which the Assembly has disagreed; or may make further amendments to the Bill consequent upon the rejection of its amendments,

and may —

- (d) Agree to the Assembly's amendments on its own amendments with or without amendment, to making consequential amendments to the Bill, if necessary; or may disagree thereto and insist on its own amendments which the Assembly has amended,

and a Message shall be sent to the Assembly acquainting it with the Council's decision in respect to the amendments in question; and where the Council has insisted on any of its amendments to which the Assembly has disagreed, such message shall contain the reasons for so insisting.

301. Amendments insisted on

When the Council has insisted on any of its amendments to which the Assembly has disagreed, a committee shall be appointed to draw up reasons for the Council's so insisting, which committee may meet while the Council is sitting.

302. Message communicating passing of bill

The final passing by the Council of every bill received from the Assembly shall be communicated to that House by message.

303. Governor's amendments

- (1) Amendments proposed by the Governor to be made to a Bill, which has been presented for the royal assent, shall, if such Bill originated in the Council, be considered by the Council, and such amendments may be agreed to, disagreed to, agreed to with amendments, or other amendments may be proposed.
- (2) When the Council has agreed to any amendments proposed by the Governor, such amendments, together with any amendments which may have been proposed by the Council, shall be transmitted to the Assembly with a message requesting its concurrence therein.
- (3) If the Governor's amendments are returned to the Council with amendments, such amendments shall be dealt with in the same manner as amendments made by the Assembly in Bills originating in the Council.
- (4) When amendments are proposed by the Governor to a Bill which originated in the Assembly, the Council shall await a Message from the Assembly in regard to such Amendments before taking the same into consideration.

304. Printing and custody of passed bills

All Bills which have passed both houses shall be printed on vellum, and it shall be the duty of the Clerk of the Council to keep such Bills until required by the President for presentation.

305. Presentation of bills for royal assent

All Bills shall be presented to the Governor for the Royal Assent by the President of the Council, except Bills for the appropriation of any part of the revenue.

306. Numbering and enrolment of acts

Acts assented to on behalf of the Sovereign shall be numbered by the Clerk of the Council immediately before the title, in the order of such assent, with the date of such assent added next after the title, commencing a new series of numbers with each calendar year; and shall, within seven days after receiving the royal assent, be transmitted by the Clerk to the Registrar of the Supreme Court for enrolment.

PART 28 – SPECIAL PROVISIONS RELATING TO BILLS WHICH THE COUNCIL MAY NOT AMEND

307. Budget debate

- (1) After the tabling of budget papers and prior to receipt of the appropriation bill from the Assembly, the principle of such Bill shall be debated by means of a ‘take note’ motion.
- (2) Following the first reading of the appropriation Bill and provided the ‘take note’ motion has been agreed to, the President shall put the question without amendment and without debate, “That the Bill be now read the second time”.

308. Procedure in committee

When the Bill is under consideration in committee, the Chair shall, unless otherwise ordered, call on each clause, schedule, or item, and ask if any Member has any request to make thereon. If a motion for a request is not made, or if a motion for a request is not agreed to, the Chair shall declare the clause, schedule or item agreed to. If motions for requests are made and agreed to, the Chair shall declare the clause, schedule, or item agreed to, subject to the requests being complied with.

309. Request for amendments

The following motions may be made when such Bill is under consideration in committee:—

- (a) that the Assembly be requested to strike out any item or provision.
- (b) that the Assembly be requested to amend any item or provision.
- (c) that the Assembly be requested to add or insert any item or provision.

310. Report of bill

After the Bill has been fully considered in committee, the Chair shall be directed to report the Bill without any request for amendment, or to report the Bill with the request for an amendment or requests for amendments, to the Council.

311. When reported with request

When the Bill has been reported with any request for amendment, a time shall be appointed for taking the same into consideration, and on consideration thereof each request may be agreed to, disagreed to, or amended and agreed to.

312. Returned to assembly with request

Whenever any request for amendment has been agreed to by the Council, a message shall be sent to the Assembly, returning the Bill with a schedule containing the amendment requested, and requesting that House to amend the Bill accordingly.

PART 29 – BILLS WHICH THE COUNCIL MAY NOT AMEND

313. Procedure when request not met

If the Bill is returned to the Council by the Assembly with any requests not agreed to, or agreed to with modification, any of the following motions may be moved: —

that the requests be pressed;

that the requests be not pressed;

that the modification be agreed to;

that the modification be not agreed to;

That some other modification of the original request be made;

That, subject to a request as to some other item or provision being agreed to by the Assembly —

- (a) the request be not pressed: or
- (b) the modification be agreed to.

314. Procedure when request pressed

In any case where the Council resolves to press any Request for Amendment it shall return the Bill to the Assembly with a Message containing the Reasons for the Council so pressing its Request, which Reasons shall be drawn up by a Committee appointed for that purpose, and such Committee may sit while the Council is sitting.

315. Request for amendments complied with

If the Bill is returned from the Assembly with a message completely complying with the requests of the Council as originally made, or as modified, the Bill, as amended, may be read a third time.

316. Laying aside of bill

In the event of the Assembly insisting on disagreeing to any request for amendment made by the Council, or in the event of the Assembly insisting on any modification to any request of the Council to which the Council has disagreed, the Council when all avenues are exhausted, may lay the Bill aside.

PART 30 – LAPSED BILLS

317. Resumption of bills on prorogation

- (1) Any Bill, initiated in the Council, which lapses by reason of a prorogation before it has been sent to the Assembly, may be proceeded with in the next session by a resolution of the Council restoring it to the notice paper.
- (2) 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 Assembly has not taken place between such two sessions, under the following conditions: -
 - (a) If the Bill, in whichever House it originated, has been sent to the other House and then returned by message to the House in which it originated, 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.
- (3) 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 the royal assent.
- (4) Should the motion for restoration of 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 31 – TABLED PAPERS

318. Tabled papers

Papers including records in any form may be ordered to be laid before the Council.

319. Perusal of papers ordered to be tabled

All Departmental files and documents, laid before the Council by Order, shall be available for perusal by Members of the Council only; unless such Order or a subsequent Resolution directs that the files and documents are available for perusal by persons other than Members.

320. Papers from Governor

When the royal prerogative is concerned in any paper or record, an address shall be presented to the Governor, requesting the paper be laid before the Council.

321. Papers tabled pursuant to act

Papers may also be tabled pursuant to act of parliament, or by command of the Governor.

322. Laid upon table by clerk

Papers and other records required to be laid before the Council by any act of parliament, or by any order of the Council, may be deposited in the Office of the Clerk to be laid upon the table.

323. Order communicated to Premier

All orders for papers made by the Council should be communicated to the Premier by the Clerk.

324. Copies of papers for assembly

The Clerk of the Council shall transmit to the Clerk of the Assembly a sufficient number of all papers printed by order of the Council for distribution to the Members of the Assembly.

325. Custody of papers

The custody of the journals, records and papers, presented to the Council, shall be in the Clerk, who shall neither take nor permit to be taken any of such journals, records or papers from the chamber or offices without the express leave or order of the Council, or during any adjournment or prorogation, by leave of the President.

326. Publication of papers

A list of papers which have been tabled will be published in the votes and proceedings.

327. Printing of papers

Immediately following tabling of a paper or report, a motion may be moved that it be printed or that consideration of the paper or report be made an order of the day for a future day.

328. Papers in assembly's possession

Any paper in the possession of the Assembly may be requested by message in order that it be laid on the table of the Council.

PART 32 – ELECTION OF SENATORS

329. Joint meetings

After the Governor has notified the President 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 Assembly for a joint sitting not sooner than seven days after the receipt of the Governor's message.

330. Conduct of election

At the joint sitting the members present shall proceed to elect their presiding officers in the same manner as the Assembly elects its presiding officer.

PART 33 – CITIZENS’ RIGHT OF REPLY

331. Citizens’ right of reply

- (1) A person who has been referred to in the Legislative Council by name, or in such a way as to be readily identified, may make a submission in writing to the President:—
 - (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 President is satisfied that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character, the President may make a determination on the matter or refer the matter to a Committee. The President may determine with the advice of such a Committee where necessary:—
 - (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 into *Hansard* and the President shall inform the Council 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 President or 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 Legislative Council to that person and then consult with the Member prior to any response being presented to the Council; and
 - (c) shall not consider or judge the truth of any statements made in the Council or the submission.

- (4) A response presented to the Legislative Council —
 - (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 President 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) Any events prior to the passing of this Order are expressly excluded from its provisions.

PART 34 – RADIO AND TELEVISION BROADCASTING

332. Proceedings in council or in committee may be:

- (a) transmitted by sound to offices within the precincts of Parliament House; or
- (b) published in electronic form; or
- (c) recorded in sound and/or visual form by persons and organisations outside Parliament House —

on such terms and conditions as may be determined by the President from time to time.

333. Transmission and broadcasting of proceedings may be undertaken by radio and television stations on condition that the broadcasting and re-broadcasting is in compliance with such terms and conditions as determined by the President from time to time.

PART 35 – MISCELLANEOUS

334. Orders etc read

The Council may, on motion of a member, order any order or resolution of the Council, or any statute, or other similar matter, to be read.

335. Resolution may be rescinded

A resolution, or other vote of the Council, may be read and rescinded; provided at least a day's notice of motion has been given. To correct irregularities or mistakes one day's notice requirement shall not be necessary. *This standing order may not be suspended.*

336. Order discharged

An order of the Council may be read and discharged.

337. Absence of Clerk

In case of the illness or absence from other cause of the Clerk of the Council, the duties of Clerk shall be performed, during such absence by the Deputy Clerk or an officer appointed by the President.

338. Votes and journals same

The printed votes and proceedings of the Council shall constitute and be taken to be also the journals of the Council.

PART 36 – VISITORS

339. Visitors to council

- (1) The President only shall have the privilege of admitting visitors to the President's reserve and the public gallery of the Council Chamber, but Members may admit visitors by leave of the President, to the President's reserve.

- (2) The benches beyond the Bar of the Council may be used by Members of the Council, and Members and Table Officers of the Assembly.
- (3) The Gallery against the southern wall of the Council chamber shall be the public gallery.

PART 37 – SUSPENSION OF STANDING ORDERS

340. Suspension of standing orders

Any sessional or standing order, except standing orders Nos. 74, 264, and 335, may be suspended provided notice of motion has been given.

341. Suspension in cases of urgent necessity

In case of urgent necessity any sessional or standing order, except standing orders Nos. 74, 264 and 335, may be suspended by leave of the Council on motion without notice.

PART 38 – PROTEST

342. To be delivered before Council next meets

Members shall have a right to protest or enter their dissent, either with or without reasons, to any vote of the Council without asking leave of the Council, provided they deliver such protest or dissent in writing to the Clerk of the Council before the time of meeting fixed for the next sitting day; and such protest or dissent shall be entered on the votes and proceedings of the Council.

The Legislative Council agreed to these Standing Orders on 19 October 2004, and they were approved by His Excellency the Governor on 6 January 2005.

The Legislative Council agreed to the incorporation of New Standing Order No. 196A [Dissenting Statements in Report] on 15 April 2008. The amendment was approved by His Excellency the Governor on 23 June 2008.

The Legislative Council agreed to changes to Standing Orders 10(2)(a), 27 and 49(c) on Tuesday, 23 November 2010. The amendments were approved by His Excellency the Governor on 29 November 2010.

S.L. SMITH
President

D.T. PEARCE
Clerk of the Council