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1858.

T A S M A N I A.

STANDING RULES AND ORDERS.

**REPORT OF THE SELECT COMMITTEE, WITH REVISED
RULES AND ORDERS.**

Brought up by Mr. Nairn, and ordered to be printed, 22 October, 1858.



R E P O R T.

THE Select Committee appointed on the 8th of September, 1858, to revise the Standing Rules and Orders of this Council, have the honor to report that they have revised such Rules and Orders; and they now submit them thus revised for the consideration of the Council.

W. NAIRN, *Chairman.*

Legislative Council,

22 October, 1858.

GENERAL CONDUCT OF BUSINESS.

1 In all cases not specially provided for herein-after, or by Sessional or other Orders, resort shall be had to the Rules, Forms, and Usages of the Commons House of the Imperial Parliament, which shall be followed so far as the same can apply to the Members of the Council.

2 The President shall take the Chair within half an hour of the time appointed for the meeting of the Council; and if at the expiration of such half-hour there be not Seven Members present, including the President, shall adjourn the Council to the next sitting day.

3 The Member presiding in the Chair in the absence of the President shall exercise the same authority and perform the same duties as the President; but shall give place to the President on his arrival in the Council.

4 If at any time after the commencement of the Business of the Day notice be taken that there is not a Quorum of Members present, the President shall count the House; and if there be not a Quorum present, shall, by his own authority, adjourn the Council to the next day of meeting, or to such shorter period as he may deem fit.

5 No Order for a Call of the House shall be made for any earlier period than Seven days from the date of such Order.

6 The time for the ordinary Meeting of the Council shall be four o'clock, unless some other time shall have been agreed upon.

7 The House shall proceed each day with—
1. Petitions; 2. Giving Notices of Motions;

3. Orders of the Day and Motions in the order in which they are set down in the Order Book.

8 On days fixed for the consideration of Government Business, matters relating thereto shall take precedence of all other Business.

9 All Orders for Papers made by the Council shall be communicated to the Colonial Secretary by the Clerk.

10 At the commencement of every Session a Select Committee on Printing shall be appointed; and to this Committee shall be referred all Petitions received, and also all Papers in answer to Addresses, or in return to Orders of the Council, which shall not have been ordered to be printed on the Motion of the Member who shall have laid them on the Table; and it shall be the duty of such Committee to report from time to time which of the Petitions and Papers referred to them ought in their opinion to be printed, and no other Petitions or Papers shall be printed unless on Special Motion upon Notice, in exception to the general operation of this Rule.

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

12 The printed Votes and Proceedings shall constitute and be taken to be also the Journals of the Council.

13 The custody of the Minutes and Records, and of all Papers and Accounts whatsoever, so presented to the Council shall be in the Clerk, who shall neither take nor permit to be taken any of such Minutes, Records, or Accounts from

the Chamber or Offices without the express leave of the Council.

PETITIONS.

14 No Petition shall be presented after the House has proceeded to the Order of the Day.

15 No Petition shall be presented making reference to any Debate in the Council or in the House of Assembly, or containing language disrespectful to any Member of the Legislature, or couched in offensive or intemperate language, or containing any prayer which it is not competent for the Council to entertain.

16 Every Member presenting a Petition shall affix his name thereto at the beginning thereof.

17 Every Petition must be in writing, and not printed or lithographed, and in the English language, and be signed by the Petitioners themselves, and no one else, except in cases of incapacity or sickness.

18 Every Petition must contain at the end the prayer thereof, and must be signed by at least one person on the skin or sheet on which it is written.

19 It shall be incumbent on every Member presenting a Petition to acquaint himself previously with its contents, and ascertain that they are not in any respect in violation of the Standing Orders.

20 No letter, affidavit, or other document shall be attached to a Petition, unless such Petition relates to a Private Bill.

21 Every Member presenting a Petition (not being one relating to a Private Bill) shall state merely from what party it comes,—how many signatures are attached to it,—what are its material allegations,—and what is its prayer.

22 The only Question entertained by the Council on the Presentation of a Petition shall be—"That the Petition be received;" and no discussion shall take place in reference to such Petition, but it may be read by the Clerk if required.

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

NOTICES OF MOTION.—MOTIONS.—ORDERS OF THE DAY.—QUESTIONS.

24 The ordinary Business of each day consists of Motions and Orders of the Day.

NOTICES OF MOTION.

25 Every Member giving Notice of a Motion shall deliver to the Clerk at the Table a copy of such Motion, fairly written or printed, together with his name and the day on which he purposes to bring it forward.

26 A Member may give Notice for any other Member.

27 Every Notice of Motion shall be printed and circulated with the Votes and Proceedings.

28 After a Notice of Motion has been given, the terms thereof may be altered by the Member on delivering at the Table an amended Notice.

29 No discussion shall take place on a Notice of Motion except with reference to the day on which the Motion shall be made.

30 No Notice of Motion shall be received after the Council has proceeded to the Orders of the Day.

MOTIONS.

31 No Member shall make any Motion, initiating a subject for discussion, except in pursuance of Notice.

32 It shall be in order, on the presentation of any document (except a Petition), to move without notice that it be printed, and to appoint a day for its consideration.

33 Motions shall take precedence of Orders of the Day, and be moved in the order in which they stand on the Notice Paper; and every Motion not then made, unless postponed by leave of the Council, shall be expunged therefrom.

34 A Motion may be made by leave of the House, but if any Member object thereto it shall not be proceeded with.

35 Any Motion not seconded shall be forthwith dropped, and no entry thereof made in the Votes and Proceedings.

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

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

ORDERS OF THE DAY.

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

39 The Orders of the Day are to be disposed of in the order in which they stand upon the Paper, the right being reserved to the Ministers of placing Government Orders at the head of the List in the order in which they are to be taken.

QUESTIONS.

40 When a Motion has been made and seconded, a Question shall be proposed to the Council by the President.

41 A Question may be superseded by—
1. An adjournment of the Council on the Motion of a Member; 2. By notice being taken, and its appearing, that Seven Members are not present; 3. A Motion that the Orders of the Day be now

read on days on which Motions have precedence of the Orders of the Day; and 4. By moving the Previous Question, as explained hereafter.

42 If a Debate on any Motion moved and seconded be interrupted by the Council being counted out, such Debate may be resumed at the point when it was so interrupted on Motion on Notice.

43 If a Debate on any Order of the Day be interrupted by the Council being counted out, such order may be restored to the Paper for a future day on Notice on Motion, and such Debate shall be resumed at the point where it was interrupted.

44 If the discussion of a Question in a Committee of the whole House be interrupted by the want of a Quorum, the Council may order the resumption of the Committee on a future day on Motion on Notice, and the discussion of such Question shall be resumed at the point where it was interrupted.

45 So soon as the Debate is closed, the President shall put the Question to the House.

46 A Question being put shall be resolved by the majority of voices—Aye or No.

47 The President shall state whether in his opinion the Ayes or Noes have it; but on the demand of any Member the Question shall be determined by a Division.

48 No Question or Amendment shall be proposed which is the same in substance as any Question which during the same Session has been resolved in the Affirmative or Negative.

49 A Resolution or other Vote of the Council may be read or rescinded.

50 An Order of the Council may be read and discharged.

ADJOURNMENT.

51 A Debate may be adjourned to a later hour on the same day or to any other day to be specified therein.

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

53 A Motion for the Adjournment of the Council cannot be moved after it has been negatived until some other Question has intervened.

54 A Member speaking to the Adjournment may also speak to the main Question.

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

56 The Motion for Adjournment to supersede a Question must be simply, "That the Council do now adjourn."

57 A Member who has spoken cannot move

the Adjournment of the Council or the Adjournment of the Debate, but he may speak on the Motion of Adjournment when it is made.

58 No Notice of Motion or Order of the Day shall lapse by an Adjournment of the Council, from whatever cause, but the same respectively shall stand for the day of Adjournment: Provided that all Notices and Orders specifically for that day shall have precedence.

RULES OF DEBATE.

59 Every Member desiring to speak is to rise in his place uncovered, and to address himself to the President.

60 By the special indulgence of the House, a Member, unable conveniently to stand by reason of sickness or infirmity, will be permitted to speak sitting and uncovered.

61 Members can only speak to a point of Order while the House is dividing by permission of the President, and while speaking are to sit covered.

62 No Member may speak to any Question after the same has been put by the President, and the Voices have been given in the Affirmative and Negative thereon.

63 When two or more Members rise to speak, the President calls upon the Member who first rose in his place.

64 A Motion may be heard that any Member who has risen "be now heard" or "do now speak."

65 A Member may speak to any Question before the House, or upon a Question or Amendment to be proposed by himself, or upon a Question of Order arising out of the Debate, but not otherwise.

66 At the time of giving Notices of Motion Questions may be put to Ministers of the Crown relating to Public affairs, or to any other Member relating to any Bill, Motion, or other Public matter connected with the business of the House in which such Member may be concerned; but no such Question shall be put to any Minister or Member without previous Notice unless with his consent. In putting any such Question no argument or opinion is to be offered, nor any fact stated, except so far as may be necessary to explain such Question.

67 In answering any such Question a Member shall not debate the matters to which the same refers.

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

69 A Member who has spoken to a Question may be heard to explain himself in regard to some material part of his speech, but shall not introduce any new matter.

70 No Member may speak twice to a Question before the House, except in explanation or in Committees of the whole House.

71 A reply is allowed to a Member who has made a substantive Motion to the House, but not to any Member who has moved an Amendment or an Instruction to a Committee.

72 No Member can interrupt another while addressing the Council, except for the purpose of explaining his personal conduct.

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

74 Upon a Question of Order being raised the Member called to Order shall resume his seat; and immediately after the Question of Order has been stated to the President by the Member rising to the Question of Order, the President shall give his opinion thereon without further discussion: but it shall be competent for any Member to take the sense of the Council after the President has given his opinion, and in that case any Member may address the Council upon the Question.

75 No Member is to allude to any Debate of the same Session except in general terms upon a Question on a Bill that has been disposed of by the Council during the Session, except by the indulgence of the Council for personal explanation.

76 No Member may reflect upon any Vote of the Council except for the purpose of moving that such Vote be rescinded.

77 No Member may allude to any Debate in the other House of Parliament.

78 No Member may use the name of Her Majesty or the Governor irreverently in Debate, nor for the purpose of influencing its deliberations.

79 No Member shall use offensive words against either House of Parliament, nor against any Statute.

80 No Member may refer to another by name.

81 No Member may use unbecoming or offensive words in reference to any Member of Council.

82 No Member shall digress from the subject matter under discussion, or comment upon expressions used by any other Member on a previous Debate; and all imputations of improper motives, and all personal reflections, shall be highly disorderly.

83 When any Member objects to words used in Debate, and stating them desires them to be taken down, the President, if it appears to be the pleasure of the Council, shall direct them to be taken down accordingly.

84 In a Committee of the whole Council the Chairman, if it appears to be the pleasure of the

Committee, will direct words to be taken down in order that the same may be reported to the Council.

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

86 Any Member having used objectionable words and not explaining or retracting the same, or offering apologies for the use thereof, shall be censured or otherwise dealt with as the Council may think fit.

87 Members shall not be permitted to prosecute any quarrel arising out of Debate or Proceedings of the Council or any Committee thereof.

88 No Member shall make any noise or disturbance whilst any Member is orderly debating, or whilst any Bill, Order, or other matter is being read or opened; and in case of such noise or disturbance the President shall call upon the Member by name making such disturbance, and every such person will incur the displeasure and censure of the House.

89 Order shall be maintained in the House by the President, and in a Committee of the whole House by the Chairman of such Committee; but disorder in a Committee shall only be censured by the House on receiving a Report.

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

91 Every Member against whom any charge has been made, having been heard in his place, shall withdraw while such charge is under debate.

PREVIOUS QUESTION.

92 The Previous Question, until decided, shall preclude any Amendment of the main Question, and shall be in the following words—“ Shall the Question be now entertained ?”

93 If it is resolved that the main Question shall be entertained, any Amendment on it may then be moved.

94 Whenever the Previous Question shall be proposed upon any Question consisting of a series of Resolutions, which have been brought under Discussion or Debate as one Motion, with the understanding that the Question be put on such Resolutions *seriatim*, the decision of the Previous Question before putting the Question on the first of such Resolutions shall be conclusive, whether in the affirmative or negative, as regards the whole of such Resolutions.

DIVISIONS.

95 Whenever a Division is demanded the Members present shall take their seats, the Ayes on the right and the Noes on the left of the Chair; and the President shall appoint Tellers, one from each side, and shall declare which has

the majority from Lists of the Members handed to him by the Tellers.

96 Before any Division Strangers shall withdraw from the Body of the House within the Bar of the House, but may remain below or in the Gallery unless otherwise ordered.

97 An entry of the Division Lists shall be made in the Journals.

98 No Member shall vote in any Division unless he was present in the House when the Question was put, and the Vote of any Member not so present shall be disallowed.

99 Every Member present in the House when the Question is finally put must vote.

100 If the Members have been inaccurately reported, the House, on being afterwards informed thereof, may order the Journal to be corrected.

101 In case of an equality of Votes the President shall give his casting Vote, and shall state the reasons of his Vote.

102 Divisions shall be taken in Committee of the whole House in the same manner as in the House itself.

103 No Member shall be entitled to vote on any Question in which he has a direct pecuniary interest, either in the whole House or in Committee, and the Vote of any Member so interested shall be disallowed.

COMMITTEES OF THE WHOLE HOUSE.

104 A Committee of the whole House is appointed by a Resolution, "That this House will resolve itself into a Committee of the whole House."

105 When such a Resolution has been agreed to, or an Order of the Day read for the House to resolve itself into Committee, the President puts a Question, "That I do now leave the Chair," which being agreed to, he leaves the Chair accordingly.

106 When a Bill or other matter has been partly considered in Committee, and the Chairman has been directed to report progress and ask leave to sit again, and the House has ordered that the Committee shall sit again on a particular day, the President, when the Order for the Committee has been read, is forthwith to leave the Chair without putting any Question, and the House thereupon resolves itself into Committee.

107 So soon as the President leaves the Chair, the Chairman shall take the Chair of the Committee at the Table.

108 The Committee shall consider such matters only as have been referred to them by the House.

109 Every Question in Committee shall be decided by a majority of voices, and in case of an equality of voices the Chairman shall give a casting voice.

110 A Motion made in Committee need not be seconded.

111 No Motion for the Previous Question shall be made in Committee.

112 When there comes a Question between the greater and lesser sum or the longer or shorter time, the least sum and the lowest time shall first be put to the Question.

113 The same order in Debate shall be observed as in the House itself.

114 In Committee Members may speak more than once to the same Question.

115 If any sudden disorder should arise in Committee, the President will resume the Chair without any Question being put.

116 If notice be taken, or it appear on a Division in Committee, that Seven Members including the Chairman are not present, the Chairman leaves the Chair and the President resumes the Chair.

117 If there be Seven Members when the House is counted by the President, the House again resolves itself into a Committee of the whole House; but if the Council be thereupon adjourned for want of a Quorum, the Council may, on Motion on Notice, order the resumption of such Committee, and the discussion of such Question shall be resumed at, and all other proceedings restored to, the point at which they were interrupted.

118 After all the matters referred to the Committee have been considered, the Chairman is directed to report the same to the House.

119 When all such matters have not been considered, the Chairman is directed to report progress and ask leave to sit again.

120 A Motion that the Chairman do now leave the Chair will, if carried, supersede the proceedings of a Committee.

121 Every Report from a Committee of the whole House is to be brought up without any Question being put.

122 Lists of Divisions in Committees of the whole House shall be printed weekly.

AMENDMENTS.

123 A Question having been proposed may be amended by leaving out certain words only, in order to insert or add other words, or by inserting or adding words.

124 An Amendment proposed but not seconded will not be entertained by the Council nor entered in the Votes and Proceedings.

125 No Amendment may be proposed to any words which the House has resolved shall stand part of a Question, or shall be inserted or added to a Question, except the addition of other words thereto.

126 A proposed Amendment may, by leave of the Council, be withdrawn.

127 When an Amendment has been made, the main Question is then put as amended.

128 When Amendments have been proposed but not carried the Question is put as originally proposed.

129 When a Member has proposed a Resolution to which an Amendment is moved, he cannot substitute another Motion until the Amendment to the original Resolution has been withdrawn.

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

131 One Amendment must be disposed of before another can be entertained.

SELECT COMMITTEES.

132 It shall not be compulsory on the President to serve on any Select Committee.

133 No Select Committee shall consist of less than Three or more than Seven Members, unless the Council shall otherwise order.

134 Every Notice of Motion for the appointment of a Select Committee shall specify the Names of such Committee, the Mover being one.

135 If upon such Motion any one Member so require, the Committee shall be formed as follows:—Each Member shall give to the Clerk a List of the Members whom he desires to serve on such Committee, not exceeding the number proposed; and the Members who shall have the greatest number of votes, as reported by the Clerk, shall be declared by the President to be the Members of such Committee.

136 If any such List contain more than the proper number of Names, it shall be rejected; and if Two or more Members on any such List have an equality of Votes, the President shall determine which shall serve on the Committee.

137 If the Mover desire that the Committee shall be chosen by Ballot, he may give Notice that he will move for a Committee of a certain number of Members to be chosen under Rule 134.

138 Every Notice of Motion for discharging, adding, or substituting Members of a Select Committee shall contain the Names of such Committee.

139 In all Select Committees Three shall form a Quorum, unless otherwise specially ordered; and if at any time during the sittings of a Committee such Quorum be not present, the Clerk of the Committee shall call the attention

of the Chairman to the fact, who shall thereupon suspend the proceedings of the Committee until a Quorum be present, or shall adjourn the Committee to a future day.

140 Every Select Committee before the commencement of business shall elect its own Chairman. In his absence the Members present shall elect another to act *pro tempore*.

141 Select Committees may meet for the dispatch of business on any day, except Sunday, during any adjournment of this Council which shall not exceed seven days.

142 Every Report of a Select Committee shall be signed by the Chairman on behalf of the Committee.

143 Lists of the Members serving on such Select Committee shall be exhibited in some conspicuous place in the Clerk's Office, and in the Lobby of the House.

144 At the request of any Member, or in his own discretion, the Chairman of any Select Committee shall order the withdrawal of Strangers at any time.

145 Any Member of the Council shall be at liberty to be present at any Select Committee, but shall not be allowed to speak, or in any way interfere in the proceedings of the Committee.

146 The Chairman of a Select Committee may summon, or direct the Clerk of the Council to summon, the Witnesses to be examined before such Committee.

147 Every Select Committee shall have power to award payment to any professional or other Witnesses they may deem it necessary to summon, or to any professional or other assistance they may be authorised to employ in furtherance of the enquiry with which the Committee is charged; and the production of the Chairman's Certificate by any such Witness, with a copy of such award signed by the Clerk of Select Committees, shall entitle him to the President's written order to the Clerk for payment of such sum as may be therein stated to be due to him for the special service to be therein named; and such Order, with the Chairman's Certificate, and the copy of the award thereto appended, shall be sufficient authority and discharge to the Clerk for making such payment out of any public moneys in his hands, or by the ordinary course of public payments through the Colonial Treasury; and every such award, with the sum awarded, the particulars of the service rendered, and the name of the party in whose favour made, shall be entered on the Minutes of the Proceedings of the Committee.

148 No Select Committee of the Council shall confer with a Select Committee of the Assembly without an Order of this Council made on Motion.

149 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.

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

151 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 this Council by its own Committee.

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

153 If that Motion be carried, the same shall be communicated by Message to the Assembly, with a request that they will agree to the appointment of such Joint Committee: upon being informed of such agreement, the Council will appoint the Members to serve on such Committee.

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

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

156 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.

157 The presence of at least Three of the Members appointed by the Council to serve on a Joint Committee shall be necessary at every Meeting of such Committee.

158 The Chairman of every Joint Committee may be appointed by the majority of the Members present at any Meeting thereof.

159 When the Committee has concluded its Sittings, the Members of the Council serving thereon shall report in writing to this Council the proceedings of such Committee.

MESSAGES FROM THE GOVERNOR.

160 Whenever a Message from the Governor is announced, the business before the Council shall be suspended, and the bearer of the Message be introduced.

161 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.

MESSAGES BETWEEN THE TWO HOUSES.

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

163 Every Message from the Council to the Assembly shall be in writing, signed by the President, and entered upon the Journals, and delivered to the Speaker by Two or more Members named by the President.

164 Every Message from the Assembly to the Council, if conveyed by Members of that House, shall be received by the President at the Bar, and the business before the Council shall be suspended. The President shall then 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.

165 This Council will receive from the House of 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, with a statement of the Assent of the House of Assembly thereto, being delivered together with such Message and Bills.

CONFERENCES.

166 Conferences desired by the Council with the House of Assembly, in which the differences that may arise between the two Houses upon Bills or other matters may be discussed, shall in all cases be requested by Message.

167 During any Conference between the two Houses the business of the Council shall be suspended.

168 Every Notice of Motion requesting any Conference between the Houses shall contain the names of the Members proposed by the Mover to be Managers of such Conference for the Council.

169 If upon such Motion any One Member shall so require, the Managers for the Council shall be selected in the same manner as the Members of a Select Committee.

170 In requesting any Conference, the Message from the Council shall state, in general terms, the object for which the Conference is desired, and the number of Managers proposed to serve thereon.

171 The Managers to represent the Council at any Conference required by the House of Assembly shall consist of at least one-third of the number of those of the Assembly.

172 Conference is to be required by that House which, at the time of the Conference demanded, shall be possessed of the Bill, and not of the other House.

173 In cases in which the House of Assembly disagree to any Amendments made by the Council, or insist upon any Amendments to which the Council have disagreed, the Council

are willing to receive the reasons of the House of Assembly in writing for their disagreeing or insisting (as the case may be) by Message, without a Conference, unless at any time the House of Assembly should desire to communicate the same at a Conference.

174 When a Conference is agreed to, such agreement is communicated by Message.

175 In respect of any Conference requested by the Assembly, the time and place for holding the same shall be appointed by the Council; and when the Council requests a Conference, the Council will agree to its being held at such time and place as shall be appointed by the Assembly.

176 At all Conferences requested by the Assembly, the Managers for the Council shall assemble at the time and place appointed, and receive the Managers of the Assembly.

177 If either House should not insist upon its Amendments, or its disagreement to Amendments to any Bill, after a Conference, such Resolution shall be communicated by a Message.

178 The time for holding a Conference being come, the names of the Managers are called over, and they repair to the Conference Chamber.

179 At all Conferences, the Managers for this Council shall be at liberty to confer freely, by word of mouth, with the Managers for the Assembly.

180 In all cases of Conference, the Managers for the Council shall, when the Conference has terminated, return to this House and report their proceedings.

PUBLIC BILLS.

181 Every Public Bill initiated in the Council shall be introduced either by a Motion for leave to bring in the Bill, specifying its general objects, or by a Motion for a Committee of not less than Two Members to prepare and bring it in, or by an Order of the House on the Report of a Select Committee.

182 The Member having leave, or the Committee appointed to bring in a Bill, shall prepare a Draft of such Bill, with the necessary blanks to be filled up in Committee of the whole House, and shall present a fair copy thereof to the Council on an early day.

183 No Clause shall be inserted in any such Draft foreign to the Title of the Bill; and if any such Clause be afterwards introduced the Title shall be altered accordingly.

184 Matters which have no proper relation to each other shall not be intermixed in one and the same Bill.

185 No perpetual Clause shall be inserted in any Bill the main provisions of which are temporary; and the temporary character of every Bill shall be declared in the Title, and its precise duration mentioned in a distinct Clause at the end.

186 On every Order for the reading of a Bill the Title only shall be read.

187 Every Bill read a first time shall be printed with as little delay as possible, and a copy provided for each Member by the Clerk.

188 After the first reading of a Bill, a future day shall be fixed, on Motion, for its second reading.

189 After the second reading, unless the Bill, on Motion for that purpose, be previously referred to a Select Committee, the Council shall (either then or at a future time) resolve itself into a Committee of the whole for consideration of the Bill in detail.

190 In a Committee of the whole Council, the Question shall be put on each Clause of the Bill separately, leaving the Preamble to be last considered.

191 When the Bill has been settled in Committee, it shall be reported by the Chairman to the Council, with or without Amendments, as the case may be.

192 When the Bill has been so reported, the adoption of the Report may, if without Amendments, be immediately moved, but if with Amendments, such Motion shall be fixed for a future day.

193 If the Report be adopted, a future day shall be fixed, on Motion, for the third reading, and the Bill as reported shall in the mean time be printed.

194 On the Motion for adoption of the Report, or on the Order for the third reading being called or moved, the whole Bill, or any Clause therein, may on Motion be re-committed; but in either case a subsequent day shall be appointed for the third reading.

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

196 Before the third reading, the Chairman of Committees shall certify in writing that the Bill as printed is in accordance with the Bill as reported, and the President shall announce that the Chairman has so certified.

197 No Amendment shall be made in any Bill on the third reading unless Notice thereof have been previously given; but any Amendment, or the addition of any Clause, of which Notice has been given, may be then moved.

198 After the Third Reading, the President shall put the Question, "That this Bill do pass."

199 If the Bill be passed, its Title shall be settled, and 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 their concurrence therein.

200 When any Bill is returned to this Council with Amendments, such Amendments

shall be considered in Committee of the whole Council.

201 Public Bills coming to the Council for the first time from the House of Assembly may, on Motion, be forthwith read a first time, and shall afterwards be severally proceeded with in all respects as similar Bills presented in pursuance of Orders of this House: 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."

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

203 The final passing by the Council of every Bill initiated in the Assembly shall be communicated to that House by Message.

204 Acts assented to on behalf of Her Majesty, and Bills reserved for the signification of Her Majesty's pleasure, shall be numbered by the Clerk of the Council immediately before the Title, in the order of such Assent or Reservation, with the date of such Assent or Reservation added next after the Title, commencing a new series of numbers with each year of Her Majesty's reign.

205 Every Act, after having been so numbered, shall be forthwith transmitted by such Clerk to the proper Officer, to be by him enrolled or otherwise dealt with according to Law.

PRIVATE BILLS.

206 No Private Bill shall be initiated in the Council except upon a Petition first presented, with a printed copy of the proposed Bill annexed; which Petition shall be signed by one or more of the parties applying, and shall state that the Bill does not involve the creation of any new Rate, Tax, or Impost.

207 All such Petitions shall be presented within Thirty Days after the commencement of the Session.

208 Notice of the intention to apply for every Private Bill shall be published once a week for two consecutive weeks in the Government *Gazette*, and in one or more public Newspapers published in Hobart Town and in Launceston; which Notice shall contain a true statement of the general objects of the Bill, and what private interests will generally be affected by such Bill.

209 Every such Petition shall state in the commencement that such Notice has been so given, and shall contain a copy thereof; and the production of the numbers of such *Gazette* and Newspapers respectively, to be filed with the Clerk of the Council, shall be sufficient proof of the giving of such Notice.

210 When such Petition has been received, and the requisite publications proved, Notice

of Motion for leave to bring in the Bill may be given as in the case of Public Bills.

211 When leave to bring in the Bill has been obtained, and before it be read a first time, a sufficient number of copies, printed at the expense of the parties applying in the same form as a Public Bill, shall be delivered to the Clerk for the use of the Council.

212 Before any Private Bill initiated in this Council shall be read a first time, the sum of Twenty-five Pounds shall be paid into the hands of the Colonial Treasurer for the use of the Colony, to meet the expenses attendant on such Bill; and a Certificate of that sum having been paid, to be filed with the Clerk, shall be produced by the Member having charge of the Bill.

213 Every such Bill shall contain a Preamble reciting the circumstances on which the Bill is founded, and the matters in reference to or by reason of which the legislation sought for has become necessary.

214 When the Bill has been read a first time, it shall be referred to a Select Committee to be appointed in the usual manner upon Notice, which Committee shall require proof of the allegations contained in the Preamble.

215 If it shall appear to such Committee that the Notice given in conformity with these Orders is insufficient, the Committee may direct any further Notice which the justice of the case shall require to be specially given before the Bill is reported on.

216 The Committee shall hear the parties in person, or by Counsel or Attorney if it be desired, and may take such oral or other evidence as they think requisite, and decide on all matters in issue between the persons proposing and opposing the Bill; after which the Question shall be put from the Chair—"That this Preamble stand part of the Bill."

217 If the Committee be of opinion that the Preamble has not been proved, they shall report to that effect, which shall be fatal to the Bill: but if it be carried that the Preamble stand part of the Bill, the several Clauses shall be proceeded with, and all Amendments, if any, carefully noted for Report to the Council, care being taken that no Clause be inserted or Amendment made foreign to the import of the Notice given.

218 Upon the Bill being brought up and reported by the Select Committee, it shall be proceeded with as in the case of Public Bills; a future day being appointed for the second reading.

219 Every Private Bill sent up from the Assembly, if accompanied by a printed copy of the Report and Proceedings of the Select Committee of that House to which it shall have been referred, shall be dealt with in the same manner as a Public Bill, and shall not be referred to a Select Committee of this Council, unless on a Motion for such reference.

220 Private Bills shall be presented to the Governor, and otherwise afterwards dealt with,

as in the case of Public Bills, except that they shall not be numbered.

PRESENTATION OF BILLS.

221 All Bills which have passed both Houses of Legislature shall be printed on vellum; and it shall be the duty of the Clerk of the Legislative Council to receive and keep such Bills until required by the President for presentation.

222 All Bills shall be presented to the Governor for Her Majesty's Assent by the President of the Legislative Council, except Bills for the Appropriation of any part of the Revenue.

STRANGERS.

223 The President only shall have the privilege of admitting Strangers to the Body of the Council Chamber; but every Member may admit Three Strangers each day, by Order under his hand, to the Gallery.

224 At the request of any Member, or in his own discretion at any time, the President shall order all or any Strangers to withdraw, and they shall immediately withdraw accordingly.

CONTEMPT.

225 Any Member not attending in compliance with an Order for a Call of the House, and having no reasonable excuse for his absence, shall be held guilty of Contempt.

226 No Member shall absent himself during the Session for more than Seven Days at a time without the express leave of the Council; and any Member wilfully infringing this Order shall be held guilty of Contempt.

227 Any Member who shall wilfully disobey any Order of this Council, or who shall vexatiously interrupt the orderly conduct of its business, shall be held guilty of Contempt.

228 Any Member adjudged by the Council to be guilty of Contempt shall be fined at the discretion of the House in a penalty not exceeding Twenty Pounds; and in default of immediate payment, be committed by order of the President, for a period not exceeding Fourteen Days, to the custody of the Usher of the Black Rod, who shall detain the Member in custody for the period directed, unless sooner discharged by order of the Council, or the Fine be sooner paid, together with a Fee of Two Pounds to the Usher of the Black Rod for every day he shall have been so detained.

229 In case of Complaint made by any Member of the Legislative Council, whereupon any person shall be taken into custody for any offence mentioned in the 3rd Section of the "Act to confer certain Powers and Privileges on the Houses of the Parliament of Tasmania," the Council shall adjudge that there is no ground for such Complaint, the Member who made the Complaint shall pay the fees and expenses of the person so taken into custody, which fees and expenses shall be settled and allowed by the President.

SUSPENSION OF ORDERS.

230 In cases of pressing necessity, any Sessional or Standing Order may be suspended by leave of the Council; but no Motion for that purpose shall be made without due Notice, except on grounds of extreme urgency.

PROTEST.

231 That Members shall have a right to protest or enter their Dissent to any Votes of the Council without asking leave of the Council, either with or without reasons, provided they deliver such Protest or Dissent in writing to the Clerk of the Council before the hour of Four o'clock on the next sitting day of the Council; and such Protest or Dissent shall be entered on the Votes and Proceedings of the Council.