



**Legislative Assembly
Parliament of Victoria**

Fact Sheet 10

Matters of Public Importance

Background

Matters of public importance (MPIs) enable members to raise current issues for discussion. Discussion of MPIs takes place on Wednesday mornings after statements by members, except for the Wednesdays when a grievance debate occurs. Grievance debates are held the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday (see *Fact Sheet 5: Opportunities for Debate*).

Procedure

MPIs must comply with standing orders and Speakers' rulings. Standing Order 39 sets out the procedure for discussions on MPIs:

- Members wishing to suggest a topic for discussion must give the Speaker a written statement of their proposal by 4.00 pm on Tuesday.
- In considering which proposals to accept the Speaker alternates between those made by government members and those by non-government members. Matters allocated to non-government members are divided on a pro-rata basis according to the non-government representation in the House.
- Where more than one MPI is proposed, the Speaker will select one for discussion. An MPI will only proceed if the Speaker determines that it is in order. The Speaker notifies the leader of each party and the independents of the decision before 5.30 pm on Tuesday.
- In exercising this discretion, the Speaker is not making a ruling but acting under the authority provided by the standing orders. As such, the Speaker's decision cannot be challenged by a motion of dissent.
- When the time arrives for the discussion, the Speaker reads the topic proposed and then calls upon the member who made the proposal to open the discussion. Copies of the proposal are also circulated in the Chamber to all members.

- The discussion lasts a maximum of two hours. The first government and non-government speakers may speak for up to 15 minutes and all other members are limited to 10 minutes each.
- There is no vote at all on the topic; it is seen as a matter for discussion rather than a motion before the Chair.
- At any time during the discussion, a motion may be moved by any member 'That the business of the day be called on'. That motion will be put immediately and decided without amendment or debate. If agreed to, the MPI discussion ends immediately and statements on parliamentary committee reports are called on.

Guidelines for deciding whether a proposed matter is in order

The Speaker has ultimate discretion in deciding whether a proposal is in order. The Speaker has issued guidelines for the operation of MPIs and the exercise of discretion in deciding whether a proposed topic is in order. Before a proposed MPI is accepted, a member may be asked by either the Speaker or the Clerk to amend its wording to ensure compliance with the following guidelines:

- The matter must be definite and precisely worded. It would be inappropriate for a wide-ranging issue to be proposed as the time allowed for discussion in the House is limited and members are only notified of the topic the evening before the discussion, allowing insufficient time for preparation.
- The subject matter must be one which the Legislative Assembly has jurisdiction to deal with. A matter, for example, which could only be considered by the Federal Parliament would not be appropriate. In practice the topic is expected to contain an element of ministerial responsibility or come within the scope of a minister's portfolio.
- A member must not attempt to debate a topic which is already listed for debate on the notice paper and which is likely to be debated within a reasonable time. The notice paper lists both bills and motions for discussion. In relation to MPIs, the Speaker exercises a wide discretion in accepting matters which anticipate discussion. The Speaker will not, however, allow discussion on a bill which is due for imminent debate.
- Where the topic covered by the suggested MPI is already being considered by a parliamentary committee, the Speaker will allow it to proceed providing all other guidelines are followed.
- Although the Assembly will generally consider any topic over which it has jurisdiction, a restriction is imposed where a matter is being considered by a court or other judicial body. This is known as the sub judice convention. The Speaker will not allow discussion on a matter which is sub judice. For further details see *Fact Sheet 28: Sub Judice*.
- Another rule of debate for the Assembly is the 'same question rule'. In essence this prevents a motion being moved for discussion on a topic which has already been discussed and decided during the same session of Parliament. If a proposed MPI topic is the same in substance as an earlier

question already decided, the Speaker will consider whether new, different or extenuating circumstances exist and, therefore, whether it is still a matter of public importance which can be discussed.

- Discussions on matters involving legislation may be permitted.
- An MPI must not relate to the character or conduct of a person. If a member wants to raise such issues, he or she can only do so by using a formal procedure; making allegations within an MPI discussion is inappropriate.

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Fact Sheets

The Legislative Assembly Procedure Office has produced a series of Fact Sheets that explain parliamentary procedure and terminology. All Fact Sheets are available on Parliament's website www.parliament.vic.gov.au or through the Procedure Office.

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