



**Legislative Assembly
Parliament of Victoria**

Fact Sheet 32

Divisions

Background

Divisions are part of the formal decision making process of the House.

How are decisions made?

Questions are decided by a majority of members.

On the voices

Whenever the House needs to make a decision the Chair asks 'All of that opinion say "aye", on the contrary "no".' Members call out aye or no depending on which way they want to vote. The Chair then decides whether there are more members voting for or against and announces this to the House. For example 'I think they ayes have it'. This is called 'on the voices'.

Calling for a division

Any member can challenge the Chair's opinion. If this happens a division takes place.

How a division works

Ringling the bells

When a division is required the Chair asks the Clerk to ring the bells. The bells are usually rung throughout Parliament House for three minutes to allow the members to make their way from their offices to the Assembly Chamber.

Locking the doors

Once the bells have stopped ringing the Chair asks for the doors to be locked. After that members cannot enter or leave the Chamber until the division has been completed.

Voting

Voting in a division can take place in one of two ways — a party vote or a personal vote. The two types of divisions are explained later in this fact sheet.

Announcing and publishing the result

Once members have voted, the Chair announces the result to the House.

For example:

Ayes: 63 Noes: 24

The motion is agreed to.

The result of the vote together with the names of the members voting aye and no are then published in the *Votes and Proceedings* and in *Hansard*.

Who votes?

In a division, every member who is in the Chamber must vote. Normally the Chair is not allowed to vote; the Speaker, however, has a casting vote (see later). In practice, this means that if a member wishes to abstain from a vote he or she does not enter the Chamber when the bells are rung for a division.

Additionally, only members who are present may vote. This is particularly relevant for a party vote — whips may only cast votes for members of their party who are present in the Chamber.

What happens if ...

... only one member votes for the ayes or the noes?

Where it becomes obvious that only one member is voting for the ayes or the noes, the Chair must stop the division and immediately announce the result to the House. The member who called for the division may ask for his or her opposition to be recorded in the *Votes and Proceedings*.

... the votes for the ayes and noes are equal?

If there are an equal number of votes for the ayes and noes, the Speaker has a casting vote. For more information see *Fact Sheet 24: Casting Votes*.

... there is an error in the tally?

If the numbers of votes in a division later prove to be wrong, the Speaker will announce the error to the House and direct the Clerk to correct the *Votes and Proceedings*.

If there is confusion about the result of a division, or there is an error in the numbers that cannot be corrected, the Speaker must call another division.

... a member is unable to attend the division?

When a member expects to be absent during a division an informal arrangement between parties called pairing can be used. Pairing allows a member to miss a division by arranging for a member on the other side of the House not to vote as well. For example, an opposition member would pair with a government member and the relative voting strength of both sides would therefore be maintained.

Pairing arrangements are made by the party whips and a pairs book is kept in the Chamber, in which the parties can record the pairs. Pairs are not recorded in the *Votes and Proceedings* or in *Hansard*.

How often are divisions held?

Decisions are made regularly by the House. For example the members must decide whether or not to pass each stage of a bill and each week they decide on the government business program.

A division is not always needed to make a decision. Often the Chair can call the result on the voices. However divisions are regularly required. In 2008, 68 divisions were held and 60 divisions were conducted in 2007.

Divisions are usually requested by non-government members to ensure that their opposition to a bill or decision of the government is officially recorded.

Types of divisions

A party vote

The Legislative Assembly conducts most of its divisions with the party vote system. This system was first trialled in October 2003 and is now part of the Assembly's procedures.

When a party vote takes place, once the bells have stopped ringing, all members in the Chamber must sit in their designated seats. The Chair then requests the Clerk to record the votes.

First the Clerk asks each independent member to vote. They do that by standing in their place and indicating verbally 'Aye' or 'No'.

Then the Clerk asks the whip of each party to cast the party's vote. Parties are asked in order of the size of their parliamentary membership. Each whip will state the number of ayes or noes for members of his or her party.

For example:

Nationals Whip '9 noes'
Liberal Party Whip '23 noes'
ALP Whip '54 ayes'

After the party votes have been given, any member who wishes to vote differently from his or her party, may do so.

Once the result has been announced, the whips must immediately give the Clerk the names of the members of their party who were not present for the vote. This is done so that the names of the voting members can be published in the *Votes and Proceedings* and in *Hansard*.

A personal vote

A personal vote is held instead of a party vote if the question being decided is a conscience issue and members will not be voting along party lines. A personal vote is also held when any of the whips challenges the party vote.

During a personal vote, once the doors are locked, members voting aye move to the right side of the Chamber and members voting no move to the left side. Right and left are from the perspective of the Chair.

The Chair then appoints at least two members from each side to act as tellers. The tellers record the names of the members voting and count the number of votes. The tellers are also assisted by a member of staff from the Parliament, such as the Serjeant-at-Arms.

Traditionally all divisions were held in the format of a personal vote and the physical division of members to the right or left illustrates why this decision making process is called a division.

Issued by the Clerk of the Legislative Assembly, September 2009

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.

Contact Details

Procedure Office, Legislative Assembly, Parliament House, Spring Street, East Melbourne, Vic 3002

Phone No: 03 9651 8563 Fax No: 03 9650 7245 Email: assembly@parliament.vic.gov.au