

**ABSENCE**

**Governor**.....

See reference to **GOVERNOR**.

---

**ABSENCE**

**Member**.....

The Constitution Act and the standing orders of the respective Houses provide that a member's seat becomes vacant if the member fails to attend **one** whole session of the House, unless the member has been given leave of absence by the House and that fact has been "entered upon its journals".

If the member is a Minister or holds some other office, e.g., Government Whip, refer not to the portfolio or office, but only to the electorate.

For temporary absences, such as the absence of a Minister from question time, see **MINISTRY** at page 11.

**ABSENCE**

**Presiding Officers** .....

**At the start of the day**

**Legislative Assembly** Standing Order 16 provides that in the absence of Mr Speaker on a day when the House is sitting, the Clerk shall inform the House, and the Deputy-Speaker or the Chairman of Committees shall perform the duties of Mr Speaker.

In the absence of both Mr Speaker, the Deputy-Speaker and the Chairman of Committees the House shall, before any business is conducted, proceed to the election of an Acting-Speaker.

**Note:** When the Chairman performs the duties of Mr Speaker he is referred to as Mr Acting-Speaker. When at the start of a day one of the panel of Temporary Chairmen takes the chair he is referred to as Mr Acting-Speaker.

Upon Mr Speaker's return, use this form.

In the **Legislative Council** the Constitution Act requires the Chairman of Committees to exercise the functions of the President when the President is not in the State. The Chairman of Committees will announce that he will act as the Acting-President and he does not have to be identified thereafter.

Use this notation following the daily heading on sitting days subsequent to the announcement by the Chairman of Committees that he will be the Acting-President during the absence of the President from the State.

In the absence of the President (but not from the State), Standing Order 4 provides that his duties shall be performed by the Chairman of Committees as the Deputy-President. The Chairman of Committees will probably assume that function without announcing the fact to the House. The Deputy-President does not have to be identified thereafter.

In the absence of the President and the Chairman of Committees, Standing Order 4 provides for one of the Temporary Chairmen of Committees to act as Deputy-President. The member who acts as the Deputy-President should be identified once every two pages.

**During the day**

In the absence of Mr Speaker/the President, the Deputy-Speaker and the Chairman of Committees during the day, one of the panel of Temporary Chairmen will take the chair as Mr Acting-Speaker/the Deputy-President. That member will be identified by name once every two pages.

**ADDRESS-IN-REPLY**

**First Day's Debate.....**

Always hyphenate Address-in-Reply.

Always use a capital letter when referring to the Speech delivered by the Governor.

The remarks of the Chair here are reported in the first person.

The motion is to be checked against the *Minutes/Votes* for content.

Governor's name only in caps and small caps.

Another member will second the motion.

Yet another member will adjourn debate to a later hour or subsequent date.

---

**Resumption of Debate.....**

Debate resumed from an earlier date or hour.

**ADDRESS-IN-REPLY**

**Adjournment of Debate** .....

In both Houses, use this form when debate on the Address-in-Reply is adjourned.

---

**Interruption of Debate**

In the **Legislative Assembly**, because it would seem discourteous to the Governor to interrupt debate on the motion for the adoption of the Address-in-Reply to take other business, Standing Order 6 provides that the debate take precedence of Government and general business. However, Standing Order 9 gives the following exceptions:

- sitting days and hours of sitting
- formal business
- adoption of sessional orders
- appointment of Temporary Chairmen of Committees
- election of Deputy- Speaker and Chairman of Committees
- consideration of urgent motions
- disallowance of statutory rules
- dissent from Speaker's ruling
- suspension of standing orders

When the motion to suspend standing and/or sessional orders is agreed to after debate;

**OR**

when the motion is agreed to without debate.

---

**At the conclusion of debate on the Address-in-Reply** .....

When debate on the Address-in-Reply has concluded.

---

**ADDRESS-IN-REPLY**

**Presentation**.....

Usually the Chair will make an announcement, similar to the examples given, straight after the motion for the adoption of the Address-in-Reply is agreed to. Report such announcements in the first person.

If the House presents to the Governor on a day subsequent;

**OR**

on the same day as that on which the announcement is made.

---

**Note:** The procedure immediately following the above announcement varies between the Houses. In the **Legislative Council** a motion is moved that the House proceed to Government House to present the Address-in-Reply to His Excellency's Speech. No such motion is moved in the Legislative Assembly.

Thereafter the form is common for both Houses.

---

Use this form if attendance on the Governor is required immediately following the comments of the Chair relating to presentation (or the motion referred to above in the Legislative Council). Obviously, if the House goes to Government House on a subsequent day, this notation is unnecessary. See form immediately below.

---

Use this form when there is a short break in proceedings before the House assembles to proceed to Government House.

---

Use this heading only if the House goes to the Governor on a day subsequent to the day on which the announcement is made (and the motion is moved in the Legislative Council) relating to the presentation.

See also page 106—**Presentation of Address**

For the Governor's answer follow the *Minutes/Votes*.

**ADJOURNMENT**

**Debate** .....

When debate is adjourned to either a later hour or a subsequent day.

---

In the event that leave is granted to adjourn the debate, use this form.

---

When the motion that debate be adjourned is resolved after division.

Resolved in the affirmative;

**OR**

resolved in the negative, in which case debate continues.

---

**Bills**.....

This form is applicable to the adjournment of consideration in Committee.

---

This form is to be used in Committee when pursuant to standing or sessional orders another matter must be called on and a motion is moved that progress be reported, and that motion is followed immediately by a motion in the House to suspend standing (and sessional) orders to extend the sitting of the Committee. Do not note the following, or similar, words of the Chair, "Order! It being [time], pursuant to sessional orders I shall report progress."

**ADJOURNMENT**

**Debate** .....

Use this form when a matter is called on for the resumption of debate, i.e., as an order of the day (with the Clerk directed to read the order of the day) but is adjourned without further debate.

Use this form if the matter has not previously been debated.

**OR**

if the debate is called on and a member moves immediately that the debate be adjourned, upon which question the House divides, use this form.

**ADJOURNMENT**

**House**.....

In the **Legislative Assembly** the motion for the adjournment of the House is decided without amendment or debate. Therefore, the motion is not recorded. The notation is bold, centred.

In the **Legislative Council** the same form is used when there is no debate on the motion.

---

The **Legislative Council** standing orders provide that that House sits Monday to Friday. The **Legislative Assembly** standing orders provide that that House sits Tuesday to Thursday. When either House intends to sit other than in accordance with those standing orders (or as amended by sessional orders) a Minister will move a special adjournment, and on those occasions it is necessary to use the "until" notation.

**Note:** The "until" part of the notation is unnecessary if the adjournment of the House is immediately preceded by a special adjournment motion. See also **ADJOURNMENT—Special**

---

In the **Legislative Council** the same form is used when there is no debate on the motion.

However, in the **Legislative Council** a motion for the adjournment of the House is, more often than not, followed by debate during which members may raise any matter of interest or concern—similar to the Private members' statements procedure in the **Legislative Assembly**. The debate is limited to 30 minutes—at which time the House stands adjourned—and the speech of any member shall not exceed five minutes.

**Note:** As the 30 minutes allowed for the adjournment debate commences from the time the Minister moves the motion, the member first speaking should be shown commencing at the same time.

If the Minister who moves the motion for the adjournment replies to the debate, insert ", in reply:" after his time. The Minister or the Parliamentary Secretary may speak beyond the 30 minutes.

---

If during the adjournment debate in the **Legislative Council** the occupant of the chair contributes to the debate, he or she should be given title, time and a heading.

---

If in the **Legislative Council** a Minister replies at a time other than during the adjournment debate to a topic raised in that debate, use this form.

---

**Note:** A Minister may move the adjournment of the House or the House may proceed/continue with other business (see form 8). If the House adjourns there will be an adjournment notation.

However, if the **Legislative Council** goes on to the adjournment debate, there will be an adjournment debate heading, a motion by the Minister to adjourn the House, followed by debate, as per the third form opposite.

If in either House the Chair interrupts business and the House adjourns immediately, use this one-line notation, followed by the notation **House adjourned at [time]**.

---

**ADJOURNMENT**

**House**.....

At 5.00 p.m. on Thursdays and 3.45 p.m. on Fridays in the **Legislative Council** the Chair asks the Minister whether he wishes to adjourn the House. If the House continues to sit it may:

- proceed to the adjournment debate.

**OR**

- continue sitting. If the House continues, it has to proceed with Government business. If it is already considering Government business there is no requirement to suspend standing and/or sessional orders. However, standing and/or sessional orders have to be suspended if the House is considering private business and the intention is to continue with that business.

If the same matter continues, do not repeat the heading. Use the U macro if the same member continues, or the P macro if another member commences to speak;

**Note:** If standing and/or sessional orders are suspended to allow consideration in committee to continue, used form 18B.

**OR**

- (c) Commence Government business.

**Continuation of Long Sitting—ringing of long bell** .....

The Chair may leave the chair for some hours without the usual adjournment of the House. The Chair may refer to resuming upon the ringing of one long bell. If the suspension and resumption occur before midnight, use this form;

**OR**

this form, if the suspension occurs after midnight, followed by the next form for the resumption.

If the House resumes after midnight and, therefore, the next day, use this form.

Note the 3-em rule.

**ADJOURNMENT**

**House**.....

Disorder in the House may lead to suspension of the sitting.

---

Disorder in the public gallery may also lead to suspension of the sitting. Report the words of the Chair in the first person.

**ADJOURNMENT**

**Special** .....

If either House intends to sit other than in accordance with the sitting days set down in the standing/sessional orders (See F7) it is necessary to move a special adjournment.

This motion does not adjourn the House; the normal adjournment motion is still required to put the special adjournment into effect. There is no subject subheading—except for **Seasonal Felicitations** when the special adjournment is moved before the summer recess or some other significant event. See form below.

---

When a division is called on the special adjournment motion.

The sessional orders of the Legislative Council and the Legislative Assembly provide that the Houses sit on particular days. If that sitting schedule is varied, a special adjournment motion is required.

---

When the special adjournment motion is agreed to without debate.

**Note:** The House might then proceed to take other business.

---

Use this form when the special adjournment motion is followed immediately by the ordinary adjournment motion. There is no note made of the mover of the ordinary adjournment. (This same form applies in the Legislative Council when the adjournment motion is agreed to without debate.) It is not necessary to note the time that the House is due to resume unless a departure is intended from the time fixed by sessional orders.

**Note:** \* If adjournment occurs after midnight.

---

When felicitations are extended and/or valedictory speeches made during debate on the special adjournment moved before the summer recess use the subheading **Seasonal Felicitations** and/or **Valedictory Speeches**.

Similarly, if members speak to the retirement (etc) of a former member, use an appropriate subheading.

**ADJOURNMENT**

**Standing Order 13**.....

This is a technical procedure that adjourns the business of the House rather than the House itself.

In the **Legislative Council** Standing Order 13 provides that a motion for the adjournment of the House cannot be entertained until formal business has been dealt with, and then only for the purpose of discussing a definite matter of urgent public importance, the subject of which has been first stated to the President in writing. The first paragraph of the notice is likely to contain words similar to those used by the presiding officer, giving notice to move the adjournment to discuss a matter of urgent public importance. As this is already in the mouth of the Presiding Officer, do not repeat it in the message.

The House decides on motion, without notice or debate, the urgency of the subject.

**Note:** This procedure is similar in some respects to that provided for in Standing Order 121 in the Assembly—Matters of Public Importance—an important difference being that the Council may determine first without debate whether the matter is urgent.

In the Assembly the subject matter is summarised by Mr Speaker, whereas in the Council it is more likely that the terms of the notice will have to be inset, especially if they are lengthy.

The debate always concludes with the withdrawal of the motion.

---

When it is not agreed that the subject is urgent. This may be decided on the voices (as per this example) or after division (see below).

---

When a division is called for on the question that the subject is urgent.

**ANNOUNCEMENTS**

**Chair** .....

In recording announcements by the Chair use the first person except for the tabling of reports. (See page 184.)

**Members**

The standing orders do not provide for members to make announcements. They are made in accordance with precedence. Voluntary announcements or statements of this sort do not take a portfolio or a time. They are treated like ministerial statements.

---

**Ministry**

Temporary amendments to the ministry, such as the absence of a Minister from the Chamber during question time, are noted under the heading MINISTRY.

---

A similar form is used for announcements about the election or appointment of:

- The Ministry—All announcements relating to ministerial arrangements and administrations are reported in the first person.
  - Leader and Deputy Leader of the Government
  - Leader and Deputy Leader of the Opposition
  - Party Leaders (See over page.)
  - Government and Opposition Whips (See over page.)
-

**ANNOUNCEMENTS**

**Members (continued)**.....

It is not uncommon for one member—in this case the Leader of the Opposition—to make an announcement about a number of appointments.

**BILLS**

**Formal—Pro Forma .....**

The Governor, on behalf of the Crown, appoints the time and place of the meeting of Parliament and at the commencement of every session he declares to both Houses the causes of summons in a Speech delivered to them in the Legislative Council by himself or by commissioners that he appoints. Until the Governor has done this, neither House can proceed with any business; but the causes of summons do not bind the Parliament to consider those causes alone, or to proceed at once to the consideration of any of them.

In the Parliament at Westminster the practice in both Houses before the Queen's Speech is reported is to read some bill a first time *pro forma* in order to assert the right of the House concerned to deliberate without reference to the immediate causes of summons.

Usually the Select Vestries Bill is read in the House of Lords and the Outlawries Bill in the House of Commons.

In both the Legislative Council and the Legislative Assembly of New South Wales the Law of Evidence Bill is read, and the form is shown here.

**Note:** Legislative Assembly Standing Order 4 (5) stipulates that before the Speech is reported the House shall in assertion of its rights transact some business of a formal nature without notice.

**BILLS**

**Appropriation**.....

The **Legislative Assembly** may not proceed upon any bills for granting money—supply bills—until a message has been received from the Governor recommending the measure. Normally *Hansard* does not note such messages, but in the special case of the Appropriation Bill the receipt of the message is noted if it is announced in the House.

Standing orders provide that after the first reading of an Appropriation Bill the second reading may be taken forthwith.

**Note:** *Hansard* publishes the Treasurer's Budget Speech as printed; no change in paragraphs or capitals.

Usually the debate is adjourned when the Treasurer's Budget Speech has concluded.

**Note:** After the notation for the adjournment of the debate any appendices to the Treasurer's printed speech must be taken in as with incorporated material.

---

During the Fifty-first Parliament the Treasurer was a member of the upper House and, by a motion of the Legislative Assembly, was invited to the Legislative Assembly to deliver the second reading on the Appropriation Bill and cognate bills. Use this form:

---

This form covers the tabling of budget documents, which procedure takes place after the Treasurer's Budget Speech. Some are tabled by Mr Speaker, the remainder by the Treasurer. **Note:** Always check the description of the documents tabled.

---

**BILLS**

**Appropriation (continued)** .....

In the **Legislative Council** the Appropriation Bill and cognate bills are received and read a first time in the same way as other bills are received from the Legislative Assembly. However, prior to the bills being received from the Legislative Assembly the estimates are debated by way of take-note debate under the heading **BUDGET ESTIMATES AND RELATED PAPERS**—See form 64.

**Note:** If the Minister intends to have the second reading debate on the same day as the first reading, he must move for the suspension of standing orders, and he can do that only if:

he has given notice of the motion to suspend standing orders;

**OR**

he is given leave of the House to suspend standing orders.

---

The second reading debate relating to the appropriation bills is merely a vehicle to bring the bills before the House. Rarely does it consist of anything more than a brief and formal second reading speech by a Minister.

**BILLS**

**Appropriation**

**Estimates committees procedure .....**

**EXPLANATORY NOTE**

The standing orders of the Legislative Assembly provide for the appointment by the House of estimates committees. However, in 1997 the Legislative Council appointed general purpose standing committees to examine, among other things, expenditure by the various portfolios. Since then the Assembly has not taken part in the estimates procedure other than to make available Ministers in that House to appear before the general purpose standing committees of the Council.

Upon completion of the examination of the portfolios the committees table their reports in the Legislative Council. The form for this procedure is the same as that for the tabling of other committee reports.

**Note:** See separate publication for detailed instructions for reporting such committees.

---

**BILLS**

**Appropriation**

**In Committee**

**Estimates Committees Reports .....**

In 1997 the Legislative Council appointed five general purpose standing committees to examine, among other things, expenditure by the various portfolios. Since then the Assembly has not taken part in the estimates procedure other than to make available Ministers in that House to appear before the general purpose standing committees of the Council.

Upon completion of the examination of the portfolios the committees table their reports in the Legislative Council. The form for this procedure is the same as that for the tabling of other committee reports.

**BILLS**

**Appropriation**

**In Committee.....**

If the House resolves itself into a committee to consider the appropriation bills in detail, use the usual committee forms.

When The Appropriation Bill and cognate bills are dealt with individually, introduce the consideration of each bill with the words of the Chair in the first person.

When consideration is interrupted and adjourned to a later hour or a subsequent day;

**OR**

when consideration is interrupted **pursuant to sessional or standing orders** and standing (and sessional) orders are suspended in the House to allow consideration of the Appropriation Bill and cognate bills to continue.

---

If in the Legislative Council consideration is interrupted to allow the Minister to move the adjournment, but does not involve the suspension of standing and sessional orders, the Minister declines to do so and the Committee continues to sit, use this form:

**BILLS**

**Appropriation**

**In Committee**

**Cognate Bills**.....

Introduce the consideration, if any, of any bill cognate with the Appropriation Bill with the words of the Chair reported in the first person.

---

Should there be consideration of amendments to bills cognate with the Appropriation Bill, follow forms relating to **BILLS—Committee**, as per the example opposite.

---

When consideration is concluded the bills are reported to the House—with or without amendment—and the report is adopted. Use this form if the third reading of the bills does not follow immediately.

---

Should the third reading follow immediately upon the adoption of the report from Committee, use this form.

---

**BILLS**

**Private**.....

Private bills deal with specific private matters that affect a private person or persons or apply to some particular locality. They do not deal with public policy and are therefore sponsored not by the Government but by a private member. Certain special procedures are involved in the introduction and passing of private bills. For example, they are initiated by petition, and when a bill has been introduced and read a first time it is referred to a select committee for consideration and report. (For an example of a private bill refer to the Tamworth Tourist Information Centre Bill introduced by the Independent member for Tamworth on 15 October 1992.)

**In the House in which a private bill originates:**

At one time our form for the presentation of the petition provided for a reference to the requisite notices. It no longer does so, the assumption being that the petition would not have been accepted without the notices and a copy of the proposed bill.

When the petition has been received notice of motion for leave to introduce may be given.

When leave to introduce the bill has been given and before the bill is read a first time, it must be printed at the expense of the party/parties applying for it. *Hansard* does not report compliance with these formalities, without which the bill would not proceed.

The form provides for suspension of standing orders and the presentation of the bill after the petition.

---

If the motion for leave to introduce is moved at a time or on a day subsequent to the receipt of the petition.

---

When the bill has been introduced and read a first time it is referred to a select committee, appointed on motion upon notice.

---

The select committee will take evidence and require proof of the allegations in the preamble and report back to the House. This is a stage of the bill and is reported under the heading of the bill.

---

**BILLS**

**Private [continued]**.....

If the select committee report is in favour of the bill, it is proceeded with as in the case of public bills, and a later time is set down for the second reading.

At this stage the bill may be committed, or may be dealt with through to the third reading.

---

**In the House that receives a private bill from the House in which the bill originated**, the bill is treated as any other bill, except of course that there is no motion for leave to introduce—the bill is received—and a member rather than a Minister has the carriage of the bill.

---

**BILLS**

**Public**

**Introduction, Receipt and First Reading .....**

Until 1984 the only bills that originated in the upper House were those required to meet special needs of private citizens (vide **BILLS—Private**) and bills introduced by the Opposition. A change in the procedure allowed Ministers in the Legislative Council to introduce government bills for which they were responsible.

---

A Minister seeks leave to bring in—**Introduce**—a bill. That question is decided without debate or amendment. On presentation, the Minister will move that the bill be read a first time, that the bill be printed, and, in the Legislative Council, that the second reading stand an order of the day for the next, or a future, sitting day.

All these stages are covered by this form, which is the same for a bill introduced by the Government or the Opposition.

**Note:** In the Legislative Assembly the motions for the first reading and printing cannot be debated. In the Legislative Council the first reading motion can be debated—though it rarely is—and motions for printing the bill and standing over the second reading cannot be debated.

---

A Minister can introduce a bill only if at a previous sitting he has given notice of the introduction or if leave is granted to him to suspend standing orders to allow him to do so.

---

In the Legislative Assembly the Minister may immediately after the first reading move the second reading and deliver his second reading speech. The second reading debate must then be adjourned to another day, unless standing orders are suspended. Declaration of urgency may also cause debate to proceed immediately. (See form 31.)

In the Legislative Council the entire second reading debate, including the Minister's speech, must be adjourned to another day, unless standing orders are suspended.

This form covers the occasions in both Houses when standing orders are suspended to enable a bill to be dealt with beyond the stage provided for in the standing orders.

---

When a bill that originated in one House is brought to the other House the Chair will say:

I report the receipt of the following message from the Legislative Council/Assembly:

The Legislative Council/Assembly having this day passed a bill entitled the [Short Title of Bill,] transmits the bill to the Legislative Assembly/Council for its concurrence.

In such cases the bill is **received**, not introduced.

---

**BILLS**

**Public**

**Introduction, Receipt and First Reading (continued).....**

In the unusual event of a bill being received or introduced but not read a first time, use this form.

---

The Crown Solicitor has held—on one occasion only—that even though a stage required by the standing orders is omitted, the subsequent stages are not invalidated, as the House is the master of its own affairs. Therefore, by leave a bill may be read a second time before it is presented and read a first time. If this should happen, report the words of the Minister or member in the first person.

---

Therefore, should the bill be presented and read a first time subsequent to other stages of the bill having commenced, use this form.

---

After the receipt or introduction of a bill/bills, it may be ordered that the second reading/readings stand as order/orders of the day. Use this form to deal with that procedure:

**BILLS**

**Public**

**Introduction, Receipt and First Reading**

**Standing Order 214.....**

Standing Order 214 provides for the introduction of a second bill that complies with the order of leave for a bill withdrawn. The introduction may follow immediately the withdrawal of the original bill, (see form 27) or after hours or days have elapsed. After the Committee stage, the **(No. 2)** is dropped from the title of the bill, but retained in the index.

Bills are distinguished with the additional description **(No. 2)** when a bill by the same name was introduced earlier in the same session. But the **(No.2)** is dropped if consideration of it is continued into the next calendar year.

---

**Multiple Bills:**

**Suspension of Standing Orders.....**

(See also cognate bills, page 53.)

In the **Legislative Council**, whenever the President has several messages from the Legislative Assembly to report transmitting bills for concurrence, the President may inquire if leave is granted for procedural motions for the first reading, printing, suspension of standing orders and fixing of sitting day for second reading to be dealt with on one motion without formalities. Use this form.

If the Minister at the table then moves a motion which includes reference to the **suspension of standing and/or sessional orders**, report the motion in full. Then use the notation "Bills read a first time."

Further, when a bill or multiple bills, which may include cognate and single bills grouped together, are received from the Legislative Assembly and are to be taken through all stages at one sitting, if the Minister:

**has given contingent notice** of a motion to suspend standing orders, he will move that so much of the standing orders be suspended as would preclude the passing of the bills through all their stages during the present or any one sitting of the House; (See also form 26);

**OR**

**has not given contingent notice** of a motion to suspend standing orders, he will move, as a matter of necessity and without previous notice, that so much of the standing orders be suspended as would preclude the passing of the bills through all stages during the present or any one sitting of the House.

As these motions contain references to the **suspension of standing and sessional orders** they are to be reported in full.

---

**BILLS**

**Public**

**Suspension of Standing and Sessional Orders.....**

If the House wishes to do something not in accordance with the procedures provided for in the standing or sessional orders, it will move to suspend those orders. Depending on what is necessary it will suspend standing orders only or both standing and sessional orders. Be careful to use the appropriate form of words.

Standing (and/or sessional) orders may be suspended:

for the introduction of a bill when no notice has been given;

**OR**

for the passing of a bill, once introduced, through any or all stages in one day when no notice has been given.

**Note:** When suspension is moved in the form " . . . as would preclude this bill being brought in and passed through all its stages in one day . . . " it is not possible to omit the Committee stage by leave.

---

A motion for the suspension of standing (and/or sessional) orders can apply to more than one bill. Sometimes (usually approaching the end of a session) a Minister (usually the Leader of the House) will move that standing (and/or sessional) orders be suspended in respect of a number of bills to allow their passing through a number of stages in one day.

If there are a number of bills involved—a mixture of some cognate and some individual bills—and the motion is agreed to without debate, use this form;

**OR**

if the motion is debated, use this form.

---

**BILLS**

**Public**

**Suspension of Standing and Sessional Orders (continued) .....**

Suspension can be moved at any stage. This form would apply if upon resumption of the second reading leave was sought to take the bill through all remaining stages that day.

---

If suspension is moved to allow for resumption of the second reading debate (and remaining stages of the bill).

---

Use the usual **Motion agreed to** notation when a motion for the suspension of standing (and/or sessional) orders is agreed to after debate. (See explanatory note to form 177.)

---

A Minister might move:

I give notice that contingent upon the Short Title of Bill being received in the Legislative Council/Assembly I shall move that so much of the standing (and sessional) orders be suspended as would preclude the passage of the bill through all of its stages in one day.

This is **not** reported in *Hansard*; but reference to it will appear in the *Minutes* and *Votes*.

However, upon receipt of the bill, a Minister will move that so much of the standing (and sessional) orders be suspended as would preclude the passage of the bill through all stages in one sitting of the House.

When such a motion is moved, report the motion in full under the heading of the bill. (See also form 24 and form 177.)

---

**BILLS**

**Public**

**Withdrawal—Order of the Day Discharged.....**

A bill can be withdrawn only in the House in which it originates. In order for the bill to be withdrawn the order of the day for the stage that the bill has reached must be discharged.

Use this form for the withdrawal of one bill or a number of bills in the House in which the bill or bills originated:

---

Use this form in the House in which the bill does not originate. Note that the form relates only to the discharge of the order of the day and that a message is sent/forwarded to the other House advising it of the resolution.

---

In the originating House a motion may be moved to suspend standing and/or sessional orders to allow a motion to be moved to discharge the order of the day for a **cognate bill** and for the bill to be withdrawn. Use this form:

---

When a similar message is received about a number of bills list the titles of all bills in the heading.

---

---

**BILLS**

**Public**

**Second Reading** .....

In the Legislative Assembly a Minister can deliver his second reading speech immediately after the first reading of the bill.

In the Legislative Council a Minister cannot, unless standing/sessional orders are suspended either by leave or pursuant to notice. If agreed to set out the motion seeking to do so in full and then set out the second reading motion. However, if the motion to suspend is debated, the debate is reported under the heading "**BUSINESS OF THE HOUSE**" with the subheading "**Bill: Suspension of Standing and sessional orders**".

---

When the second reading motion is moved at a later hour or subsequent day.

---

In the Legislative Assembly occasionally a bill is introduced by one Minister on behalf of another. At the time the motion for the second reading of such a bill is moved show the Minister who moves the second reading doing so on behalf of the other Minister (if the information is available at the relevant time), whether or not the mover says so at the time.

---

Unless standing (and sessional) orders are suspended, immediately after the Minister's second reading speech the debate shall be adjourned to a future day—which shall be at least two sitting days ahead.

---

Often a Minister will seek leave to incorporate a second reading speech in *Hansard*.

---

**BILLS**

**Public**

**Second Reading (continued).....**

Sometimes an amendment is moved to the second reading motion, usually to refer the bill to a select committee or to defer the second reading.

If the amendment is debated, use this form;

**OR**

if the amendment is agreed to without debate.

---

If a division is called for on an amendment to the second reading motion.

If the question is resolved in the affirmative;

**OR**

if the question is resolved in the negative;

If the motion as amended is agreed to there will be no final notation.

---

Resumption of debate from an earlier hour or date.

---

**BILLS**

**Public**

**Second Reading (continued)**.....

When debate is resumed from a previous day or an earlier hour and adjourned without further debate.

---

Any Minister—not just the mover—can reply to the second reading debate.

It is not necessary to show the Minister who replies as speaking on behalf of the Minister who moved the second reading of the bill.

---

When the House agrees on the voices on the question: That this bill be now read a second time.

---

When the House divides on the question: That this bill be now read a second time.

If the motion is negatived the final notation will be: **Motion negatived.**

---

When there is no Committee stage at the conclusion of the second reading debate and the third reading is agreed to without debate.

---

If at the conclusion of the second reading the House immediately resolves itself into a Committee of the Whole, refer to pages 33 onwards.

**BILLS**

**Public**

**Second Reading (continued).....**

**Instruction to the Committee of the Whole .....**

After a bill has been read a second time and before the House resolves itself into Committee to consider the bill in detail a member may move that standing orders be suspended to allow a motion to be moved to give the Committee the power to consider a certain matter. Use this form

**BILLS**

**Public**

**Declaration of Urgency .....**

Standing Order 199 in the Legislative Assembly and sessional orders in the Legislative Council provide that a Minister may declare a bill to be an urgent bill. This may be done after the introduction and first reading and, therefore, before the second reading, or it can occur after the Minister has made the second reading speech. The question, "That the bill be considered an urgent bill" is put forthwith. Hansard need not put these words in the Minister's mouth; we will merely show the one-liner notation of the result. No debate or amendment is allowed on the question. If agreed to, the second reading debate and other stages may be proceeded with forthwith or at any time during that or any future sitting of the House.

Therefore, if a Minister declares a bill to be an urgent bill immediately after his/her second reading speech, use this form. Do not put it under the heading **BUSINESS OF THE HOUSE**.

Any bill can now be declared urgent—Motion of the Hon. Malcolm Jones—without debate in the Legislative Council.

---

If the question that the bill be considered an urgent bill is opposed and the House is divided, use this form.

---

In the Legislative Council sessional orders now provide for a cut-off date for consideration of Government bills. After the first reading the Minister may declare a bill to be an urgent bill, and the question "That the bill be considered an urgent bill" is to be decided without amendment or debate, except a statement not exceeding 10 minutes each by a Minister and the Leader of the Opposition, or a member nominated by the Leader of the Opposition, and one cross bench member. If the question is agreed to, the second reading and subsequent stages may proceed forthwith or at any time during any sitting of the House .

If the declaration of urgency is agreed to or negatived on the voices without debate, use a one- line notation.

If the matter is debated, report the debate under the heading "**BUSINESS OF THE HOUSE**" and the subheading "**Bill: Declaration of Urgency**".

**BILLS**

**Public**

**Legislation Committees .....**

In the **Legislative Assembly** any member may move without notice, immediately after a motion for the second reading of a bill has been agreed to, "That the [name of bill] be referred to a legislation committee for consideration and report."

Treat the committee's establishment as another stage of the bill.

---

When the chairman tables the final report of the committee—no later than six months from the date of the committee's establishment—Mr Speaker shall set down its consideration in the Committee of the Whole on the bill as an order of the day.

**Note:** If the report is ordered to be printed, use this notation;

**OR**

if the House is not sitting at the time of report, the chairman shall forward such report to the Clerk for report at the next sitting of the House.

**BILLS**

**Public**

**Committee**

**Without Debate .....**

If for some reason it is desired to go into Committee immediately after the second reading but not commence consideration, a bill will be committed formally. Usually clause 1 is proposed and progress is reported.

In such circumstances it is not necessary to head up **In Committee**.

---

When a bill is committed but not debated and the third reading does not follow immediately;

**OR**

when the third reading follows immediately.

---

Rarely, the House will go into Committee immediately before a meal break and there is no debate before the Chairman leaves the chair or upon resumption. That is, upon resumption the bill is reported from Committee without amendment and the report is adopted;

**OR**

if the third reading follows immediately.

---

This is the standard form when the second reading is agreed to and a bill is committed and amendments are moved.

To provide a link between the amendment and references to it in text, number the amendments as per the circulated list of amendments.

Amendments moved in the first person (as opposed to amendments agreed to without debate) should include a notation in the member's mouth as to whether they are Government or Opposition amendments, and the number/s, as indicated in the form opposite.

**BILLS**

**Public**

**Committee**

**Amendments.....**

At the commencement of the Committee stage the Chairman will announce whether the bill will be dealt with by clauses, schedules, parts or divisions. **This is not reported, but the reporter in whose turn the announcement is made must advise other reporters and the subeditor must note it on the running sheet. A notation is to be made in relation to each clause or part.** Consideration of clauses, schedules or parts commences with a heading on the margin **Clause No./Schedule No./Part No.** and concludes with **ClauseNo./ScheduleNo./Part No. [as amended] agreed to.** If the bill is being dealt with in clauses and the first amendment is to clause 15 the following should appear:

**Clauses 1 to 14 agreed to.**

**Clause 15**

**Amendment by Mr Member/the Hon. First Name Member agreed to:** (set out amendment)

**Clause 15 as amended agreed to.**

If the bill is being dealt with in parts and the first amendment is to part 4 the following should appear:

**Parts 1 to 3 agreed to.**

**Part 4**

**Amendment by Mr Member/the Hon. First Name Member agreed to:** (set out amendment)

**Part 4 as amended agreed to.**

If a bill is dealt with in parts, use only the notations **Part 1** and **Part 1 agreed to.** Do not use **clause** notations.

**Note:** This explanatory note is continued on opposite page.

---

When a clause is debated but no amendment in relation to it is moved.

---

When an amendment is agreed to without debate.

**Note:** Reproduce amendments in the form in which they are circulated. Be sure to include the number of the amendment as circulated. Do not use "as circulated in my name." Use instead "my" or "Liberal/ALP/Green" etc.

---

**BILLS**

**Public**

**Committee**

**Amendments**.....

When an amendment is debated.

A question is not put in the Legislative Assembly in relation to the title; it is in the Legislative Council. Use the notation:

**Title agreed to.**

---

If an amendment is not agreed to by the Committee, it is therefore negatived; and the clause/schedule/part is usually agreed to. That is, it is agreed to in its unamended form.

**BILLS**

**Public**

**Committee**

**Amendments (continued) .....**

**In globo amendments:** A member wishing to move a number of amendments together (i.e., in globo) must first seek the leave of the Committee.

When amendments moved in globo are agreed to without debate:

Include clause and schedule numbers in notations.

**OR**

when amendments moved in globo are agreed to after debate.

**Note:** that occasionally a member may give a dissertation on the amendments, and then move them. In such circumstances, and as a one-off use of "by leave" in the member's mouth, use this form:

. . . and that is all I wish to say about that matter. By leave, I move the following amendments in globo:

[inset amendments, small]

However, if it is possible to have the member move the amendments first, and then speak to them, do so. Reporters who are in doubt about what to do should speak with their subeditor.

When amendments moved in globo span more than one clause/schedule/part.

When a clause/schedule/part is amended;

**OR**

when a clause/schedule/part is not amended.

**BILLS**

**Public**

**Committee**

**Amendments (continued) .....**

Leave is necessary for the withdrawal of an amendment.

**Note:** However, if a member who has circulated but not moved an amendment says that he withdraws the amendment, he means that he will not move the amendment. Therefore, have him say, "I will not move amendment No. 1 as circulated in my name," or words similar.

---

When conflicting amendments are received the Chairman will put one of the amendments to the Committee to test its feeling. On such occasions, use the Chairman's words. See third last form on page 97 relating to the form of question if put formally.

Therefore, if the amendment put by the Chairman to the Committee is agreed to—with or without debate—use this form:

**OR**

if a division is called for on the above question, use this form:

---

When an amendment is proposed to an amendment already under consideration by the Committee.

---

If the amendment of the amendment, and the amended amendment, are agreed to.

---

If the amendment of the amendment is negatived, and the original amendment is agreed to.

---

**BILLS**

**Public**

**Committee**

**Adjourned Consideration.....**

When Committee consideration is formally called on—on a day subsequent to the second reading being agreed to—but no debate occurs apart from reporting progress and seeking leave to sit again. Do not use the **In Committee** subheading.

---

If after consideration in Committee the motion to report progress is agreed to;

**OR**

if the Committee divides on the motion to report progress.

**Note:** No debate is allowed on a motion to report progress and seek leave to sit again. However, the Committee may divide on the question.

If the question is resolved in the negative the final notation will be **Motion negatived**. The Committee will then continue its deliberations.

---

When consideration is resumed from another day or earlier hour and is adjourned without further consideration.

---

When, pursuant to standing/sessional orders, consideration in Committee is interrupted to take a short matter see form 18. If the interruption is to deal with other than a short matter use this form:

---

When consideration of a bill in Committee is resumed on another day or at a later hour.

---

On resumption of debate on an unfinished clause/schedule/part which may or may not be the subject of an amendment, the clause/schedule/part number must be repeated. In this example, clause 3 was under consideration when the Committee reported progress and sought leave to sit again.

---

**BILLS**

**Public**

**Committee**

**New Clause .....**

In the Legislative Assembly Standing Order 223 provides that new clauses and schedules are to be considered in Committee in numerical order.

If a new clause is agreed to without debate;

**OR**

if a new clause is agreed to after debate.

---

If a new clause is negatived.

---

**BILLS**

**Public**

**Committee**

**Omitted and Postponed Clauses .....**

When a circulated amendment foreshadows a vote against the clause it is shown in the motion as "Omit the clause", and the question put by the Chairman is "That the clause be omitted." If the motion is successful, use this form.

---

If the motion to omit the clause is not successful, use this form.

---

If leave is granted to postpone consideration of an amendment, whether or not debate on it has commenced, use this form. To avoid confusing amendments should there be more than one amendment postponed—and given that Government, Opposition and Independent amendments are similarly numbered—identify the amendment by party and number.

---

If leave is granted to postpone the commencement of consideration of an amendment to a clause/schedule/part, in relation to which other amendments have been dealt with, obviously consideration of the whole clause/schedule/part is also postponed.

---

When consideration of a postponed amendment is **commenced**.

---

When consideration of a postponed amendment is **resumed**—it having commenced on an earlier occasion.

---

If the postponed amendment is agreed to;

**OR**

if the postponed amendment is negatived.

---

When consideration of a bill in Committee is adjourned to a later hour or another day.

---

**BILLS**

**Public**

**Committee**

**Adoption of Report .....**

When the bill is read a second time, is committed but not debated, is reported from Committee, the report is adopted, and the third reading does not follow immediately.

---

When the bill is read a second time, is committed but not reported from Committee, the report is adopted and the third reading is agreed to without debate immediately.

---

When a bill is reported from Committee and there is no motion for the adoption of the report.

---

When a bill is reported from Committee, in which amendment/s was/were made, and the report is adopted

---

When a bill is reported from Committee in which an amendment/amendments was/were made, the report is adopted and the bill is read a third time.

---

When a bill passes through Committee without debate on a day subsequent to the second reading;

**OR**

when consideration is resumed after an adjournment of the consideration but there is no further debate.

---

The adoption of report may be debated.

**Note:** The question—That the report be now adopted—may be agreed to or negatived after division. If there is a division, use the standard division form.

---

If the motion for the adoption of the report is agreed to after debate or division and the bill proceeds no further than the adoption of the report;

**OR**

the third reading is moved and agreed to without debate immediately after the adoption of the report.

**BILLS**

**Public**

**Adoption of Report**

**Amendment to Title and Cognate Bills .....**

**Amendments in the Short Title:**

If the only amendment is an amendment to the short title.

---

If there is only one amendment as well as an amendment to the short title.

---

If there is more than one amendment as well as an amendment to the short title.

---

**Amendments in the Long Title:**

If the only amendment is an amendment to the long title.

---

If there is only one amendment as well as an amendment to the long title.

---

If there is more than one amendment as well as an amendment to the long title.

---

**Cognate Bills:**

Always name the principal bill, regardless of whether it has been amended. When an amendment is made to the principal bill but not to the cognate bills.

---

When the principal bill has not been amended but the cognate bill has been amended.

---

When an amendment is made to more than one bill but not to other cognate bills.

---

When amendments are made to the second of three cognate bills.

---

When more than one amendment is made to one bill, only one amendment to another, but no amendments to the remaining cognate bills.

If the title of a bill is amended, use the name of the original bill when the bill with its cognate/s is reported from Committee.

If two bills are amended, each with one amendment, use this form:

**BILLS**

**Public**

**Committal Pro Forma .....**

If after the second reading the member in charge of a bill wishes to move amendments to improve the bill, he will move "That Mr Speaker do now leave the chair, and the House resolve itself into a Committee of the Whole to consider the bill pro forma." This question shall be put without amendment or debate.

**Note:** If the question for the pro forma committal, or for the inclusion of the amendments is negated, the bill shall be proceeded with in Committee by clauses and schedules.

The proposed amendments, which must have been previously printed, shall be put in one question, without amendment or debate "That the amendments as printed be inserted in the bill." If the motion is agreed to, the Chairman shall report the bill with amendments.

Upon the adoption of the report, no debate being allowed, a future time shall be fixed for its recommittal.

---

The bill is then reprinted in its amended form, and on recommittal is considered as if committed for the first time. However, when it is reported to the House, it is reported **secundo** or **tertio**.

**BILLS**

**Public**

**Recommittal .....**

There is no provision for the moving of a motion that a bill be recommitted—that is, reconsidered in Committee. Therefore, a motion must be moved for the adoption of the report or, more often, the third reading, and then amended to provide for recommittal.

---

If the amendment—which if agreed to would result in the recommittal of the bill—is negatived, the bill proceeds to the third reading.

---

If the amendment is agreed to, use this form.

Then, if the recommittal follows immediately, proceed under the subheading as shown.

**Note:** However, if the recommittal is dealt with at a later hour or a subsequent day, proceed under the heading of **SHORT TITLE OF BILL**, subheading **In Committee (Recommittal)**.

---

If an amendment is moved in the recommittal process, use this form.

---

If the amendment is agreed to;

**OR**

if the amendment is negatived.

---

**BILLS**

**Public**

**Recommittal (continued) .....**

When there is only discussion—as opposed to an amendment—on a recommitted clause.

---

**Circulated Amendments:**

It may happen that on recommittal a member will move that a number of amendments on a list circulated to members be agreed to. If the member says anything, report his words in the first person.

If the motion is agreed to after debate;

**OR**

if the motion is agreed to without debate.

**Note:** If the list of circulated amendments is agreed to, the bill will then be reported to the House with amendments. See note below.

---

**Adoption of Report after Recommittal:** If at the time of the first report (or previous report) the bill was reported without amendment, use this form;

**OR**

if at the time of the first report (or previous report) the bill was reported with an amendment or with amendments, use this form.

**BILLS**

**Public**

**Third Reading** .....

After the second reading the House may dispense with the Committee stage and grant leave for the bill to be read a third time forthwith.

---

When leave is not granted for the third reading of a bill to be taken immediately following the second reading. The bill may then be committed (but consideration not commenced). Progress is reported straight away and leave is granted to sit again.

---

When the third reading is agreed to without debate immediately following the adoption of the report.

---

When subsequent to the second reading and Committee the bill is called on and the motion for the third reading is agreed to without debate. This form is used also when the motion is moved on behalf of the Minister who has charge of the bill.

---

For the third reading of cognate bills without debate, use this form.

---

When the third reading is debated.

**Note:** Debate at the third reading stage is unusual. It may relate to the recommittal of the bill or allow the Minister to give an answer to a question asked in the second reading debate or in Committee.

---

The Minister may then move that a message be sent to the other House seeking its concurrence with amendment/s agreed to in Committee. We treat this as a formal procedure and do not report it.

---

**BILLS**

**Public**

**Third Reading (continued).....**

If contingent notice was not given and/or concurrence not previously obtained, it may be necessary for a Minister to move to suspend standing and/or sessional orders to allow the third reading of a bill to be taken on the same day as the second reading.

If the Minister moves suspension for this purpose after the bill has been called on, and

if the motion is agreed to without debate, use this form;

**OR**

if the motion is debated, use this form.

If the motion is moved before the bill is called on, use the "Business of the House" heading.

---

Subsequently, if a motion for the third reading is agreed to without debate, use this form.

---

If the subsequent motion for the third reading is agreed to after debate, use this form.

---

Similarly, the Minister may then move that a message be sent to the other House seeking its concurrence with any amendments agreed to in Committee. We treat this as a formal procedure and do not report it.

**BILLS**

**Public**

**Returned .....**

When a bill is returned to its House of origin with amendments from the other House it stays with the House of origin. All further proceedings are dealt with via messages between the Houses. In order that the second line of the title is further indented use control T.

Bills given royal assent are listed in the order announced to the House, indented in small print with no full stops.

---

When a bill is, or a number of bills are, returned from the other House with an amendment or with amendments that are not considered immediately they are returned, use this form.

**Note:** If the amendments are considered immediately the bills are returned, see Form 48.

---

When a number of bills are returned, some with amendment/s, some without, the bills are noted in the order in which the amendment are reported and as set out in the example.

---

Specific reference is made when the title (short or long) is amended.

---

When a bill is returned from the other House agreeing to amendments, use this form. Do not set out the message. This breaks the rule about messages being set out in the receiving House, but we will do so on the basis that it is a formality.

If messages are received relating to a number of bills, list the names of the bills and report messages received rather than message received.

If a complex message is sent—for example disagreeing with amendments and setting out reasons—set out the message in full in both the sending and receiving Houses.

**BILLS**

**Public**

**Consideration of Amendments from the other House .....**

Should amendments be considered as soon as the bill is returned, the Committee stage will follow immediately. A message with an attached schedule of amendments is received in the House in which the bill originated.

**Note:** This form is distinct from **BILLS RETURNED**.

Centred, italics. The date of the message is shown without the year, e.g. 16 April.

---

Quite often a bill returned with amendment/s is not dealt with immediately upon its return. It may be dealt with later on the same day or on a subsequent day. When it is dealt with, proceed under the heading of the bill.

---

If cognate bills are returned with an amendment to only one bill, list the names of the bills in the heading, and show only the name of the bill to which an amendment/s is proposed in the schedule of amendment/s in italic notation.

If two cognate bills are returned with amendments to both bills, this should be reflected also in the italics notation.

Sometimes, particularly towards the end of a session, a number of bills might be dealt with in Committee, even though they are not cognate bills. See form 50 for the layout of such procedure, and/or refer to pp 10803, 10804 and 10806 of the pamphlet for June 1997.

When the Committee has concluded its consideration of the amendments, the Chairman, on motion by the Minister, reports to the House the result of the Committee's deliberations.

If the amendments of the other House are disagreed with, the Minister will move a motion that a message be sent to the other House advising it of the resolution. Use this form.

If the amendments are agreed to, a message is sent automatically and not by a motion of the Minister. We still show this notation about the message being sent to the other House. Abbreviate message in third person.

---

**BILLS**

**Public**

**Consideration of Amendments from the other House .....**

When a message relating to an amendment is not considered immediately upon receipt but at a later time, use this form:

**BILLS**

**Public**

**Consideration of Amendments from the other House (continued).....**

Debate may take place on a motion that the House agree/disagree to the amendments proposed by the other House.

---

The motion that the House agree/disagree to the amendments may be agreed to without debate.

---

A motion of the Minister or the member in charge of the bill may seek to deal with amendments seriatim. If there is debate on such a motion, use this form;

**OR**

amendments may be agreed/disagreed to without debate.

---

**BILLS**

**Public**

**Consideration of Amendments from the other House (continued).....**

If the Committee divides on a question, abbreviate the question.

---

The Committee might seek to amend an amendment proposed by the other House.

---

If a member, usually the Leader of the House, moves to have the amendments of the other House to a large number of bills considered in one Committee of the Whole House, use this form.

**BILLS**

**Public**

**Consideration of Amendments from the other House (continued).....**

When the other House has considered the message, it may send back a further message insisting on its amendments or disagreeing with the amendments to its proposed amendments. When that message is received the House will resolve itself into Committee. The message is to appear in full and indented under the heading of the bill.

**Note:** Thereafter follow the usual form with regard to the consideration of the message, depending on whether it is dealt with immediately upon receipt of the message.

Similarly, follow the usual form for the adoption of report and a further message being sent to the other House.

---

The Minister or member in charge of the bill may move that the Committee insist upon its disagreement from amendment/s from the other House;

**OR**

the Minister or member in charge of the bill may not insist upon its disagreement.

**Note:** Follow the usual form for motions agreed to without debate and for motions agreed to or negatived after debate and/or division.

**BILLS**

**Public**

**Consideration of amendments from the other House**

**Amendments to a number of bills dealt with in one Committee.....**

If a Minister suspends standing and sessional orders to enable amendments to a number of bills to be dealt with in one Committee, use the words of the Minister. The motion opposite is an example.

---

The procedure outlined opposite will then be followed.

The same procedure is then followed for each bill in relation to which amendments have been received from the other House.

If the motion is negatived and the amendments are not agreed to, a message will be sent to the other House explaining the reasons. Set out the message in full in the receiving House. If a message is moved at a time not immediately following the negating of the motion, it **MAY** be necessary to set out the message in full in the forwarding House.

**BILLS**

**Public**

**Consideration of amendments from the other House**

**Select Committee.....**

If the **Legislative Council** has insisted upon any of its amendments or disagreed with the Legislative Assembly's amendment of a Legislative Council amendment, a select committee is appointed to draw up reasons for the insistence or disagreement.

**Note:** This procedure is not available in the Legislative Assembly, although it may request a conference with the Council—as the Council may with the Assembly.

---

The Presiding Officer will probably leave the chair to enable the select committee to meet.

---

The Chairman of the select committee presents the Committee's report to the House.

---

If a motion to send a message to the other House is agreed to without debate abbreviate the form of words used in the motion. (See also pages 60 and 128).

---

If the motion to send a message is debated use this form:

Following *Votes/Minutes* but omit all formal parts from the message in the motion (see form 128 for receipt of message in the other House).

---

See form 41 for the adoption of the report with cognate bills. For the third reading follow forms for single public bills.

**BILLS**

**Cognate**

**Introduction, First and Second Reading, and Committee.....**

Related bills are introduced as cognate bills. (See also multiple bills page 24).

Regardless of the order in which the cognate bills are dealt with in the *Votes/Minutes* (which is usually in alphabetical order) *Hansard* headings are in the order in which the cognate bills appear in the explanatory notes on the front of the principal bill.

When cognate bills are introduced in either House they are treated in the same way as single bills.

In the Legislative Assembly when cognate bills are received they are also treated in the same way as single bills.

For the receipt of bills in the Legislative Council see multiple bills page 24.

---

The form for cognate bills is the same as it is for single bills with regard to their second reading;

**AND**

the adjournment of debate;

**AND**

the resumption of debate.

---

When debate on the second reading has concluded and the motion for the second reading of the bills is agreed to, but Committee and third reading does not proceed immediately;

**OR**

if there is no Committee stage and the bills are read a third time.

---

In Committee introduce the consideration of each bill with the remark of the Chairman in the first person.

---

**BILLS**

**Cognate**

**Consideration of Amendments from the other House .....**

Bills amended in the other House (not the House in which the bills were introduced) are returned to the House of origin with a message and schedule of amendments. The bills remain in the House of origin and, as with single bills, further proceedings are dealt with via messages. Generally speaking, with regard to cognate bills the form for the consideration of amendments from the other House is the same as that relating to single bills.

However, standing orders may need to be suspended to permit the amendments of the other House in each of the bills being considered in one Committee of the Whole.

---

As with single bills, when consideration of the amendments of the other House has concluded the Chairman reports the resolution of the Committee to the House.

When the report is adopted a message is sent to the other House advising it of the resolution.

---

Use this form, despite the fact that the *Votes* and/or *Minutes* may show a separate motion and message for each bill.

---

**BILLS**

**Public**

**Assent** .....

Bills given royal assent are listed in the order announced to the House, indented in small print with no full stops.

In order that the second line of the title is further indented the following codes should be used: [indent[ [small] [shift plus tab].

---

At the opening of a new session.

---

Governor's salary bills are reserved for Her Majesty's assent. Do not use subheading **Message**.

---

**BILLS**

**Lapsed**.....

Bills not finally dealt with at the time of prorogation are deemed to have lapsed. At the commencement of the new session a message is received from the Governor listing those bills that had lapsed. In order that the second line of the title is further indented use control T.

---

**Restoration** .....

A **public bill** which has lapsed because of prorogation before it has been passed may be proceeded with in a later session from the point of interruption in a previous session of the same Parliament.

A **private bill** which has lapsed because of prorogation may be proceeded with if a petition is lodged by the promoters in a subsequent session of the same Parliament for leave to proceed with the same bill. If already examined by a select committee, it is not necessary for another select committee to examine the bill.

**Any bill** restored to the Business Paper shall be proceeded with as if its passage had not been interrupted by prorogation.

This form is to be used when the motion to restore the bill is being moved in the House in which the bill was introduced and being debated—or not finally dealt with—at the time of prorogation.

**Note:** Do not confuse this form with the form for restoring a bill that had been dealt with in one House, forwarded to the other House and was being dealt with in that other House at the time of prorogation. To restore such a bill a message is sent from the initiating House to the House that was dealing with it at the time of prorogation. **(See note below.)**

---

If the motion for restoration relates to more than one bill use the heading **Bills Restored**. If it relates to only one bill use the short title of the bill.

If an Assembly bill was in the Council at the time of prorogation, a message may be sent to the Council requesting that the bill be restored to the Council's business paper. In the case of Council bills in the Assembly, a similar message may be sent to the Assembly from the Council.

If the motion to send a message is debated, use this form.

If it is not debated, use the second on page 58.

---

**BILLS**

**Restoration (continued)**.....

If a motion to send a message to the other House to restore a bill is agreed to without debate, use this form:

If the motion for restoration relates to more than one bill use the heading **Bills Restored**. If it relates to only one bill use the short title of the bill.

---

For multiple bills in the Legislative Assembly use this form:

When a message is received in the Legislative Council requesting that a number of bills be restored to the business paper and that restoration is agreed to under Standing Order 201 use this form:

---

When a message is received from the other House requesting the restoration of a bill not having been finally dealt with in the receiving House at the time of prorogation, although having been dealt with in the House in which the bill was introduced, use this form.

---

**Note:** Set out message in full (including superscription and subscription). The addressee—The President and Mr Speaker—is in caps and lower case. The signatory is in upper and lower case small caps. The office or the title of the signatory is in caps and lower case.

---

Use this form for the restoration of bills in the following circumstances:

Where the bills were introduced and had reached a certain stage in the House in which they were introduced, but had not been finally dealt with.

Where the motion to restore the bills is being moved in the House in which the bill was introduced and being debated at the time of prorogation.

**Note:** Do not confuse this form with the form for restoring a bill that had been dealt with in one House, forwarded to the other House and was being dealt with in that other House at the time of prorogation. (See p. 57)

In order that the second line of the title is further indented use control T.

---

**BILLS**

**Restoration (continued)**.....

For restoration of a private member's bill (as opposed to a private bill), use this form:

If the motion is dealt with as a formal motion and agreed to without debate, and the House immediately proceeds to the second reading, use the formal motion notation, followed by the motion. This should then be followed by the centred **Second Reading** notation, **Debate resumed from [date]**, and a member speaking to the bill.

---

In the **Legislative Assembly** during the call-over for the placement or disposal of business, if the member responsible for a specific notice of motion or order of the day is not present, the notice of motion or order of the day will lapse.

If the member seeks to restore to the business paper a notice of motion for a bill that had lapsed because the member was not present during the call-over procedure, use this form:

---

A member may move to suspend standing/sessional orders to allow a motion to be moved forthwith relating to the restoration of a bill on the notice paper. If suspension is granted the member will then move that the matter be called on forthwith and that would usually be agreed to without debate. The member would then move for the restoration of the bill and that too would probably be agreed to without debate. For this series of events follow this form:

Note the reference in the Legislative Council to Standing Order 200. This is a clue as to the form required.

**BILLS**

**Unproclaimed bills (legislation) .....**

In the **Legislative Assembly** standing orders provide that every 15 sitting days the Chair is required to table a list of legislation remaining unproclaimed 90 days after assent.

---

In the **Legislative Council** the announcement may be made by a Minister. Use this form:

**BILLS**

**Public**

**Free Conference .....**

Erskine May states that the process of free conferences is now obsolete and that their main function of providing for communications between Houses on disagreement to amendments has been taken over by the modern practice of sending messages between the Houses. The last free conference held in the United Kingdom was in 1836 and its immediate predecessor in 1740.

Although it is a rare procedure, the Constitution Act and the standing orders of both the Legislative Council and the Legislative Assembly provide for the holding of free conferences, the last being held in January/February 1978. See pp 11425-11429, 11445-11449 and 12529-12530.

A motion may be moved that a message be sent to the other House requesting a free conference. The message also nominates the managers of that House.

A ballot might be requested.

---

Later the Chair will declare the result of the ballot.

---

A message is received from the other House agreeing to the free conference, appointing the place, date and time of the meeting, and stating the names of the managers of that House.

---

A message is sent to the other House agreeing to the time and place appointed by that House.

---

**BILLS**

**Public**

**Free Conference (continued).....**

When the time arrives for the holding of the conference, use this form.

Report the comments of the Chair in first person throughout.

Full to left margin. Italics.

Full to left margin. Square brackets. Italics.

The occupant of the chair leaves the chair during the free conference. If the free conference extends to the following day or subsequent days, show each day's proceedings in the House thus.

Each day's proceedings are separated by a 3-em rule. Day and date in italics.

**BILLS**

**Public**

**Free Conference (continued).....**

Ultimately the House will receive a report from the free conference. Report it in the first person, and incorporate any agreement that is attached to the report.

**BILLS**

**Public**

**Free Conference (continued).....**

The final report of the free conference is presented. Incorporate the report, which is inset left and right, in small print, the same as motions.

Ultimately a message is received from the [other House] withdrawing its earlier rejection of the bill and stating that it has passed the bill with amendments.

**BUDGET ESTIMATES AND RELATED PAPERS**

In 1984 the **Legislative Council** decided that it would debate the budget at the same time as the Legislative Assembly was debating it.

Acceptance of the Budget depends on the passage of the Appropriation Bill, which is treated like any other bill: it must first pass one House before being considered by the other. The special procedure adopted by the Legislative Council to enable it to debate the provisions of the Budget is to table the Financial Statements and then to move that the Council take note of them.

**Note:** The Appropriation Bill is dealt with like any other bill when it is received from the lower House.

Tabling of the financial statements and related papers. Check the descriptions each year of the documents tabled.

---

As noted above, when the financial statements are tabled a motion is moved that the Legislative Council take note of them.

Then follows the reading of the Budget. *Hansard* publishes the Treasurer's Speech as printed, no change to paragraphs or wording, at the end of which debate is adjourned.

---

Resumption of debate:

---

**BUSINESS OF THE HOUSE**

The heading **BUSINESS OF THE HOUSE** is used specifically for a procedure that has a housekeeping purpose—the rearrangement of the routine of business to accommodate the changing requirements of the House and its members.

Use the **BUSINESS OF THE HOUSE** heading if the housekeeping relates to a matter to be dealt with at a later time or date; or if there are several subject matters involved; or if there are complications to the motion such that would warrant it being spelled out.

See following references:

**ALLOCATION OF TIME FOR DISCUSSION**  
**NOTICES OF MOTIONS: Lapsed**  
**ORDER OF BUSINESS**  
**PRECEDENCE OF BUSINESS**  
**REORDERING OF GENERAL BUSINESS**  
**SUSPENSION OF STANDING AND SESSIONAL ORDERS**  
**WITHDRAWAL OF BUSINESS**

**CITIZEN'S RIGHT OF REPLY**

The resolution of the House concerning a citizen's right of reply provides that the citizen's response may be incorporated in *Hansard*. This is done when the motion is moved that the report be **ADOPTED**. Use the form opposite. Note the use of the margin lines to denote an incorporation.

If the material to be incorporated is not with the Deputy Editor or the Hansard Administration Office—that is, Lisa—it will be necessary to obtain a copy from the Legislative Council Procedure Office.

---

**CLERK SUMMONSED**

The Clerk may receive a subpoena to produce papers.

**Note:** A motion relating to the production of papers may follow.

**CLOSURE**

**Allocation of time for discussion—Form of notice of "Guillotine" .....**

In the **Legislative Assembly**, pursuant to Standing Order 100, the Premier, or a Minister acting on the Premier's behalf, may at any time state in the House the intention of the Government to deal with any business to a certain stage at a specified time at the next or a subsequent sitting.

To give effect to the notification a member shall move at or after the specified time on the date given, "That the question be now put (S. O. 100)." See **CLOSURE—Guillotine (S.O. 100)**.

The carrying of this question is an instruction to the Chair to put to the vote every question necessary to give effect to the notification. No further debate, amendment or reply is permitted.

After the carrying of the guillotine, the Chair shall put to the vote any amendments proposed by a Minister provided that the amendments were lodged with the Clerk, printed and circulated by the Clerk at least two hours before the specified time.

The gag may not be moved on any question contained in a notification of allocation of time under this standing order.

**Note:** See also **CLOSURE**.

**CLOSURE****The Gag**.....

Standing Orders in both Houses provide that any member (usually a Whip), either in the House or in Committee, may move "That the question be now put." However, this procedure—the gag—is rarely, if ever, applied in the **Legislative Council**. Such motion:

- may be moved whilst another member is addressing the House or Committee;
- shall be put forthwith and decided without amendment or debate; and
- must be carried by at least 30 members in the affirmative.

**Note:** A member who has spoken in the debate may not move "That the question be now put."

If a member is given the call but the gag is moved before he starts to speak:

Do not use the "**Motion agreed to**" notation.

---

If the "gag" is resolved in the affirmative, the substantive question—that which was before the Chair at the time the "gag" was moved—is then put. Obviously the substantive question may be decided on the voices or after a division. In this example the question before the Chair—"That this bill be now read a second time"—was agreed to on the voices. Report the words used by the Chair, which are likely to be those appearing opposite.

---

However, the standing orders provide also that whenever the closure is carried, the mover of the motion, if entitled to a reply, shall be permitted to speak for up to 30 minutes or a lesser time if specified. Should that right of reply be exercised, use this form.

**CLOSURE**

**Guillotine—Standing Order 100.....**

**Legislative Assembly**

Notification of allocation of time for discussion having been given on a previous occasion, effect is given to the notice by a member moving at or after the time specified in the notice "That the question be now put (S. O. 100)." This is called the guillotine. Carriage of the "guillotine" is deemed to be an instruction to the Chair to put to the vote every question necessary to give effect to the notice, without further debate or amendment. In this example the notification of allocation of time for discussion under Standing Order 100 was for the second reading debate of a bill to be dealt with by the time specified in the notice. The motion is moved usually by a Whip. If so, identify the member as such.

**Legislative Council**

Though this procedure is available to members in the Legislative Council, it is rarely, if ever, resorted to.

---

If a bill is being considered in Committee at the time of the application of the guillotine—which in this example is for the completion of all remaining clauses and the adoption of the report—the Chairman will put to the vote every question necessary to give effect to the notification;

**OR**

a question is put in relation to the clause under consideration at the time, a separate question in relation to the remaining clauses, followed by the adoption of the report.

---

**Circulated Amendments at Closure .....**

After the carrying of the closure, Mr Speaker or the Chairman shall put to the vote any amendments proposed by a Minister provided that the amendments were lodged with the Clerk, printed and circulated by the Clerk at least two hours before the specified time.

---

**CLOSURE**

**Member Not Further Heard .....**

Standing orders provide that a member may move without notice that a member who is speaking be not further heard. The question shall be decided without debate or amendment. The question may be decided on the voices, or after a division. If the member is a Minister or holds some other portfolio, e.g., Government Whip, do not reflect this but merely show reference to the electorate.

If a member is given the call but does not have the opportunity to contribute to the debate before he or she is gagged, put some opening words in the member's mouth.

**Legislative Assembly** Standing Order 68: a member, having been called to cease speaking, or any other member, may require Mr Speaker to put the question "That the honourable member for ... be not further heard." The question shall be decided without debate or amendment.

**Note:** No new heading is needed with this form.

In either House a member may move without notice that a member who has risen but not received the call be now heard. The question shall be decided without debate or amendment.

**Note:** See also **PREVIOUS QUESTION**.

---

**PREVIOUS QUESTION**

A method used occasionally to withhold from the decision of the House a motion that has been proposed from the Chair is to move "the previous question".

**Note:** The procedure is used to avoid an issue being decided. It is called the previous question because it is put before the original question, and on it depends whether the main question shall be put. By negating the previous question, the original question before the House is not decided but simply shelved. It may be dealt with on a subsequent day. The previous question may be debated, and the closure may be moved on it.

**Legislative Council** Standing Order 108 and **Legislative Assembly** Standing Orders 158 and 159 provide that the Previous Question shall be put in the form "That the question be now put." (**Legislative Council**) or "That that question be now put." (**Legislative Assembly**). If it is resolved in the affirmative, the original question shall be put forthwith, without amendment or debate; but if it is resolved in the negative the House shall proceed to the next business on the notice paper.

If the motion for the previous question is resolved in the affirmative, the original question shall be put forthwith without amendment or debate;

**OR**

if the motion for the previous question is resolved in the negative, the House shall proceed to the next item of business on the business paper.

**Note:** See also *Gleanings*.

---

**COMMITTEES**

The Parliament has a number of different committees, including statutory, select, joint select, standing, sessional or domestic, legislation and general purpose standing committees.

Statutory committees are established by Acts of Parliament. In 2000 the statutory committees were the Public Accounts Committee, consisting of members of the Assembly only, established under the Public Finance and Audit Act; the Regulation Review Committee, a joint committee established under the Regulation Review Act; the Committee upon the Independent Commission Against Corruption, a joint committee established under the ICAC Act; the Committee upon the Office of the Ombudsman, a joint committee established under the Ombudsman Act; and the Committee on the Health Care Complaints Commission, a joint committee established under the Health Care Complaints Act. Statutory committees continue in existence while the Acts establishing them remain in force and the Parliament continues to appoint members to serve on them.

Domestic committees in the Legislative Assembly (House Committee and Library Committee) and sessional committees in the Legislative Council (House Committee, Library Committee, Printing Committee and Standing Orders Committee) concern themselves with joint matters or with House procedural matters.

Standing committees are established by resolution of either House or both Houses for the term of the Parliament in which they are appointed. Their terms of reference are wide ranging and, therefore, unlike select committees, their inquiries are ongoing. The Standing Orders and Procedure Committee (LA) was formerly a domestic committee but has now become a standing committee. The Joint Standing Committee on Road Safety, commonly referred to as the Staysafe committee, is re-established by resolution of both Houses at the beginning of each new Parliament.

Select committees are appointed from time to time by either House to report on a specific matter, often within a fixed time frame. The motion for appointment of select committees may contain the names of members to serve. The date and time of first meeting shall be set by the mover, if a member of the committee, or by the Clerk. If a House proposes a joint committee, the message states the names of the members to be appointed by that House, but shall not nominate the time and place for first meeting. Select committees cease to exist once they have reported to the House.

Reports of committees are tabled in the House by the Chairman or other member of the committee or, if the House stands adjourned, by the Clerk at the next sitting of the House.

In the LA, bills may be referred to legislation committees. For the forms covering this procedure see "Bills".

In 1997 the Legislative Council appointed five general purpose standing committees to inquire into matters that did not fall within the scope of its other communities. These committees now examine the budget estimates.

**COMMITTEES**

**Joint and Select**

**Establishment** .....

When a motion is moved to establish a committee, treat the appointment as an ordinary motion. Follow *Votes/Minutes*. The motion establishing a select committee may contain the names of proposed committee members.

Such a motion may be agreed to after or without debate. Follow the usual forms.

The motion for the Legislative Council will probably show the member as Mr Member, but in the Legislative Assembly it will show the member’s full name. Follow the wording of the motion.



The **Legislative Council** has four sessional committees—House, Standing Orders, Printing and Library.

In the **Legislative Assembly** the House and Library committees are now referred to as domestic committees.

All names of committee members are listed alphabetically.

The motion for the Legislative Council will probably show the member as Mr Member, but in the Legislative Assembly it will show the member’s full name. Follow the wording of the motion.



A message is sent to the other House advising it of the resolution. The message may request the other House to appoint members to the committee or to set a day or date for the committee’s first hearing. Our notation will be this one sentence form:



Message received from the [other House].



If the House does not deal with the message immediately upon its receipt, use this form:

**OR** if the consideration of the message is resumed from an earlier hour or date, use this form:



When proposals for the appointment of a joint committee originate in one House, the other House nominates by way of motion its membership of the committee.



Response with a further message to the [other House].

**COMMITTEES**

**Standing and Select**

**Membership (Continued) .....**

When a Minister (usually in the Legislative Council) seeks leave and obtains leave to move in globo a number of motions relating to the membership of various committees, use this form.

**COMMITTEES**

**Standing and Select**

**Membership (Continued) .....**

When a Minister (usually in the Legislative Council) seeks leave and obtains leave to move in globo a number of motions relating to the membership of various committees, use this form.

**COMMITTEES****Joint and Select****Reports** .....

Reports and associated documents of committees, other than legislation committees, shall be presented at the time provided in the routine of business, **or at any other time with the leave of the House**. The member presenting the report/discussion paper/minutes may move that the document be printed, no debate or amendment being permitted. When a committee reports to the House, use the name of the committee as the main heading.

The name of the report is shown in the subheading if the report is debated. The subheading for the tabling of reports is **Report**. But the subheading is to contain the full name of the report when the matter is other than a pure tabling of a report, such as take-note debate in the Legislative Council and Thursday lunchtime debates in the Legislative Assembly. That includes the occasion upon which the initiating take note motion is moved. Also, a formal "report noted" debate, where the report is called on and the report is noted formally, without debate, should contain the full heading of the report. As the full name of the committee appears as the heading, do not repeat the name in the notation relating to tabling, but merely note, as per the examples opposite, "tabled the report entitled", rather than "tabled the report of the [full name of committee].

The words "**Ordered to be printed**" are added following the presentation of reports.

If only one report is tabled the name of the report will be run on in text. If more than one report is tabled the names of those reports should be indented.

**Note:** If the name of the report commences with the word "report"—for example, "Report Upon Regulations" or "Report on the Conduct of the Honourable Franca Arena MLC", simply use the name of the report as the subheading without the use of the additional "Report", e.g.

**REGULATION REVIEW COMMITTEE****Report Upon Regulations**

**Note:** For legislation committees and private bills referred to select committees for report and recommendation the main heading will be the name of the bill with the subheading "Legislation Committee" etc.

When leave is sought to make a progress report.

In the **Legislative Assembly** reports from committees are set down for consideration in the order presented as orders of the day "That the House take note of the report" and have precedence from 1 p.m. to 2 p.m. on the last sitting day of each week.

Reports may be noted without debate, in which case, as an exception, the name of the report is indicated in the subheading;

**OR**

after debate.

Reporters should check the correct title of committee reports from a copy of the report, not from the *Votes/Minutes*. If the report is not available in the Hansard library, the reporter concerned should obtain a copy for the Hansard library and **provide a photocopy of the title page** to the relevant forms sub for checking the next day.

**COMMITTEES**

**Joint and Select**

**Reports (continued) .....**

If a number of reports of the same committee are noted without debate during the procedure that commences at 1.00 p.m. on Thursdays in the Legislative Assembly, use this form:

**Note:** Report titles are to be rendered in the following way, regardless of what is on the front page of the report:

- use Hansard capitalisation;
- do not use *italics* or **bold** lettering;
- when the title of the report is split on two lines with no punctuation between the lines, use a long dash [—]; and
- if the title of the report contains a colon, replace it with a long dash [—].

**COMMITTEES**

**Joint and Select**

**Reports (continued) .....**

Reports may be printed together with other associated documentation, but only the report or perhaps only certain documentation may be ordered to be printed. This should be noted; use this form.

---

In the **Legislative Council** if any measure or proceeding is necessary upon a report from a committee, it must be brought under consideration by a specific motion of which notice must be given.

In the **Legislative Assembly** this is done as a procedural matter, not as a motion. See explanatory note to form 74.

In the Legislative Council debate on committee reports takes place each Wednesday for one hour, after which debate is interrupted for other business.

---

When a member presents a report from a committee, moves that it be printed, and is granted leave to make a statement.

---

Subsequently other members may be granted leave to make a statement on the same report. Use this form whenever a member is granted leave to make a statement.

After the **Leave granted** notation the member takes a new paragraph, without a P or U Macro;

---

When a member seeks leave to make a statement but is not granted leave, use this form:

**COMMITTEES:**

**Reports**

**Tabled or Received by Chair .....**

The only reports tabled by the Chair that are included in *Hansard* are those of parliamentary committees, the Independent Committee Against Corruption, the Police Integrity Commission, the Ombudsman and the Auditor-General, and those that are ordered to be printed.

The Chair may table;

**OR**

announce receipt of reports.

The **Legislative Council** minutes use wording such as "in accordance with" but Hansard will use the wording "pursuant to".

---

**Received by the Clerk.....**

Occasionally the Clerk will announce the receipt of reports of parliamentary committees.

If there is one report, run on in text the name of the report. If there is more than one report, indent the names of the reports.

---

**COMMITTEES:**

**Reports**

**Government Response .....**

If a Minister tables a written response by the Government to a report, or if a motion is moved seeking a response from the Government to a particular report, use this heading.

If the response is debated, use this heading.

---

---

If the Government response to the report is debated, use this heading:

---

---

**COMMITTEES**

**Statutory**

**Appointment of Members .....**

Statutory committees are established by Acts of Parliament and continue in existence while those Acts remain in force and the Parliament continues to appoint members to serve on them. Appointments of members and changes in membership of statutory committees are usually made by motion.

Such a motion may be agreed to after debate or without debate. Follow the usual forms.

The motion for the Legislative Council will probably show the member as Mr Member, but in the Legislative Assembly it will show the member's full name. Follow the wording of the motion.

---

**Reports.....**

Tabling of reports of statutory committees is treated the same as tabling of reports of select and joint committees.

---

If a member seeks and is given leave to speak to a report that is not listed on the business paper, use this form:

---

**COMMITTEES**

**Joint and Select**

**Appointment of Members .....**

Use this form for membership of a committee:

---

If a Minister moves a number of motions in globo relating to the membership of a number of committees, use this form:

---

**COMMITTEES**

**Appointment of Members by ballot.....**

An example appears opposite of a ballot for crossbench membership of a committee.

---

**COMMITTEES**

**Budget Estimates**.....

See **BILLS—Committees: General Purpose Standing Committees of the Legislative Council Joint Estimates Committees.**

For reporting of budget estimates see separate publication.

---

**CONDOLENCE MOTIONS**

**Member of the Royal Family** .....

An address to the Sovereign is the form ordinarily adopted by both Houses for making known to the Crown their desires and opinions, and for acknowledging communications from the Crown.

The procedure upon a motion for an address is the same as upon an ordinary substantive motion.

The subjects of address include an expression of congratulations or condolence.

An address of condolence upon the death of, say, a member of the royal family is to be distinguished from an ordinary motion of condolence.

Take in wording of motion. The motion should correspond with the *Votes/Minutes*.

---

In the **Legislative Assembly** the Leader of the Opposition or a member on his or her behalf will support the motion for the adoption of the address of condolence.

---

The motion having been agreed to, as a mark of respect members and officers of the House stand.

---

The Chair will report the receipt of a communication from the Governor acknowledging receipt of the address of condolence.

---

**CONDOLENCE MOTIONS**

**Serving Member**.....

This heading will be used for the notification of the death of a serving member of the House, and upon the condolence motion.

For serving members of the **Legislative Council** do not include the title MLC and do not abbreviate "Honourable";

**OR**

for serving members of the **Legislative Assembly** include the reference to the electorate.

Report any announcement by the Chair in the first person.

If the condolence motion follows at once, which is the usual procedure, the heading is not repeated.

It is usual for the Leader of the Opposition to second the motion of condolence and for other members to speak to the motion.

Protocol dictates that on the death of a serving member or a former Premier the House adjourns as a mark of respect. Usually the condolence motion will include a reference to the House adjourning as a mark of respect.

---

However, if more than one condolence motion has been agreed to separately, without the words "That □ this House do now adjourn", a Minister (usually the Premier or the Leader of the House) will move the adjournment thus.

---

The Chair may inform the House of the receipt of acknowledgment of a condolence.

Use whichever form is the more appropriate.

**Note:** In the **Legislative Council** do not include the title MLC. "**THE HONOURABLE**" is written in full in a heading but the abbreviated form "the Hon." is used in motions or in text.

---

**CONDOLENCE MOTIONS**

**Former Member/Former Parliamentary Employee .....**

This heading will be used for the notification of the death of a former member of the House, and upon the condolence motion.

For former members of the **Legislative Council** do not include the title MLC and do not abbreviate "Honourable";

**OR**

for former members of the **Legislative Assembly**.

The Chair may announce the death of a former member, extend the deep sympathy of members to the family of the former member, and ask members to stand as a mark of respect. A motion of condolence will not follow such an announcement.

---

However, if there is no announcement by the Chair or the announcement does not include the invitation to members to stand as a mark of respect, a motion of condolence is moved (usually by the Premier or Leader of the House). When debate on the motion concludes, members are then asked to stand as a mark of respect.

---

The Chair may inform the House of the receipt of acknowledgment of a condolence communication.

Use the form appropriate for each House.

**Note:** In the **Legislative Council** do not include the title MLC, and do not abbreviate "Honourable" in the heading.

---

**Former Parliamentary Employee.....**

If the House notes the death of a former parliamentary employee use a form similar to this:

COUNSEL AT THE BAR OF THE HOUSE

In the **Legislative Assembly** the prayer will almost invariably relate to a bill, which provides the subject heading.

---

If more than one objection is taken or if the objector is unidentified.

---

If consent was refused earlier, the motion is placed on notice and treated as any other motion.

Counsel's address is indented left and right in small print, similar to a motion.

---

COURT OF DISPUTED RETURNS

In the **Legislative Assembly** the Clerk receives a copy of the election petition from the Supreme Court.

---

Chair reports the receipt of a copy of an order of the court from the Prothonotary.

---

**DAILY HEADING**

The heading is in large print.

**Note:** Though the previous special adjournment motion may have set the time for resumption as [time] *sharp*, do not include *sharp* with the time in the daily heading.

In the **Legislative Council**, at the opening of a session only one prayer is offered. Upon the adoption of sessional orders the Lord's Prayer is also offered. Therefore, the notation on subsequent days will refer to the offering of prayers rather than the prayer.

See also the **DAILY HEADING** for the first day of a session, forms 138 to 144.

In the **Legislative Council** if the President is absent from the State, the Chairman of Committees takes the chair as Acting-President. In the absence of the President, other than from the State, the Chairman of Committees takes the chair as Deputy-President.

---

**DEBATE**

**Adjournment** .....

Debate may be adjourned on motion by a member who has not spoken to the question. The resumption of the adjourned debate may be set down for a later hour of the same day, tomorrow or a future day by the member having carriage of the matter;

**OR**

**Note:** A member whose motion for the adjournment of debate is negatived is held to have spoken in the debate;

**OR**

a motion for the adjournment of debate is not open to debate or amendment. It may be decided on the voices or after a division.

**Note:** If the question is resolved in the negative, the debate proceeds.

---

When a private member's bill or a motion is called on, usually in the Legislative Assembly on Thursday mornings and the initiating motion has not been moved.

---

**DEBATE**

**Expiration of Time**

**For Debate .....**

Debates for some procedures are limited as to time; for example, debate on the adjournment motion in the Legislative Council.

Should a member be speaking when the time for debate on a motion expires, use this form. It is distinct from the notation used when a member's time for speaking has expired.

---

**For Member to Speak.....**

Standing orders provide for time limits to apply to debates and speeches. When the time allowed for a member to speak expires the Chair will interrupt the member thus: "Order! The member's time has expired." The words of the Chair are not normally reported. Use this notation.

---

However, if a member has taken a point of order or has interjected and it is not possible to show "[*Time expired*]" against the main speaker, rather than put the notation on the margin, put words in the Chair's mouth as opposite or similar.

Similarly, in debate in the Legislative Council on a matter of public interest, time for debate is limited to one and a half hours, although the proposer retains a right of reply. In cases where a member is cut short by the expiration of time, and the proposer then replies, for clarity Hansard will use the Chair's words or, if necessary, put words in the mouth of the Chair that time for debate has expired and the proposer is called in reply.

---

**DEBATE**

**Extension of Time**

**For Debate .....**

If it is desired to continue debating the question before the Chair at a time when standing (and sessional) orders require that other business be dealt with, a member (usually a Minister, and usually the Leader of the House) must seek leave to suspend standing (and sessional) orders for that purpose.

See **FORM 177: SUSPENSION OF STANDING ORDERS**



**For Member to Speak.....**

A member may seek an extension of time (by request to the Chair, which is not reported); or another member may request (by way of motion) that the member's time be extended. Both the request and the motion—which are put in the form of a question from the Chair—are dealt with without debate or amendment, and are rarely denied.

When the request is made by the member speaking;

**OR**

when the request (in the form of a motion) is made by a member other than the member speaking.

In some instances the House might agree to extend a member's speaking time when the standing orders do not allow for it, especially during a take note debate on committee reports. In this case the votes will show an extension of time, by leave, agreed to. We will use this form.



However, in the unlikely event that the request (or motion) is not granted, the question may be resolved by a division. In such circumstances, the request must be put in the mouth of either the member speaking or the member who requests (by motion) an extension for the member speaking.



**DEBATE**

**Extension of Sitting .....**

Either House may wish to extend its sitting time beyond the time set down in the sessional orders. This may be done in either of the two ways set out opposite.

---

In the Legislative Assembly if the Committee wants to sit beyond 10.30 p.m. it must report progress and seek leave to sit again, then move that the sitting be extended, and then resume consideration. Use this form:

**DEBATE**

**Interjections**.....

**REPORTING OF INTERJECTIONS**

Interjections are disorderly and members are entitled to have their speeches printed free of them. Therefore, the general rule is that interjections are not reported unless they are acknowledged by the member speaking or are necessary to in any way make sense of what follows.

So, if the member speaking responds to an interjection, include the interjection. If you do not hear the interjection, use the marginal notation [*Interruption*], even if you do not think the interjection is relevant. The subeditor will decide its relevancy.

If an interjection attracts a call to order or other comment from the Chair, do not include the interjection—again unless it is necessary to make sense of what follows—or the marginal note.

Unless there is good reason not to do so, if a member is called to order mid-sentence, move the call to the end of the sentence rather than interrupt it.

**Note:** If, however, debate on the question before the Chair had been adjourned before the order of the Chair interrupting business, the notation Debate adjourned on motion by the Hon. FIRST NAME Member, is sufficient because neither business nor debate will be interrupted.

---

**Interruption**

**Pursuant to resolution** .....

In the **Legislative Assembly** the Leader of the House (or another member) may move suspension of standing orders to permit a particular debate to be conducted for a specified time, and to be adjourned at a specified time to allow other business to be conducted. For example, the motion might be that private members' statements be taken, not at the time specified in the standing orders, and that they be interrupted to deal with other business at a certain time. Use this notation.

In the **Legislative Council** the same provision applies, under Legislative Council resolutions, with the same notation to be used. In that House the debate on committee reports on any Wednesday on which the debate has precedence after question time is to be interrupted after one hour. The interrupted debate is to stand adjourned until the next Wednesday on which it has precedence after question time.

**DEBATE**

**Interruption**

**To Interpose Other Business**.....

Use this form when a short item of business interrupts the debate.

**Note:** Similar form is used when a member is named. See reference **MEMBERS—Named**.

If, upon resumption, the same member is speaking;

**OR**

if, upon resumption, a member different from the member speaking before the interruption commences to speak.

When the business to be interposed will take more than a few lines the debate is usually adjourned.

When dissent is taken from a decision of the Chair. See pages 91, 92 and 150.

**Note:** Whether or not the member speaking on the resumption is the same member who was speaking when other business was interposed, use the **P MACRO**. However, if it is a continuation of a reply, do not repeat the ", in reply:" notation.

**Meals and Other Breaks in the House**.....

This form is used for meal breaks and other breaks in the House.

For full references to occupants of the Chair, see page 161

in Committee.

If the same business continues after the break, do not use the heading.

If the same member continues to speak, show the time, which will be the same time shown in the square brackets.

**DEBATE**

**Interruption**

**Short Breaks**

**Disorder .....**

Disorder in the House—or in the gallery—may lead to suspension of the sitting.

When the House reassembles the Chair may make a statement. Report in the first person.

---

**In Committee.....**

Committee consideration may be interrupted to enable a point of order relating to a decision of the Chair to be reported to the House for determination by the Chair, or to suspend standing (and sessional) orders to permit the continuation of Committee consideration. (See form 18).

When Committee consideration is interrupted for a short matter use these notations to show the interruption and the resumption:

See references: **POINT OF ORDER** and **BILLS—Committee** (Form 18).

---

**Pursuant to Standing (and Sessional) Orders.....**

Standing and (more usually) sessional orders provide that at designated times on given days specific business will be dealt with. If when that time arrives debate on the question before the Chair has not been completed, it will be interrupted to enable the relevant business to proceed. Do not report the Chair saying these, or similar, words: "Order! It being [time], pursuant to standing (and sessional) orders, business is interrupted." Use instead this notation.

**Note:** Use this form when business is interrupted at 10.30 a.m. and 11.30 a.m. on Thursdays in the LA.

If business is interrupted pursuant to standing or sessional orders when the House is in Committee, and the House then moves to other business, use these two notations in this order.

---

If the House has passed a motion that suspends standing orders to allow for certain debates to take place at certain times, the interruption of debate will be pursuant to resolution, not pursuant to standing and/or sessional orders.

**DEBATE**

**Interruption**

**Short Breaks**

**Disorder (continued)**.....

In the Legislative Council if the Committee of the whole wants to continue to sit beyond a time it should, for example at the time set down for question time or at 5.00 p.m. on Thursday, standing and/or sessional orders will have to be suspended **in the House**.

**DEBATE**

**Resumption**.....

When debate on a motion is resumed from an earlier hour or day.

---

When debate on a bill is resumed from an earlier hour or day.

In the House;

**OR**

in Committee.

**Note:** "Consideration" not "debate" is resumed.

---

When debate in the House or consideration in Committee is called on for resumption, but adjourned without further debate.

**DISSENT**

**Ruling of the President/the Deputy President .....**

**Legislative Council** Standing Order 89 provides that in the House a motion of dissent from a ruling by the Chair may be moved at once.

Use the notation used for any interruption to debate—italicised marginal notation in square brackets. Remember that the heading of the matter being dealt with at the time the ruling was given will have to be put up again when the dissent motion has been disposed of.

**DISSENT**

**Ruling of Mr Speaker/Deputy-Speaker/Acting-Speaker .....**

In the **Legislative Assembly** the procedure for dissenting from a ruling or decision of the Chair is as follows:

- the member must give notice of a motion at the time for notices, stating the grounds of the dissent;
- the notice must be moved within three sitting days after the ruling;
- the motion shall take precedence of all other business on the day appointed;
- the Chair shall be entitled to put the question on any such motion after debate has exceeded 30 minutes;
- the notice lapses if not moved or postponed on the appointed day; and
- any member and the mover in reply shall each be limited to 10 minutes.

**Note:** Use the notation used for any interruption to debate—italicised marginal notation in square brackets. Remember that the heading of the matter being dealt with at the time the ruling was given will have to be put up again when the dissent motion has been disposed of.

---

In the **Legislative Assembly** to avoid giving notice, and to debate the issue immediately, standing orders would have to be suspended.

---

**Ruling of Chair in Committee.....**

In both Houses objection to a decision of the Chair must be taken at once and in writing. A motion is moved that the Chair report the objection to the House for determination by the Chair as a ruling on a point of order, after which proceedings in Committee resume from where they were interrupted. See reference: **POINT OF ORDER—Taken in Committee**. In the Legislative Council an objection taken to a ruling of the Chair in Committee is in the form of a point of order, rather than a motion, to the House.

**DISTINGUISHED VISITORS**

**Announcements** .....

Occasionally the Chair will announce the presence in the gallery of distinguished visitors. The names and titles of the visitors are available from the appropriate House office.



If the announcement by the Chair interrupts debate, use the italicised marginal notation used when a short matter interrupts business.

Use **DISTINGUISHED VISITORS** as appropriate.



Though a rare occurrence, distinguished visitors have been invited—by way of motion, which is usually seconded—to take a position on the right of the Chair;

**OR**

to enter on to the floor of the House for the purpose of making a presentation.



**Visitors** .....

Announcements and welcoming remarks of the Chair should be reported in the same manner as Hansard reports rulings, that is, in direct speech and without a heading. Use the words of the Chair.

The heading "**VISITORS**" should not be used unless something unusual happens as it did on 18 September 1966 at page 4338 when Mr Whelan welcomed visitors at the end of the night. If a welcome to visitors is the first event of the day it will be necessary to use the heading "**VISITORS**". The acknowledgement of visitors is included in the daily proof but is deleted from the pamphlet.

**DISTINGUISHED VISITORS**

**Presentation of Gifts .....**

Similarly, a distinguished visitor may be invited to enter through the Bar on to the floor of the House for the purpose of presenting a gift, as happened on the occasion of the presentation of the Black Rod to the Legislative Council to commemorate the one hundred and fiftieth anniversary of the first meeting of the Legislative Council.

When the Chair announces the presence in the gallery of the visitor/s, proceed under the heading of **DISTINGUISHED VISITOR/S**.

However, proceed under a heading that identifies the gift and the purpose of its presentation when the visitor enters on to the floor of the House to make the presentation.



**DIVISIONS**

**Standard Form**.....

When the Chair puts a question the House may decide it on the voices or call for a division. If a division is called for we note the question that is put, e.g. "**Question—That the motion be agreed to—put**" followed by "**The House divided**" and the division list. The Ayes are always listed first.

To call up a division list type "The House divided" and press F3.

---

**Without Debate on a Motion**.....

For this example, the question is "That this bill be now read a third time."

Whenever the House or Committee divides immediately after a motion is moved or the question is put in the mouth of the Chair we no longer use "**Question put.**"

If the question is resolved in the affirmative, there is a three-line notation. If the question is resolved in the negative, there is a two-line notation.

---

**Called Off**.....

Though it is rare, a division may be called off after the bells have been rung and the members are being counted.

See also **DIVISIONS—Withdrawal of Motion in Division.**

---

**DIVISIONS**

**Questions put from the Chair** .....

The question put from the Chair is not always noted in *Hansard*. On most occasions the notation **Motion agreed to** at the close of the debate describes the procedure adequately. However, for a division, note the question in short form for the sake of clarity of report.

Set out opposite are forms of questions put by the Chair when a division is called for.

---

Do not use **That the words proposed to be left out stand**.

**Note:** The Ayes vote on the right of the Chair, which is where the Government sits. If the Opposition moves "**That [words] be deleted**", the Opposition would have to move to the right to vote Aye. To avoid this, the Chair will state the question "**That the words stand**."

---

Do not use **That the words proposed to be inserted be so inserted**.

---

---

When, to test the feeling of the Committee, the Chairman puts one of two conflicting amendments; or when for greater accuracy or to avoid ambiguity it is appropriate to identify one of a number of amendments.

---

When the question is put after debate on a disallowance of regulation motion, do not use **Question—That the regulation be disallowed—put**, even if the Chair were to put the question in that form. The correct form is as shown.

---

If the question is stated in the run of text, use this form of capitalisation and punctuation:

---

**DIVISIONS**

**Tellers and Pairs** .....

The Chair appoints two tellers for each side (usually the respective Whips and Deputy Whips). Tellers may not decline to be appointed unless excused by the Chair. In the event of tellers not agreeing, other tellers shall be appointed until there is agreement. After counting the votes the tellers hand up the lists, signed by them, to the Chair, who declares the result of the division.

Members voting with the ayes are shown first, in alphabetical order. Members voting for the noes are shown second, in alphabetical order.

Usually by agreement between the parties, members who but for being absent legitimately from the Parliament would have voted in a division are given a "pairing" with members who would have voted in an opposite manner. The names of those members are shown at the foot of the division list and recorded in *Hansard* in alphabetical order, with members voting with the ayes listed first in alphabetical order under and to the left of the subheading **Pairs**, and the members voting for the noes listed in alphabetical order under and to the right of the subheading **Pairs**.

---

**Deferred Divisions**

Sessional orders in the L.A. provide that divisions called before 10.30 a.m. on a day on which the House sits at 10.00 a.m. be deferred until after 10.30 a.m. When the division is called for and deferred, use this form. The example given is for a bill, but it could just as easily be a motion.

Later, when the deferred division is held, use this form:

**DIVISIONS**

**Standing Order 129(c)—Legislative Council.....**

If in a division in the **Legislative Council** there is only one member on a side, the Chair shall apply Standing Order 129(c) and forthwith declare in favour of the ayes or noes as the case may be. That member's name does not have to be recorded.

The Chair's remarks are not reported—the notation **Standing Order 129(c) applied.** is sufficient.

Therefore, if there are two or more members on a side, the division proceeds. If there are only two on a side, obviously they become the tellers for that side.

---

**Standing Order 191—Legislative Assembly.....**

If in a division in the **Legislative Assembly** there are five or fewer members on a side, the Chair will apply Standing Order 191 and, without completing the division, will declare the question resolved and the number in the minority and their names are recorded.

The Chair's remarks are not reported—the notation **Standing order 191 applied.** is sufficient.

The names recorded under S.O.191 should be inserted in the centre column under **Noes.**

---

**Successive Divisions**

**Legislative Assembly** Standing Order 195 provides that if a second division is called for following limited or no intervening debate after an earlier division, the Chair may seek the leave of the House or Committee for the doors to be locked and the vote taken forthwith. Proceed immediately to the second division. Do not report the Chair's comments seeking leave to abbreviate the ringing of the bells.

---

**DIVISIONS**

**Debate During Division .....**

Interruptions should be shown where appropriate, either before or after the division list.

The interruption is likely to be on a point of order, and usually the first form—unless a matter arose after the announcement of the result of the counting and before the declaration of the resolution of the question—would be the more appropriate.

---

Similarly, if a member is called to order during a division, the interpolation should be included **where appropriate, before or after** the division list.

---

**DIVISIONS**

**Withdrawal of Motion in Division**.....

Should a member seek leave to withdraw a motion the subject of a division before the locking of the doors, use the notation **Division called for**.

If leave is granted to withdraw the motion, use this form;

**OR**

if leave is not granted to withdraw the motion, use this form.

---

Should a member seek leave to withdraw a motion, the subject of a division, after the "locking of the doors" and the appointment of the tellers by the Chair—a time when the House is deemed to have divided—use the notation **The House divided**.

If leave is granted to withdraw the motion, use this form.

**OR**

If leave is not granted to withdraw the motion, use this form.

---

The House is not deemed to have divided until the locking of the doors. If a division is called for and called off before the locking of the doors, use this form:

If a division is called off after the locking of the doors, use this form:

**DIVISIONS**

**Pairs** .....

Usually by agreement between the parties, members who but for being absent legitimately from the Parliament would have voted in a division are given a "pairing" with members who would have voted in an opposite manner. The names of those members are shown at the foot of the division list and recorded in *Hansard* in alphabetical order, with members voting with the ayes listed first in alphabetical order under and to the left of the subheading **Pairs**, and the members voting for the noes listed in alphabetical order under and to the right of the subheading **Pairs**.

Use this form should an irregularity occur in the pairing arrangements.

Report the words of the Chair in the first person.

---

**Casting Vote** .....

If after a division the vote (or numbers) are equal, the Chair will give his casting vote.

He will usually begin by stating the result of the vote and follow with words similar to those in this form. Report the remarks of the Chair in the first person. It is unnecessary for our purposes to report his reference to the actual numbers as the lists of names for and against are headed with the numbers.

**Note:** If the Chair gives reasons for his casting vote, incorporate them. Standing orders provide that they may be recorded in the *Votes/Minutes* and in the proceedings of the Committee.

As the result of the division is included in the words spoken by the Chair, do not use the usual bold notation such as **Question resolved in the affirmative/negative** or (in the event of closure motions or motions other than the substantive motion) **Resolved in the affirmative/negative**.

**DIVISION OF QUESTION**

Standing Orders provide for the division of a complicated question into parts.

Such a motion, which is to be reported, shall be decided without debate or amendment, may be decided on the voices;

**OR**

it may be decided after a division.

In the **Legislative Council** the splitting of the question may be straightforward:

If the splitting of the question is complicated, put the question in the Chair's mouth:

---

**ELECTIONS**

**Periodic Elections.....**

Since the reconstitution of the **Legislative Council** in 1978 periodic elections have been held to elect half the membership—21 members.

The members are listed in order of election—full name, with surname first, indented in small print, no full stops.

**Note:** Do not use "the Hon." add titles at this stage as they have not been sworn or affirmed.

Members are sworn or affirmed in order of election. Having taken and subscribed the oath or affirmation and signed the roll they become entitled to the title "The Hon." Therefore, list the names with the title "The Hon." first and the surnames last. See forms 122 and 123 and explanatory notes.



**GOVERNOR**

**Absence** .....

When the Governor is absent from the State, the Lieutenant-Governor or his deputy acts as Administrator and advises the Parliament. This message is usually read after the event and when the Governor has resumed the administration.

---

Report any motion moved for the adoption of a message relating to acknowledgment of the message.

---

As stated above, a message advising that the Governor is absent from the State is, usually, read after the event. Similarly, the message announcing that the Governor had resumed the administration of the Government is likely to be read on the same day.

---

**Extension of Term**.....

Extension of term of office.

---

**GOVERNOR**

**Appointment**.....

The Chair will report to the House receipt of a message relating to the appointment of the Governor. These remarks are reported in the first person.

---

The procedure immediately following the above announcement may vary as between the Houses.

A motion may be moved that an address in acknowledgment of the message be adopted by the House and presented to the Governor.

Such a motion is usually seconded.

---

An announcement is made by the Chair relating to the attendance of the House on the Governor to present the address. Use this form if the attendance on the Governor is required immediately following the comments of the Chair.

The House may proceed immediately to Government House;

**OR**

the House may proceed to take other business, in which case the House will go to the Governor at a later time or on a subsequent day, and this notation is unnecessary. See form below;

**OR**

the House may adjourn after the announcement and reassemble to take other business or to proceed to Government House for the presentation of the Address.

---

Use this heading only if the House goes to the Governor at a time or on a day subsequent to the time or day on which the announcement is made.

For the Governor's answer follow the *Minutes/Votes*.

---

**INAUGURAL SPEECHES**

When a new member makes his or her first speech in the House, use this form. If the member does not speak to a bill or motion, as has been the practice in the Legislative Assembly, use the heading “**INAUGURAL SPEECHES**”. Include comments of the President or Speaker in relation to members observing the usual courtesies.

**INCORPORATED MATERIAL**

A member may be granted leave to have material incorporated in *Hansard*.

**Note:** If a Minister seeks to have the explanatory notes of a bill incorporated but they are the same as the explanatory notes already published with the bill, **do not** incorporate the notes. Have the Minister say words similar to the following: "I table the explanatory notes to the bill for the information of honourable members."

Such material is incorporated at the time leave is granted. Therefore, the responsibility to ensure that the material is obtained and inserted rests with the reporter in whose turn leave was granted.

The material will be incorporated immediately after the member has sought and been granted leave and between two 3-em rules ranged to the margin—one at the beginning and one at the end of the incorporation.

If the same member continues to speak after the incorporation, recommence with the **U Macro**.

If there is a change of speaker use the **P Macro**.

It may not be possible to incorporate some material in the daily proof. However, it will be included in the pamphlet. See examples opposite.

---

If a member obtains leave to incorporate two or more documents at the one time, place a 3-em rule between the documents as well as at the beginning and the end of the incorporation.

If the same member continues to speak after the incorporation, recommence with the **U Macro**.

If there is a change of speaker use the **P Macro**.

**SENATE VACANCY**

In both Houses the Chair will report the receipt of a message from His Excellency the Governor transmitting a copy of a dispatch from the President of the Senate of the Commonwealth notifying a vacancy in the Senate because of the death or resignation of a senator.

---

In the **Legislative Council** a motion is moved to the effect that the message would be taken into consideration on receipt of a message from the Legislative Assembly.

---

In the **Legislative Assembly** a motion is moved that the House meet with the Legislative Council for the purpose of a joint sitting to choose a person to fill the vacancy.

Immediately following that motion a message is sent to the Legislative Council advising it of the resolution.

---

In the **Legislative Council** the President will report the receipt of the message, after which a motion will be moved agreeing to meet with the Legislative Assembly for the purpose of the joint sitting at a specific time and date.

A message will then be sent to the Legislative Assembly advising it of the resolution.

---

SENATE VACANCY (continued).....

In the **Legislative Assembly**, when the message is received, Mr Speaker will inform members of the message and will set down the joint sitting with the Legislative Council as an order of the day for the day specified in the message from the Legislative Council.

---

When the time for the joint sitting arrives in the **Legislative Council** use this form.

Use the [*Debate interrupted.*] notation if debate is interrupted for the joint sitting and the House is not formally adourned.

---

When the time for the joint sitting arrives in the **Legislative Assembly** use this form.

**LEGISLATIVE COUNCIL VACANCY**

In the **Legislative Council** the President will report the receipt of a communication from the Governor notifying the resignation of a member. The President will also announce that he had acknowledged the communication and that the resignation had been registered in the Register of Members of the Legislative Council.

---

In both Houses the Chair will report the receipt of a message from His Excellency convening on a specific date and time a joint sitting of the Legislative Assembly and the Legislative Council to elect a person to fill a vacancy in the Legislative Council.

---

When the time for the joint sittings arrives in the **Legislative Council** use this form.

---

When the time for the joint sittings arrives in the **Legislative Assembly** use this form.

---

**JOINT SITTING**

**Senate Vacancy .....**

The report of the joint sitting appears in the pamphlet before the report of the Legislative Council and the Legislative Assembly for that day. The joint sitting will have turn numbers separate from the House.

Each House meets separately and then adjourns to attend the joint sitting at the appointed time.

Following the joint sitting each House reassembles and reports the result of the joint sitting. See forms 108 and 109.

Opposite is the standard form for a joint sitting to fill a vacancy in the Senate of the Commonwealth.

**JOINT SITTING**

**Senate Vacancy (continued)** .....

If there is a second vacancy to be filled proceed as shown:

---

**JOINT SITTING**

**Legislative Council Vacancy .....**

The report of the joint sitting appears in the pamphlet before the report of the Legislative Council and the Legislative Assembly for that day. The joint sitting will have turn numbers separate from the House.

Opposite is the standard form for a joint sitting to fill a vacancy in the Legislative Council.

**JOINT SITTING**

**To Receive a Message from the Sovereign .....**

Opposite is the form used on the occasion of a visit of Prince Charles to read a message to both Houses from Her Majesty the Queen on the anniversary of the first meeting of the Legislative Council of New South Wales and the inauguration of parliamentary institutions in Australia.

**MATTERS OF PUBLIC IMPORTANCE**

In the **Legislative Assembly** the procedure, as set out in Standing Order 121, for matters of public importance is as follows:

The matter, which must be definite, shall be handed in writing to Mr Speaker no later than 1.00 p.m. on any sitting day and immediately published.

In the event that more than one matter is submitted, Mr Speaker shall determine which matter is of the greatest public importance.

If Mr Speaker decides that any matter proposed is in order, it shall be announced to the House by Mr Speaker before the calling of questions. **These announcements are not reported.**

When the matter is called on, proceed under an appropriate **HEADING** and the subheading **Matter of Public Importance**.

**Note:** The matter is **not** reported in the form of a motion, even though sometimes members try to move the matter as a motion. Hence the final notation **Discussion concluded.**, not **Motion agreed to.**

At the conclusion of the discussion, although no question is put, use the notation shown.

---

Should the discussion be interrupted to interpose other business:

---

The discussion will resume at a later hour of the day.

---

If the discussion is interrupted to interpose other business, such as the announcement of the presence of distinguished visitors in the Chamber, use the usual form for the interruption of debate. However, rather than use the notation [*Debate interrupted.*] use the notation [*Discussion interrupted.*].

---

**MATTERS OF PUBLIC INTEREST**

In the **Legislative Council** sessional orders now provide for important matters of public interest to be discussed. Under this procedure, a member may move, pursuant to notice given at a previous sitting, "That the following important matter of public interest should be discussed."

The motion may be decided on the voices;

**OR**

it may be decided after division. In the event that a division is called for, the question is "**That the motion be agreed to.**"

---

If the question is resolved in the affirmative, the discussion will proceed with the mover of the motion commencing. Use the **P MACRO** facility.

**Note:** If the question is resolved in the negative, the matter will not be discussed and the House will move to another matter.

---

If the discussion is interrupted to interpose other business, such as the announcement of the presence of distinguished visitors in the Chamber, use the usual form for the interruption of debate. However, rather than use the notation [*Debate interrupted.*] use the notation shown [*Discussion interrupted.*].

---

If the discussion is adjourned.

---

When discussion on the matter concludes.

---

Should the discussion be interrupted, in accordance with standing or sessional orders.

---

When an adjourned or interrupted discussion resumes.

**Note:** As the mover of the motion has a right of reply at the end of the discussion and the time allotted that member for his or her reply is not included in the one and a half hours allowed for such discussions, it is unlikely that there will be occasion for the President to announce that the time for the discussion has expired. However, if one and half hours has elapsed and the proposer seeks to reply, follow the procedure set out in the explanatory note at page 86.

If time for discussion expires and the President brings the discussion to a conclusion, use the President's words.

**MEMBERS**

**Appointment as Representatives, Trustee, et cetera .....**

From time to time members are appointed to senates, councils and boards of governors of universities.

In all cases the appointments are by way of motions, which may be decided on the voices without debate;

**OR**

decided on the voices after debate.

**Note:** If there is a division on the question, follow the usual form for division on the question "That the motion be agreed to."

---

Similarly, members are appointed as trustees of provident funds or superannuation funds for members.

**Note:** As above, if there is a division on the question, follow the usual form for a division on the question "That the motion be agreed to."

Follow the wording of the motion.

---

Should the Chair receive acknowledgment by the Governor of appointments to the senates, councils or boards of governors of universities, use this form.

---

**Resignation of Representative, Trustee, et cetera .....**

If a member communicates his resignation from such office, the Chair will report the communication to the House.

**MEMBERS**

**Named**

**In Committee.....**

A member who is called to order three times may be removed from the Chamber. A member who **removed** is suspended for a day or, at the Chair's discretion, a shorter period. A member who, irrespective of whether he has been called to order previously and who persistently disrupts the proceedings of the House may be named by the Chair. A member who is **named** suspended for a number of days.

**Note:** This usually occurs in the Legislative Assembly. If it occurs in the Legislative Council see **Notes** below.

When a member is named in Committee, the Chairman must report the circumstances to the House. Note the notation [*Consideration interrupted.*]

When the matter is reported to the House a motion is moved (usually by the Leader of the House) to have the member suspended from the services of the House. No debate is permitted on the motion except an explanation by the member named.

The motion may be agreed to on the voices without debate. However, the member named shall have the opportunity of explaining his conduct;

**OR**

agreed to on the voices after an explanation by the member named;

The member named may make an explanation limited to five minutes.

**Note:** The reference should always be to the electorate, (or the Hon. FIRST NAME Member in the Legislative Council) not to a member's portfolio;

**OR**

agreed to after division.

**Note:** The form opposite refers to "honourable member for [electorate]"—the reference to be used for members of the Legislative Assembly. Though standing orders provide for this procedure in the Council, it is rarely, if ever, used. However, should it happen, the member named will be referred to as the **M MACRO** and will be accompanied by the Usher of the Black Rod. Therefore: "**CHAIR:** Order! I name the Hon. [Initials and Surname] for acting in a most disorderly manner ... " et cetera.

If the motion is agreed to, the Chair will announce the length of the suspension and the member will leave the Chamber accompanied by the Serjeant-at-Arms.

**Note:** The reference should always be to the electorate (or to the Hon. FIRST NAME Member in the Legislative Council), not to a member's portfolio.

Consideration will then be resumed.



**MEMBERS**

**Named**

**In the House**.....

A member who is called to order three times may be removed from the Chamber. A member who **removed** is suspended for a day or, at the Chair's discretion, a shorter period. A member who, irrespective of whether he has been called to order previously, and who persistently disrupts the proceedings of the House, may be named by the Chair. A member who is **named** suspended for a number of days.

When the Chair names a member during a debate, precede the Chair's remarks with the marginal notation and the heading as shown.

A motion is moved (usually by the Leader of the House) to have the member suspended from the services of the House. No amendment, adjournment or debate is permitted on the motion except an explanation by the member named.

The motion may be agreed to on the voices without debate;

**OR**

decided on the voices after an explanation by the member named.

**Note:** The reference should always be to the electorate, (or the Hon. FIRST NAME Member in the Legislative Council) not to a member's portfolio;

**OR**

decided after division.

**Note:** The form opposite refers to "honourable member for [electorate]"—the reference to be used for members of the Legislative Assembly. Though standing orders provide for this procedure in the Council, it is rarely, if ever, used. However, should it happen, the member named will be referred to as the **M MACRO** and will be accompanied by the Usher of the Black Rod. Therefore: "**CHAIR:** Order! I name the Hon. [Initials and Surname] for acting in a most disorderly manner . . ." et cetera.

If the motion is agreed to, the Chair will announce the length of the suspension and the member will leave the Chamber accompanied by the Serjeant-at-Arms.

Debate will then be resumed.

---

**During Questions Without Notice** .....

Should the Chair name a member during question time, use the notation [*Questions without notice interrupted.*] rather than the usual [*Debate interrupted.*]

When question time is resumed use this form:

**MEMBERS**

**Named**

**In the House, after removal had been ordered.....**

A member who is called to order three times may be removed from the Chamber. A member who **removed** is suspended for a day or, at the Chair's discretion, a shorter period. A member who, irrespective of whether he has been called to order previously, and who persistently disrupts the proceedings of the House, may be named by the Chair. A member who is **named** suspended for a number of days.

Should the member whose removal from the Chamber has been ordered continue to be disorderly or refuse to leave the Chamber, the Chair may name the member.

To indicate why the member was named, endeavour to report what happened, or at least use the notation [*Interruption*].

When the Chair names the member, another member (usually the Leader of the House) moves a motion for the suspension of the member from the services of the House no amendment, adjournment or debate on this motion is allowed.

The motion may be agreed to on the voices without debate—except that the member named shall have the opportunity of explaining his conduct;

**OR**

decided on the voices after an explanation by the member named;

**Note:** The reference should always be to the electorate (or to the Hon. FIRST NAME Member in the Legislative Council), not to a member's portfolio;

**OR**

decided after division.

If the motion is agreed to, the Chair will announce the length of the suspension and the member will leave the Chamber accompanied by the Serjeant-at-Arms.

Debate will then be resumed.

---

**MEMBERS**

**Not Further Heard**.....

See **CLOSURE—Member Not Further Heard**.

---

**Removed** .....

A member who is called to order three times may be removed from the Chamber. A member who, irrespective of whether he has been called to order previously, persistently disrupts the proceedings of the House, may be named by the Chair.

The only form used in the removal of a member on the Chair's order or upon his being named by the Chair is the form to note the member's departure from the Chamber.

Standing orders provide that a member so removed is to leave the Chamber until the adjournment of that sitting. However, occasionally the Chair stipulates that the period of removal will be for the duration of question time, or some other period. If this is announced at the time of the member's removal, it should be shown in the mouth of the Chair.

**Note:** The reference should always be to the electorate (or to the Hon. FIRST NAME Member in the Legislative Council), not to a member's portfolio.

---

**MEMBERS**

**Oath or Affirmation of Allegiance**.....

In the **Legislative Assembly** new and re-elected members of Parliament are required to subscribe the oath or affirmation of allegiance to Her Majesty, and to sign the roll of members.

At the opening of a new parliament, commissioners (members of the House—usually the Leader, Deputy Leader and one other) are authorised to administer the oath or affirmation of allegiance to new and re-elected members;

**OR**

a member—or a number of members—may be absent at the opening. Be sure to note those who are absent.

Subsequently, the member or members not present at the opening will present to the Parliament and take and subscribe the oath or affirmation of allegiance.

If there is only one member, the heading will depend on whether the member took the oath or affirmed.

If he took the oath, obviously the heading will be **OATH OF ALLEGIANCE**.

If he affirmed, the heading will be **AFFIRMATION OF ALLEGIANCE**.

If more than one member is involved, the heading will depend on whether they all took the oath, they all affirmed, or some took the oath and others affirmed.

If they all took the oath, the heading will be **OATH OF ALLEGIANCE**.

If they all affirmed, the heading will be **AFFIRMATION OF ALLEGIANCE**.

If some took the oath and others affirmed, the heading will be **OATH OR AFFIRMATION OF ALLEGIANCE**. The members who took the oath will then be listed and members who took the affirmation listed separately. Use this form:

**MEMBERS**

**Oath or Affirmation of Allegiance (continued) .....**

In the **Legislative Council**, as in the Assembly, new and re-elected members are required to subscribe the oath or affirmation of allegiance and to sign the roll of members. In the Council, however, not all members take and subscribe the oath or affirmation, as only half the membership is thrown open for re-election at any given poll.

At the opening of a new parliament, commissioners (members of the House—usually the President, the Leader, and the Deputy Leader of the House) are authorised to administer to new and re-elected members the oath or affirmation of allegiance.

Unlike the procedure in the Assembly, the procedure in the Council requires the names of those sworn or affirmed to be listed in order of election. In this list members are given the title "The Hon."

---

Subsequently, any member or members not present at the opening will present to the Parliament and take and subscribe the oath or affirmation of allegiance.

If there is only one member, the heading will depend on whether the member took the oath or affirmed.

If he took the oath, obviously the heading will be **OATH OF ALLEGIANCE**.

If he affirmed, the heading will be **AFFIRMATION OF ALLEGIANCE**.

If more than one member is involved, the heading will depend on whether they all took the oath, they all affirmed, or some took the oath and others affirmed.

If they all took the oath, the heading will be **OATH OF ALLEGIANCE**.

If they all affirmed, the heading will be **AFFIRMATION OF ALLEGIANCE**.

If some took the oath and others affirmed, the heading will be **OATH OR AFFIRMATION OF ALLEGIANCE**.

---

**MEMBERS**

**Vacant Seat**

**Legislative Council.....**

Section 22G (6) of the Constitution Act 1902 provides that when a vacancy occurs for any other reason the President may notify the Governor of it. However, section 22J provides that a member who wishes to resign must send his resignation to the Governor. As the Governor is aware of it, the President does not notify him under section 22G (6).

When a member dies, the Governor will not know of the death officially unless he is advised, and in those circumstances the President will send a notification under section 22G (6).

Upon the **death of a member** the form will consist of two parts:

An announcement by the President of a receipt of a death certificate.

An announcement by the President that he had notified the Governor of the vacancy caused by the death.

Both forms are to appear in the first person. Use "Honourable" in the subheading. Use "Hon." in the text.

Upon the **resignation of a member** the form will consist of two parts:

An announcement by the President of receipt of a letter from the Governor advising that he had received and accepted a member's resignation.

An announcement by the President that he had acknowledged the Governor's letter.

Both forms to be in the first person. Use "Honourable" in the subheading.

If the announcement of the convening of a joint sitting occurs at some other stage, repeat the heading **LEGISLATIVE COUNCIL VACANCY**.

**MEMBERS**

**Vacant Seat**

**Legislative Council**

**Return of Writ, Election of Member, Oath or Affirmation of Allegiance .....**

If this procedure is not a continuation of the previous announcement—vacant seat—repeat the heading **LEGISLATIVE COUNCIL VACANCY**.

---

**MEMBERS**

**Vacant Seat**

**Legislative Assembly**

**Issue and Return of Writ, Election of Member, Oath or Affirmation of Allegiance .....**

In the **Legislative Assembly** a variety of circumstances can obtain in the creation and filling of a vacancy, and accordingly a variety of forms are provided to meet the situations.

This first form relates to a vacancy arising by death when Parliament is sitting, which is quite separate from the condolence motion;

**OR**

to a vacancy arising because of the resignation of member when the Parliament is sitting.

---

The **Issue of Writ** and **Return of Writ: Election of Member** may be the subject of one announcement;

**OR**

separate announcements.

---

The swearing of a member or the taking of an affirmation by the member merits a separate heading in caps.

See **OATH OR AFFIRMATION OF ALLEGIANCE**.

---

**MEMBERS**

**Vacant Seat**

**Legislative Assembly**

**Issue and Return of Writ, Election of Member, Oath or Affirmation of Allegiance .....**

**This form relates to a vacancy arising by death or resignation of a member when the Parliament is not sitting.**

As with the previous form, Mr Speaker reports the receipt of a notice of resignation or death. He may also issue a writ at that time;

**OR**

Mr Speaker may, when such notice is received, announce the return of writ issued by him endorsing the election of a new member.

---

The new member may then—or at some later time—take the oath or affirmation of allegiance.

---

**MESSAGES**

**Between the Houses.....**

For all business (including bills), the complete message, including superscription and subscription, is set out in full in the receiving House. Follow the style of the message for capitalisation for the addressee. However, the signature is in caps and small caps, but may vary from message to message as to whether it has the Christian name or the Presiding Officer's initials. The office or title of the signatory is in caps and lower case.

In the sending House only a one-line notation is made (see form below). However, in the event that a motion to send a message to the other House is debated it is necessary to set out the message (see form 52). Follow the wording of the message exactly.

Use this notation when the message is not considered immediately upon receipt. Do not use the subheading **Message**.

**Note: If a complicated or involved message is sent—for example, a message relating to a disagreement with amendments from the other House and the reasons for the disagreement—set out the message in full in the sending House as well as the receiving House. If reporters are in doubt as to whether to set out the message in full they should consult the Deputy Editor or the Senior Subeditor.**

---

For business (other than bills), when one House sends to the other House a message advising it of the passing of a resolution (and inviting the other House to take action), to avoid repeating long resolutions use this notation.

For bills, however, it is necessary to identify the purpose of the message in the notation. Do so by abbreviating the form of words used in the motion. See **BILLS** section.

**Note: Messages are sent** from the Legislative Assembly to the Legislative Council and are **forwarded** from the Legislative Council to the Legislative Assembly.

---

Use this notation when a message is considered other than immediately upon receipt.

---

See also **COMMITTEES** on page 73.

---

MINISTERIAL STATEMENTS

In the Legislative Council ministerial statements may be made at any time. In the Legislative Assembly they are made at the times set down in the routine of business or at other times by leave.

**Note:** Leave is not required in the Legislative Council.

If leave is not granted, use the notation **Leave not granted**.

---

**Legislative Assembly** Standing Order 116 provides that ministerial statements are of unlimited duration and the Leader of the Opposition, or any member deputed, may respond for the same period of time.

**Legislative Council** sessional orders provide that the Leader of the Opposition and the leader of any other party or group, where such leadership has been previously announced to the House, or a member nominated by any such leader, may speak to the ministerial statement. The remarks of any member shall not exceed the time taken by the Minister in making the statement.

**MOTIONS**

**Amendment** .....

When a Minister or member, having moved a motion in the terms of the notice previously given, subsequently amends his or her motion.

Sometimes the wording of an amendment to a motion may not be available for checking. Listed below are the standard forms of amendment used in each House:

**In the Legislative Council:**

That the question be amended by omitting all words after " ... " and inserting instead " ... ".

That the question be amended by omitting all words after " ... " and inserting instead:

That the question be amended by the addition of the following [words/paragraphs]:

**In the Legislative Assembly:**

That the motion be amended by leaving out [all words after] [the words] [paragraph] with a view to [inserting/adding] instead the following words:

That the motion be amended by the insertion after the word [...] of the following words:

That the motion be amended by the addition of the following words:

---

When a member receives the call to move a motion about which he has given notice, but then, before moving the motion, seeks leave to amend it, use this form:

The motion moved is the substantive motion—there being no other motion before the Chair. Therefore, when debate on the motion concludes, the notation will be **Motion agreed to**, not **Motion as amended agreed to**.

If the amended motion is agreed to without debate, use this formal notation;

**OR**

if leave is not granted, use this form. It may be that the member will seek to withdraw or not proceed with the motion in the form in which notice was given. Follow proceedings.

---

Amendments to motions already moved appear in the body of the debate with no subheading.

---

**MOTIONS**

**By Leave, Consent, With Notice .....**

Leave is required to move a motion if notice of it has not been given. The leave must be unanimous. If leave is granted, use this form, noting the use of the **P MACRO**.

**OR**

If the member explains the purpose of his motion before actually moving it, report the preamble, followed by the notation **Leave granted**.

After the **leave granted** notation the member takes a new paragraph **without** a macro.

If the member seeking leave does not comment, leave is granted, and the motion is agreed to without debate;

**OR**

if leave is not granted, use this form, noting the use of the **U MACRO** when leave is not granted.

---

Consent refers to agreement obtained beforehand. When a motion moved by consent is agreed to without debate;

**OR**

when a motion moved by consent is debated.

---

**Withdrawal.....**

The leave of the House is required to withdraw a motion. This may be granted;

**OR**

not granted.

---

When a subsidiary motion (for example "That the debate be now adjourned") is withdrawn, avoid ambiguity by identifying the subsidiary motion by reference to the mover.

---

Withdrawal of a motion at the time scheduled for the resumption of debate.

**MOTIONS**

**General Business/Without Notice .....**

In the **Legislative Assembly** Standing Order 110 sets the routine of business. On the last sitting day of each week general business is given precedence of Government business.

When the time arrives at which sessional orders require other business to commence, use this formal notation.

---

**Moved on Behalf of Another Member or Minister .....**

The words **on behalf of** are used in respect of a motion moved by a Minister when another Minister has given notice of that motion.

When notice is not required by the standing orders, as in the adoption of report, the words **on behalf of** are unnecessary.

Include the words if they appear in the *Votes/Minutes*, even though the mover might not say them.

Use this form when the motion is debated or a division follows immediately;

**OR**

use this form when the motion is agreed to without debate.

---

If motions are moved in globo and debated, use this form:

**OR**

If motions are moved in globo and agreed to without debate, use this form:

**MOTIONS**

**Of No Confidence**.....

**Legislative Assembly** Standing Order 122 provides that the procedure for a motion of no confidence in the Government is that:

- a notice of motion must be given;
- the motion shall take precedence of all other business on the sitting day that is three clear days after the notice;
- the motion may not be postponed or amended;
- the motion may be withdrawn with the leave of the House;
- debate on such motion shall not be adjourned and the sitting of the House shall continue until the question is determined.

Standing Order 123 provides that the procedure for a motion of no confidence in a Minister is that:

- a notice of motion must be given;
- such notice shall take the place of and be called upon at the time for consideration of Matters of Public Importance at the next sitting of the House after the notice was given.

Proceed as with any other motion. The motion may be agreed to or negatived on the voices or after division.

When debate on the motion concludes, use the notation **Motion agreed to/negatived**, not **Motion of no confidence agreed to/negatived**.

**Censure** .....

**Legislative Assembly** Standing Order 124 provides that the procedure for a motion of censure of a member is that:

- a notice of motion must be given;
- such notice shall take the place of , and be called upon at the time for consideration of matters of public importance at that sitting.

Notice of a motion of censure may be given as a notice of motion for urgent consideration and take the place of the motion for urgent consideration.

Proceed as with any other motion. The motion may be decided on the voices or after division.

When debate on the motion concludes, use the notation **Motion agreed to/negatived**, not **Motion of no confidence agreed to/negatived**.

The member against whom censure is moved speaks after the mover of the motion has spoken, and speaks again **in response** to the motion before the reply by the mover of the motion. Use the notation **in response** for the member against whom the motion is moved when that member speaks in debate for the second time.

The mover of the motion has a right of reply and should be shown **in reply**.

**MOTIONS FOR URGENT CONSIDERATION**

**Legislative Assembly** Standing Order 120 provides that before question time Mr Speaker will call upon members to give written notice of motions for urgent consideration. No more than two such motions may be notified at any one sitting of the House **but** may be in addition to a matter of public importance. Only one motion will proceed. The announcement by the Chair of the receipt of notifications of motions for urgent consideration is not reported.

When two or three motions for urgent consideration are notified, each member is permitted to make a statement (limited to five minutes) so the House may establish the priority of such matters and determine which matter should proceed. In that event use the form shown.

If the question in relation to the first motion for urgent consideration is determined on the voices and resolved in the affirmative, no question is put in relation to the second motion for urgent consideration.

However, if the question in relation to the first motion is resolved in the negative, the question is then put in relation to the second motion for urgent consideration.

If only one motion for urgent consideration is notified the House must still determine that the matter is urgent and the member may make a statement of up to five minutes to establish the priority of the matter. The urgency of the matter will be determined by the voices or following a division, as set out below.

---

Use this form when only one motion for urgent consideration is notified. Reference should be to the member by electorate, rather than by portfolio or name.

---

If the debate on priority is the subject of a division, use the same question as in the above example. The result will be shown as per the example opposite. There will **not** be a notation that the motion is agreed to.

---

When the House determines which of the motions for urgent consideration should proceed, use this form as if only one motion had been notified.

---

If debate is interrupted and then resumed:

---

At the completion of debate, use this notation:

---

**NOTICES OF MOTIONS**

**Contingent Notice, Withdrawal of Contingent Notice .....**

See also **BILLS—Suspension of Standing and Sessional Orders.**

**Contingent Notice of Motion:**

In the **Legislative Council** a Minister may say: "I give notice that contingent upon the [Short Title of Bill] being received from the Legislative Assembly, I shall move that so much of the standing orders be suspended as would preclude the passage of the bill through all its stages in one day." **This is not reported.**

**Withdrawal of Contingent Notice:**

A Minister may say: "I seek leave to withdraw the contingent notice of motion for the suspension of certain standing orders given by me on [date] in relation to the [Short Title of Bill]", for which leave will be granted. **This is not reported.**

However, when a member seeks leave to withdraw or postpone a notice of motion standing in his name on the business paper, **this is reported.**

---

**NOTICES OF MOTIONS**

**Debate During .....**

In the **Legislative Assembly** the giving, withdrawing of postponing of notices of motions is not usually reported.

If the Chair should call a member to order during the notices of motions procedure, not the matter but do not report it unless something turns on it.

Similarly, if, during the notices of motions procedure a member takes a point of order seeking, for instance, that a notice of motion be ruled out of order—and the Chair subsequently rules on the point—this matter is reported, as appears opposite. The mover of the motion should be shown in full caps (U macro), but no time should be noted.

If the debate occurs during notices of motions for urgent consideration, use this italics notation.

---

**Lapsed.....**

During the procedure for the placing or disposal of business in the Legislative Assembly—or the callover on the day prior to private members' business being dealt with—when their notices of motions are called members must indicate that their notices of motions will proceed the next day, or are postponed or withdrawn. If the member is not present when the notice of motion is called over, the notice of motion will lapse. The same applies to the calling over of orders of the day.

If when a notice of motion is called on and lapses because the member responsible for the matter is not present, use this form.

Use the wording shown on the business paper to indicate the form of business being dealt with. Show it in the singular, that is, General Business Notice of Motion (General Notice) No. 3, but note that General Business Order of the Day (For Bills) should show bills in the plural.

---

**Postponed.....**

During the procedure for the placing or disposal of business a matter standing in the name of a member may be postponed by another member. Use the form opposite.

See also forms 146, 147 and 152.

**OATH OR AFFIRMATION OF ALLEGIANCE**

**Commission to Administer** .....

See also **ELECTIONS** and **MEMBERS—Oath or Affirmation of Allegiance**.

In the **Legislative Council**—constitution of the commissioners, including the President.

---

Oath or affirmation taken before the Governor.

---

Constitution of commissioners in the absence of the President.

---

Issue of fresh commissions

**OFFICERS OF THE HOUSE**

**Appointment, Resignation, Retirement.....**

The Chair will announce the resignation or retirement of officers of the House.

Usually such announcements are followed immediately by a motion, usually from the Leader of the House, expressing appreciation of the services rendered by the officer.

**Note:** If the announcement of the resignation of an officer and subsequent debate on a motion are followed by an announcement of the appointment of a new officer to that position, use appropriate subheadings—**Appointment, Resignation, Retirement.**

---

Similarly, announcements are made by the Chair with regard to the appointment of officers of the House.

**Note:** The form opposite was used on the occasion of the appointment of the Clerk of the Parliaments, the Clerk Assistant and the Usher of the Black Rod.

---

**OPENING OF SESSION**

**By Commissioners**

**When the Office of President is Occupied .....**

In the **Legislative Council** the President does not offer the usual prayers at the start of proceedings because the offering of the prayer constitutes the House, and that procedure is reserved until the members of the Legislative Assembly have withdrawn and because the Lord's Prayer is not offered until sessional orders are adopted.

The Commission contains the causes of summons—see **LAW OF EVIDENCE BILL (pro forma)**. (See form 13)

Either the President or a Minister may make this announcement.

In the **Legislative Council**, at the opening of a session only one prayer is offered. Upon the adoption of sessional orders the Lord's Prayer is also offered. Therefore, the notation on subsequent days will refer to the offering of prayers rather than the prayer.

---

**OPENING OF SESSION**

**By Commissioners**

**When the Office of President is Vacant .....**

This might be followed by other business conducted by the Clerk of the Parliaments, and the election of a President.

---

**OPENING OF SESSION**

**By Commissioners**

**When the Office of Mr Speaker is Vacant .....**

See also **ELECTIONS, OATH OR AFFIRMATION OF ALLEGIANCE** and **PRESIDING OFFICERS**.

**OPENING OF SESSION**

**By Commissioners**

**When the Office of Speaker is Vacant.....**

Use this form if all members took and subscribed the oath or affirmation of allegiance, and signed the roll;

**OR**

in the unlikely event that all members took the oath, use this form;

**OR**

in the event that a member was absent, use this form. Remember to identify the absent member.

---

Later in the day in the **Legislative Assembly** the Chair will read the message delivered to the Assembly.

---

**OPENING OF SESSION**

**By Governor** .....

Usual form for the **Legislative Council**.

In the Legislative Council the main prayer is provided for in the standing orders and, therefore, is offered from the first day of the session [**The President offered the Prayer.**]

The Lord's Prayer is provided for in the sessional orders and, therefore, is not offered until the sessional orders are moved. [Subsequently: **The President offered the Prayers.**]

If the Legislative Council **begins** the day with a joint sitting, the prayer/s is/are not offered until the Legislative Assembly has departed.

No reference is made to the departure of the Governor.

---

**OPENING OF SESSION**

**By Governor (continued)**.....

In the **Legislative Assembly**.

Before being requested by message delivered by the Usher of the Black Rod the House may transact other business—for example, the Issue and Return of Writ and swearing or affirming of a new member.

Standing Order 4(4) provides that after hearing the Opening Speech Mr Speaker and members shall return to the House and Mr Speaker shall report and table the Speech.

Standing Order 4(5), however, provides that before the Speech is reported the House shall in assertion of its rights transact some business of a formal nature without notice. See **BILLS—Formal—Pro Forma**. (page 13)



**OPENING OF SESSION**

**By a Monarch** .....

In the **Legislative Council**.

In the **Legislative Council**, at the opening of a session only one prayer is offered. Upon the adoption of sessional orders the Lord's Prayer is also offered. Therefore, the notation on subsequent days will refer to the offering of prayers rather than the prayer.

**OPENING OF SESSION**

**By a Monarch (continued)**.....

In the **Legislative Assembly**.

Before being requested by message delivered by the Usher of the Black Rod the House may transact other business—for example, the Issue and Return of Writ and swearing or affirming of a new member.

Standing Order 4(4) provides that after hearing the Speech Mr Speaker and members shall return to the House and Mr Speaker shall report and table the Speech.

Standing Order 4(5), however, provides that before the Speech is reported the House shall in assertion of its rights transact some business of a formal nature without notice. See **BILLS—Pro Forma**.



**ORDER OF BUSINESS**

**Postponement of Business** .....

Use the wording shown on the business paper to indicate the form of business being dealt with. Show it in the singular, that is, General Business Notice of Motion No. 3, but note that General Business Order of the Day (For Bills) should show "bills" in the plural.

All of these forms apply to **GENERAL BUSINESS** and are reported in *Hansard*.

The reason is that the Government, not the House, controls the order in which it will deal with Government business. The only exceptions would be, for example, where debate is lengthy or unusual. See following forms.

Follow Hansard capitalisation.

Report all postponements in the same form. Do not report the time or day to which business is postponed.

If a motion seeking to postpone business is debated set out the motion and the debate under "**BUSINESS OF THE HOUSE**" with the subheading "**Postponement of Business**".

**Government Business**

**Postponement of Debate** .....

When debate on a bill starts and the Government changes its mind about proceeding, it will be necessary for a motion to be moved postponing debate to a subsequent time or date. If the motion for postponement is agreed to without debate, use this form:

If the debate is adjourned, use the normal debate adjourned notation.

If the motion for the postponement is debated, use this form:

See also forms 136, 147 and 152.

**POSTPONEMENT OF BUSINESS .....**

Business of the House may be postponed after the matter has been called on by the Clerk or by the member on his or her own motion. If the initiating motion has been moved, give the postponement the heading of the bill or motion. If the initiating motion has not been moved, show it under the "BUSINESS OF THE HOUSE" heading. Several examples appear below.

Postponement of second reading debate/speech after clerk has read the order of the day.

---

Postponement of second reading debate/speech by member on his or her own volition.

---

All postponements of business in the Legislative Council, whether to a later hour of the sitting, or to another day, are reported. **DO NOT** show the time or day to which they are postponed. Examples appear opposite.

**ORDER OF BUSINESS**

(See also *Precedence of Business*)

**Placing or Disposal of Business**.....

In the **Legislative Council** business, government and general, is not necessarily dealt with in the order in which it appears on the business paper. Any motion postponing an order of the day is reported. See also forms 136, 146 and 152.

Report all postponements in the same form. Do not report the time or day to which business is postponed.

---

If a motion seeking to postpone business is debated set out the motion and the debate under "**BUSINESS OF THE HOUSE**" with the subheading "**Postponement of Business**".

---

In the **Legislative Assembly**, at the end of question time, Mr Speaker goes through the business paper for the placing or disposal of business. This is not reported unless something unusual happens during the procedure.

See also forms 136, 146 and 152.

**PERSONAL EXPLANATION, POINT OF EXPLANATION**

**Personal Explanation**.....

A member may, when there is no question before the Chair and with the leave of Mr Speaker, explain a matter of a personal nature. A personal explanation shall not be debated.

A personal explanation may be made during the debate to which it relates:

**OR**

it may be made at a time other than the debate to which it relates, in which case it may require a new heading.

Use the heading of the debate in which the matter complained of arose, if that is appropriate. If that heading is not appropriate select a new heading.

---

**Point of Explanation** .....

Under the standing orders a member who has spoken to a question may again be briefly heard, to explain himself in regard to some material part of his speech. If this occurs in the debate to which it relates, obviously there is no need to repeat the heading.

If the point of explanation is made during the debate to which it relates, use this form;

**OR**

if the point of explanation is not made in the debate to which it relates, it requires a new heading.

---

## PETITIONS

Standing orders provide that the terms of petitions presented shall be printed in *Hansard*.

In the **Legislative Assembly** petitions are received by the Clerk, who then announces the list of petitions in the House.

In the **Legislative Council** individual members announce their petitions from the floor of the House. Hansard records these petitions in the same manner as they are recorded in the Legislative Assembly.

The subeditor responsible for petitions collates the petitions into a file, thus enabling the reporter to call in all of the petitions for that day in one document. This file is retrieved from **i:\turns\petition** with the extension "a" for the Legislative Assembly or "c" for the Legislative Council, and a two-numeral day number, e.g. **i:\turns\petition.a01**. The subeditor prepares the files on the bases if information available at the time, but it is the reporter's responsibility to ensure that the information in the file is correct.

When there is only one petition, the plural heading is still used

---

When there are a number of petitions on different subjects.

---

Petitions on the same subject may be presented by more than one member. Show their names in alphabetical order.

**Note:** Regardless of whether other petitions are presented, the heading will be **PETITIONS**. Note also that "and" and "the" before "Hon." in the Legislative Council are not emboldened.

---

In the **Legislative Council** a member may move that a petition be read on presentation;

**OR**

a petition may be presented by one member on behalf of another.

**PETITIONS**

**Irregular Petitions**

Members may present petitions outside the prescribed time for doing so. Use this form, noting the incorporation of the suspension of standing orders and the receipt of the petition in the one form:

---

If a member seeks leave to suspend standing and sessional orders to allow the presentation of an irregular petition and leave is refused, use this form:

---

**PHOTOGRAPHS, TELEVISIONING, FILMING OF PROCEEDINGS**

Use the actual words spoken by the Chair. As a rule, the photography follows immediately and no further reference need be made to it.

**Note:** When announcements are made by the Chair re televising, filming, et cetera, use form for **ANNOUNCEMENTS (See Form 11 and explanatory note.)**

**POINT OF ORDER**

**Taken in the House** .....

If a member takes a point of order; he is shown as "**Point of order:**" Another member may speak to the same point of order and is shown as speaking "**To the point of order:**" Any further members who speak to the point of order are similarly shown to be speaking "**To the point of order:**". If the member who first raised the point of order speaks again to it, he is said to be speaking "**Further to the point of order:**".

**Note:** The member who was interrupted by the taking of the point of order resumes his or her remarks with a U macro.

Any member speaking to the point of order other than the member with the call takes a D macro.  
If the member who had the call speaks to the point of order he or she takes a U macro.

---

**Taken in Committee** .....  
**(Only relating to dissent from a decision of the Chair)**

If an objection is taken to a ruling or decision of the Chair in Committee, such objection must be taken at once. If the Committee so decides, the Chair leaves the chair, the House resumes and the matter be laid before the Chair in the House. The matter having been disposed of, the proceedings in Committee shall be resumed where they were interrupted.

The objection is dealt with in the House as a point of order and a ruling is given by the Chair.

---

**PRECEDENCE OF BUSINESS**  
(See also **Order of Business**)

If there is to be a change in the order of general business (private members' business is not theoretically under the control of the Government) or if general business is to take precedence of government business on any day except when general business has precedence, or if government business is to take precedence on a day when general business should have precedence, even though there be no debate on the motion, include the motion in the report under the heading **BUSINESS OF THE HOUSE** and the subheading **Precedence of Business**.

The object is to show that the House has agreed to interfere with the order in which general business is dealt with.

**PRE-AUDIENCE**

The Legislative Assembly standing orders provide that a member may speak only once to a question, except:

- the member in charge of the order of the day when the order is read.
- in explanation.
- in reply.

If a member speaks again to a question, having pre-audience, use this form.

**PRESIDING OFFICERS**

**Removal of the President.....**

In the **Legislative Council** the Leader of the House may move to deal with the removal of the President forthwith.

If the motion is agreed to without debate, use this form;

**OR**

if the motion is agreed to after debate.

---

**PRESIDING OFFICERS**

**Election of the President.....**

A member will move a motion:

A member will second the motion:

First nominee for President addresses the House.

A second member will move a motion:

A member will second the motion:

Second nominee for President addresses the House

Member moving first nomination speaks.

**Note:** Should the question in relation to the first nominee be resolved in the negative, the question is then put in relation to the second nominee.

Obviously, when there is one nomination there will be no division and the question will be put in relation to one nominee only.

**Note:** The successful nominee is called the President-elect until he actually takes the chair.

---

**PRESIDING OFFICERS**

**Presentation of the President .....**

The presentation of the President to the Governor usually takes place immediately following an announcement by the Leader of the House that His Excellency will receive the President. This announcement is usually made immediately following the words of congratulations to the new President.

The House may then adjourn for members to proceed to Government House.

---

However, if the House elects to deal with other business between such an announcement and the House adjourning to visit Government House to present the President to the Governor, when the House ultimately proceeds to Government House the heading **PRESIDENT OF THE LEGISLATIVE COUNCIL**, subheading **Presentation**, must be put up again.

---

**PRESIDING OFFICERS**

**Election of Speaker**

**By Motion .....**

A member will move a motion:

A member will second the motion:

The first member nominated speaks to the motion:

Usually the Opposition nominates a candidate to contest the election.

A member will second the motion:

The second member nominated speaks to the motion.

When there is more than one nomination the candidates' names are put to the vote in the order in which they were put forward to the House. Only one is declared elected.

**Note:** Should the question in relation to the first nominee be resolved in the negative, the question is then put in relation to the second nominee.

Obviously, when there is one nomination the question will be put in relation to one nominee only.

**PRESIDING OFFICERS**

**Election of Speaker**

**By Secret Ballot.....**

The form opposite was used on the occasion of the election by secret ballot of Speaker Murray in 1995. Unless instructed otherwise, use this form for subsequent elections by secret ballot.

**PRESIDING OFFICERS**

Election of Speaker

By Secret Ballot (continued).....

**PRESIDING OFFICERS**

**Presentation of Speaker.....**

The presentation of the Speaker to the Governor usually takes place immediately following an announcement by the Leader of the House that His Excellency will receive the Speaker. This announcement is usually made immediately following the words of congratulations to the new Speaker.

The House may then adjourn for members to proceed to Government House.

---

However, if the House elects to deal with other business between such an announcement and the House adjourning to visit Government House to present the Speaker to the Governor, when the House ultimately proceeds to Government House the heading **SPEAKER OF THE LEGISLATIVE ASSEMBLY**, subheading **Presentation**, must be put up again.

---

**PRESIDING OFFICERS**

**Election of Deputy-Speaker and Chairman of Committees .....**

When there are a number of nominations for the Deputy-Speaker and Chairman of Committees the procedure is the same as that adopted when a number of nominations are received for the President and Mr Speaker. The names are put to the House in the order in which they were nominated until one candidate is elected.

Should the motion be agreed to **after** debate;

**OR**

should the motion be agreed to **without debate**.

**Note:** The election of an Acting Chairman of Committees follows the same form as the election of Chairman of Committees.

---

**Temporary Chairmen of Committees .....**

The Chair is required to nominate at the commencement of each session a panel of members to act as Temporary Chairmen of Committees.

Although the word "nominate" is used, the appointment of the Temporary Chairmen is a fait accompli.

---

**PRESIDING OFFICERS**

**Temporary Occupants of the Chair .....**

The occupants of the chair in the **Legislative Council** are:

There is only one President and one Chairman, so they do not have to be identified. The Deputy-Presidents and the Temporary Chairmen are drawn from a panel of five, so they must be identified the first time they speak and then only if they have not been identified on, approximately, the previous two pages of *Hansard*.

The occupants of the chair in the **Legislative Assembly** are:

There is only one each of Mr Speaker, Mr Deputy-Speaker and the Chairman of Committees, so they do not have to be identified. Mr Acting-Speakers and the Temporary Chairmen are drawn from a panel of five, so they must be identified the first time they speak and then only if they have not been identified on, approximately, the previous two pages of *Hansard*.

---

Notations relating to the occupants of the chair are:

Start of day:

---

Meal or other breaks:

---

Third person references:

---

Third person notations:

**PRINTING OF PAPERS/REPORTS**

In the **Legislative Assembly** if the Leader of the House moves for the suspension of the sessional order related to the printing of reports, use this form:

Under the business item **PRINTING OF PAPERS** a member gives notice of a motion to be moved the following sitting day that certain reports or papers be printed. If on the following day the member moves that certain reports be printed and they relate to the same year ended date, include reference to that date at the beginning of the motion (See first and second examples).

Usually reports are printed but occasionally papers are printed. Use the form appropriate for the circumstance.

If only one report is printed, list the report in the run of text. If there is more than one report, indent the names of the reports.

---

When the Leader of the House moves for the printing of reports, use this form when the reports relate to the same period:

---

When the reports relate to different periods, use this form:

**PRIVATE MEMBERS' BUSINESS: Order of Precedence**

Private members' business, which may be a motion or bill, is dealt with on days when general business takes precedence of Government business, which in the Legislative Council is Fridays until 5.00 p.m. In weeks when the Council does not sit on Friday it is likely that the Government will agree to sessional orders being suspended to take private members' business on Thursday. Private members' business may also be dealt with on other days by suspending sessional orders.

Notices of motions for items of private members' business are recorded on the business paper in the order they are given. They are referred to as items of private members' business "outside the order of precedence".

Initially, the Clerk randomly drew the names of 12 members who had such items and asked those members, if they had more than one item, to nominate which item they wanted to proceed first. Subsequently, whenever necessary the Clerk conducts a further random draw (only of members who do not already have an item "in the order of precedence") to "top up" the number of items to 12.

These 12 items are known as items of private members' business "in the order of precedence". They appear on the business paper, and are called on, in the order in which they are drawn.

**PRIVATE MEMBERS' STATEMENTS**

The Chair may announce that pursuant to standing and/or sessional orders, or resolution, business is interrupted to take private members statements. Use the appropriate notation, noting that it may be **Pursuant to resolution business interrupted**.

**Legislative Assembly** Standing Order 119, as amended by sessional orders, provides that business before the House is to be interrupted for the taking of private members' statements. Debate on the question shall not exceed 70 minutes, with up to 10 members being able to speak for up to five minutes each, and Ministers being able to reply for up to two minutes each.

If at the time appointed for the taking of private members' statements:

- The House is in Committee—the Chair shall leave the chair and report progress and the resumption of the proceedings shall become an order of the day for a later hour.
- A division is in progress—it shall be completed and the result announced.
- Proceedings under the "guillotine" are in progress—the proceedings shall be completed.

Mr Speaker shall propose the question "That private members' statements be noted."

A division or a call for a quorum is not permitted during private members' statements.

If business is interrupted to take private members' statements at a time other than that set down in standing orders but in accordance with an earlier resolution use form 163, macro F88A.

---

If private members' statements are taken at a time other than that set down in standing orders, by leave and not pursuant to earlier resolution, use form 163C

---

If standing orders are suspended to take private members' statements at a time other than that set down in standing orders:

---

If a motion to suspend standing orders is moved to take Private members' statements at a time other than that set down in standing orders, **and** in relation to some other business, show the motion in full, with or without debate, under the heading **BUSINESS OF THE HOUSE**.

If the Committee of the Whole is interrupted to take Private members' statements at the time set down in standing orders:

---

Final notation.

---

**PRIVATE MEMBERS' STATEMENTS (continued)**

The Minister at the table may seek leave to have private members' statements noted for a certain period of time. Use this form.

---

This may also be done by way of suspension of standing and sessional orders. Use this form.

---

Standing and sessional orders may be suspended for a number of reasons relating to private members' statements. Examples appear opposite.

---

**PRIVILEGE**

A member may rise to speak upon a matter of privilege suddenly arising. If he does so, Hansard treats it as a point of order. There is no such thing as a point of privilege. Let the member have "point" in his remarks if he uses the word, but for formal parts and all remarks by the Chair use "matter".

---

During debate a member may establish a prima facie case on a matter of privilege and move a motion.

---

Erskine May says that parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.

Presiding Officers have ruled that a member must raise a matter of privilege at the first available opportunity. If he does not, the motion of privilege will require notice. If a motion of privilege is moved on notice, use the subheading **Privilege** under the heading of the subject matter of the debate from which the matter of privilege arose.

---

If a member raises privilege after the debate, or unrelated to any debate, but does not move a substantive motion, use this form.

Use the P macro because a time limit applies.

---

---

**PRODUCTION OF DOCUMENTS UNDER STANDING ORDER 18**

**Return to Order**

**Return to Order: Claim of Privilege .....**

A member, usually in the Legislative Council, may seek by way of motion the production of documents. A shortened example of such a motion appears opposite.

When the documents are produced, the Clerk announces this fact in the House. Hansard reports this as "Return to Order" (See opposite.) Before the documents are produced there may be a claim of privilege in relation to some of the documents, a dispute as to that claim (See opposite), and an independent arbiter may be appointed to resolve the claim. The arbiter will then report to the House, (See opposite).

**PRODUCTION OF DOCUMENTS UNDER STANDING ORDER 18**

**Return to Order**

**Return to Order: Claim of Privilege (continued).....**

A member may then move that the report of the arbiter be published. (See opposite)

The report of the arbiter may then be tabled (See opposite)

**QUESTIONS UPON NOTICE**

**Unanswered** .....

**Legislative Assembly** Standing Order 141(5) provides that Ministers shall lodge answers to questions upon notice within 35 calendar days after the question is first published. Should an answer to a question upon notice not be received within the 35 calendar days time limit, Mr Speaker is required to draw the matter to the attention of the House and the relevant Minister is thereupon required to inform the House of the reason for non-compliance with the standing order.

Should the Minister having been heard in explanation not submit an answer within three sitting days Mr Speaker will again inform the House and the Minister will again be called upon to inform the House of the reason for this, with such procedure continuing until a written answer is submitted.

**QUESTIONS WITHOUT NOTICE**

Before questions without notice commence in the **Legislative Council**, the Chair may announce that, pursuant to standing [and/or sessional] orders, business is interrupted for the taking of questions. Use this form.

If the interruption occurs during deliberations in Committee, use form F166B.

---

In the **Legislative Assembly**, however, questions without notice are called on by the Chair without reference to standing or sessional orders. Therefore, proceed under the heading only, as shown.

---

Members may ask Ministers questions about public affairs; or may ask a private member a question about any bill, motion, or other public matter connected with the business of the House about which that member is concerned. Headings should be brief, but sufficiently informative about the subject matter of the question when standing alone, as in an index. The questioner and the Minister who replies take the U macro.

---

If questions without notice are interrupted and then resumed, show this bold heading. Note the omission of the 3-em rule. In this instance it is unnecessary as the question heading is separated from the Questions Without Notice heading by the italicised notation.

N.B. The 3-em rule is used only to separate "**QUESTIONS WITHOUT NOTICE**" from the first question heading. When, as in form 166E, there is a notation or motion between the two, do not use the 3-em rule.

---

In the **Legislative Council** if a Minister indicates the finish of question time by making a statement such as this, his name goes up in block caps. If the Minister makes this statement at the end of giving an answer, commence the statement with a new paragraph. Although the Minister may suggest that questions be "put on the notice paper", he means "put on notice".

---

Conclude question time in both Houses with this notation.

**QUESTIONS WITHOUT NOTICE**

**Supplementary questions**

**Deferred answers .....**

Members may ask supplementary questions. The right to ask supplementary questions is confined to the member who asked the original question. As supplementary questions follow the original question, a further heading is not required.

---

**Questions ruled out of order .....**

If the Presiding Officer rules that any question is out of order, whether a supplementary question or an original question, the member asking the question will still be shown with the U MACRO.

---

When a Minister, before the end of question time, supplies further information to a question asked earlier in question time the subject heading used on the first occasion is used again.

---

**Deferred and supplementary answers.....**

In the **Legislative Council** Ministers often supply responses to questions asked on a previous day.

---

If further information of a supplementary nature is provided at a time other than question time, use this form. It is not necessary to use a 3-em rule in this instance.

---

In the **Legislative Council** when a deferred answer to a question without notice is incorporated in *Hansard*, usually at the end of question time, it is preceded by the same heading given to the original question. The answer is indented in small. If deferred answers are given at a time other than at the end of question time, move them to the end of question time (if possible).

---

**QUESTIONS WITHOUT NOTICE**

**Supplementary questions**

**Deferred answers (continued) .....**

In November 1996 the Legislative Council, by resolution, agreed that answers to questions without notice received by the Clerk during the adjournment of the House would be circulated and noted on the resumption of the sittings of the House.

The announcement is usually made by the Clerk at a time other than question time. Do not report this, but advise the L.C. team that there are deferred answers to be incorporated at the conclusion of question time, and advise the Editor also.

At the end of question time, and following the announcement of any additional deferred answers in the House by any Ministers, the circulated deferred answers are then to be inserted in 8 point. The reporter concerned should liaise with the Editor about the insertion of the questions, and should use this form.

---

If there are too many deferred answers to process for the daily proof, use this notation:

## QUORUM

The notation that a quorum is formed is shown after the last word in the paragraph. Italics in square brackets.

**Note:** Do not put up the member's name again. New paragraph.

---

In the Legislative Assembly if under Standing Order 45 the Chair exercises its discretion not to ring the bells for a second or subsequent call for a quorum on the one day, report the member's call and the Chair's response in the first person.

---

If a member states that a quorum is not present in the House, the Chair shall count the House and if a quorum is not present the bells shall be rung for four minutes. If at the end of that time a quorum has not been formed, the Chair shall set down the business of the House as an order of the day for tomorrow and adjourn the House until the next sitting day

---

If the Chair is informed by the Chairman of Committees by a report that a quorum has not been able to be formed in Committee, the Chair shall order the bells to be rung for four minutes. Thereafter, if a quorum is present the Chair will leave the chair and the Committee shall resume where interrupted.

**Note:** If, however, a quorum is not present, the Chair shall set down the business before the House as an order of the day for tomorrow and adjourn the House until the next sitting day, as above.

---

**REGISTER OF DISCLOSURES BY MEMBERS**

In either House the Chair will table a copy of the register of disclosures by members.

When members make their inaugural speeches, use this form.

**REGULATIONS, RULES AND ORDINANCES: DISALLOWANCE**

**Note:** Use the full name of the Act and the regulation, e.g.:

**FISHERIES MANAGEMENT ACT: DISALLOWANCE OF FISHERIES MANAGEMENT (GENERAL) AMENDMENT (ABALONE, SEA URCHIN AND TURBAN SHELL) REGULATION 1996**

It will be necessary to refer to the business paper to get the full name of the regulation, as well as the wording of the motion.

**Note: the name of "the Act" is not the Interpretation Act; it is the Act under which the regulation is made.**

If there is a division on the question use this form.

**Note:** Do not use **Question—That the regulation be disallowed—put.**

**Precedence** .....  
In the Legislative Assembly, following notice being given of the motion, the matter is set down on the business paper with precedence. Legislative Council sessional orders for the second session of the Fifty-first Parliament allow for precedence for disallowance of statutory instruments. The question proposed by the Chair, with no provision for amendment or debate, is: That the motion proceed forthwith. If that is agreed to and the motion proceeds forthwith, use this form.

If the question is not agreed to use this form.

The Legislative Council sessional orders provide that on the day proposed for moving the motion the House will first decide on a question proposed without amendment or debate "That the motion proceed forthwith". If a division is called, use this form:

**Note:** If the precedence motion is the only motion before the Chair, the final notation following the division will be **Motion agreed to/negatived**. However, if the precedence motion is a subsidiary motion, that is, there is already a substantive motion before the Chair, the notation following the division will be **Precedence agreed to/not agreed to**. In the event that the question is not agreed to the motion becomes a general business notice of motion and is set down for general business on the next sitting day. It should then be treated as a normal motion.

**REGULATIONS, RULES AND ORDINANCES: DISALLOWANCE (continued).....**

In late 1996 the Legislative Council, having passed a motion to disallow a regulation, then dealt with a motion to rescind that earlier resolution of the House. Should this unusual procedure occur again, use this form:



**REORDERING OF GENERAL BUSINESS**

The **Legislative Assembly** standing orders provide that at the placing or disposal of business on the second last sitting day of each week (a) two private members may move to reorder the order of the day to give precedence to resumption of debate on their bills, to give them precedence on the following day, **and**, similarly, (b) two members may move to reorder general business notices of motions to give them precedence the following day. Members may also seek to give precedence to bills which have not been introduced.

Note the different categories—(a) is to reorder the resumption of debate on **bills**; (b) is to reorder the moving of motion not related to bills—and two members may move motions in each category.

Note: Reporters should check the business paper to ascertain exactly which item of business is sought to be reordered, and should use the wording used in the business paper, e.g. orders of the day (general notices), etc.

Although standing orders provide for a procedure as set out above it became the practice in 1996 for two notices of motions to be dealt with before the House determined which motion, if any, would have precedence the following day. If this procedure is followed, show first member moving motion to reorder and speaking to it, followed by the second member moving motion to reorder and speaking to it.

After both members have spoken to their respective motions the question is then put. If the question is agreed to on the first motion, the question is not put in relation to the second motion. If the question on the first motion is negatived, the second motion is put. A division may be called upon the putting of the question.

**RESCISSION OF ORDERS**

**Second Readings of Bills**.....

Should a Minister move to rescind an earlier order of the House that the second readings of certain bills stand as orders of the day for the next sitting day and that they stand as orders of the day for some other day or time, use this form. As this is purely a housekeeping procedure and is not a stage of the bills referred to, proceed under the heading **BUSINESS OF THE HOUSE**. To assist the Bills Indexer re-word the motion so that the bills appear, indented alphabetically, as shown.

**REVOCATION OF DEDICATIONS**

Revocation of dedications usually relate to the Forestry Act.

---

Governor's acknowledgment of resolution.

---

If the Chair reports receipt of a message from the Governor recommending consideration of a resolution authorising revocation of the dedication of lands in State forests use this form:

The schedule is reproduced when the House considers the revocation.

**ROUTINE OF BUSINESS**

**Interruptions .....**

Interruptions during the routine of business, which occurs at 2.15 p.m. each sitting day in the Legislative Assembly are dealt with as follows:

- If the interruption is merely a call to order, note that fact in case something turns on it later but do not show it in *Hansard*.
- The following are examples of matters to be recorded in *Hansard*, using the main heading, the subheading and the appropriate side heading (for example: [*During notices of motions*], [*During tabling of papers*] etc.

The taking of points of order and rulings in relation thereto;

- A call to order followed by a ruling—for example, in relation to the behaviour of the member concerned;
- A general ruling relating, for example, to the behaviour of members;
- A ruling relating to a particular procedure—for example, the giving of notices of motions or the tabling of papers.

With the exception of points of order, which will be indexed in the normal way in the relevant member's index, it will not be necessary to index these matters in the subjects index; they will be indexed in the rulings index.

---

**SESSIONAL ORDERS**

If new sessional orders are introduced at the commencement of a new session of Parliament, they are reported under the heading **SESSIONAL ORDERS** with the relevant subheading/s.

---

**STRANGERS**

**Invited Guests**.....

During the Fifty-first Parliament the Treasurer was a member of the upper House and, by a motion of the Legislative Assembly, was invited to the Legislative Assembly to deliver the second reading on the Appropriation Bill and cognate bills. Use this form:

---

On 15 October 1996 the Legislative Assembly agreed to a motion to allow two non-members to address the House on the subject of euthanasia. On 16 October 1996 Professor Peter Baume of the Voluntary Euthanasia Society and Mr Tony Burke of Euthanasia—No! were invited onto the floor of the House to address members. On that occasion we used the following form:

---

**SUSPENSION OF STANDING AND SESSIONAL ORDERS**

If the House wants to do something contrary to the standing or sessional orders it must suspend standing/sessional orders to do so. In the **Legislative Assembly** a Minister can suspend standing and sessional orders at any time without leave. In the **Legislative Council** standing orders can be suspended if notice has been given, or if leave is granted. These forms assume that notice has not been given and that leave has been sought and granted. **By leave** therefore appears in each form. If notice has been given, **by leave** should not of course be included.

It follows of course with each of these forms that if standing orders are not suspended, whatever is sought by the suspension does not proceed.

---

Motions to suspend standing and sessional orders are reported under the substantive heading "Business of the House" with the subheading "Suspension of Standing/and Sessional Orders". If the motion is successful/unsuccessful use the normal notations "Motion agreed to./ Motion negatived." If the House divides on the question of suspension, use the normal question notation.

---

With a third person motion, always use the shorter notation, on the basis that the suspension is stated in the very next line:

---

See **BILLS** (Forms 24-28) for all suspension motions relating to procedural motions for bills.

---

**SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....**

If during the middle of business standing orders are suspended in some way with respect to that business, show the italic notations and the "Business of the House" heading and "Suspension of Standing/and Sessional Orders" subheading referred to in Explanatory Note 177.

[178A] EXPLANATORY NOTE

NEW SOUTH WALES *HANSARD* FORMS MANUAL

SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....

**SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....**

If during the middle of business standing orders are suspended in some way **both** with respect to that business, **and** with respect to some other business:

---

If standing orders are suspended in relation to business to be dealt with later in the day, use the heading **BUSINESS OF THE HOUSE** and an appropriate subheading, such as **Order of Business** or **Precedence of Business**.

---

**SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....**

If standing orders are suspended in relation **both** to business to be dealt with immediately **and** other business, or in relation only to business to be dealt with immediately use the heading **BUSINESS OF THE HOUSE**.

(See also **BILLS** entries pages 25 and 26).

---

If standing orders are suspended to allow business to be dealt with immediately, but with some variation to the standard procedure, for example, to the number of speakers or their speaking times, use the heading "Business of the House" and the relevant subheading, but show the motion in full:

---

If suspension of standing orders is debated and agreed to and then a substantive motion is moved, use the "Business of the House" heading and the relevant subheading.

---

**SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....**

If a motion in a form similar to the following is moved and agreed to without debate:

**P MACRO**, by leave: I move:

That standing orders and sessional orders be suspended to allow the following motion being moved:

That this House censures the Minister for Health for ...

and the mover then proceeds to move a substantive motion that is identical to the motion referred to in the suspension motion, use this form;

**OR**

if, however, the above suspension motion is debated, the suspension motion is set out in full, followed by debate on that motion and the moving of the substantive motion.

**Note:** If the suspension motion is negatived, the censure debate will not, of course, proceed.

---

**SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....**

Similarly, if the suspension motion is in any way different from the substantive motion—for example, it may contain an additional paragraph to provide for specific time limits on speeches—both the motion for suspension and the substantive motion are set out in full.

If the suspension motion is agreed to without debate;

**OR**

if the suspension motion is resolved after debate:



SUSPENSION OF STANDING AND SESSIONAL ORDERS (continued) .....

Confusion arises in the **Legislative Council** when:

- Leave is sought and granted to suspend standing orders to allow a motion to be moved or a notice of motion to be called on forthwith.
- Standing orders are suspended.
- The motion is moved to allow the business to be called on forthwith.
- That business is called on and a substantive motion is moved.

Hansard will reports the first two steps, including the seeking of leave, under the heading "Business of the House" followed by the motion in step 4, using the substantive heading for that motion, either as a third person motion agreed to on the voices, or as a first person motion that is debated:

Further confusion arises when the substantive motion is interrupted, for example, by question time, and standing/sessional orders require that the first two steps—that is, the suspension of standing orders and the calling on of the motion—be repeated. It is not necessary to move the substantive motion again as once it has been moved, it becomes an order of the day and the moving of the motion in step 3 after any interruption enables the Clerk to call on the order of the day. If that happens, repeat the first two steps as shown opposite, repeat the substantive heading and **Debate resumed from an earlier hour**. If a subheading is involved, note the resumption of the debate after the subheading.

It may be that the Chair will seek the leave of the House to resume the debate at the point it had reached when interrupted. If granted, use the Chair's words.

---

**TABLING OF PAPERS**

**Presiding Officers .....**

The only reports tabled by the Chair that are included in *Hansard* are those of parliamentary committees, the Independent Commission Against Corruption, the Ombudsman and the Auditor-General, and those ordered to be printed.

Reports tabled by the Clerks are shown in the third person. The forms opposite are examples. The precis should reflect the words used by the Chair.

The preferred choice of words in the Legislative Council is "pursuant to" not "in accordance with" as is sometimes announced in the House.

Chair may table;

**OR**

announce receipt of reports. If one report, run on in the body of text. If more than one report, indent names of reports.

When reports, after being tabled, are ordered to be printed, use this notation.

---

If the Chair authorises that a report be made public, use this form:  
(See also page 74 for printing of committee reports.)

---

The Auditor-General makes one report to Parliament, as required by statute, and it may be in a number of volumes. When that report is tabled, it is tabled under the heading **AUDITOR-GENERAL'S REPORT**.

The Audit Office, under the hand of the Auditor-General, makes a number of reports to Parliament throughout the year on specific investigations. These are shown under the heading **AUDIT OFFICE** with the subheading **Report**.

**TABLING OF PAPERS**

**Ministers** .....

Ministers may seek leave to table documents during debate.

---

If the Minister sufficiently identifies the document, use that description.

---

If leave is not granted, note that fact.

Use the member's P Macro if there is a change of speaker after the refusal of leave, otherwise give the continuing speaker a new paragraph only. If there is a change of speaker but that speaker only seeks leave to table further documents and that leave is refused, use the member's U Macro. (See also incorporated material, page 107, and leave, page 131).

---

Members may seek leave to lay documents on the table for the information of other members.

---

The tabling by Ministers of papers not ordered to be printed is not reported. However, should something arise during the tabling of papers procedure, use this form:

---

**Note:** In the Legislative Assembly private members cannot table documents in debate. However, they may seek leave to table documents for the information of members. Ministers can table documents at the times set out in the routine of business or at other times by leave. In the Legislative Council any member can table documents by leave.

If a matter arises that needs to be reported during tabling of papers, use this form. It should appear under the heading **BUSINESS OF THE HOUSE** and the subheading **Routine of Business**.

**TABLING OF PAPERS**

**Ministers [Continued].....**

In the Legislative Council Ministers may table papers that are ordered to be printed. Regardless of whether there is one paper or a number of papers, report the tabling in the same way as they appear in the *Minutes of Proceedings* and documents prepared for use by the Clerks in the House, copies of which are available from the Legislative Council Procedure Office.

Remember that Hansard notes all documents that are ordered to be printed.

**TIME EXPIRED, EXTENSION OF TIME**

See **DEBATE** for notations in relation to expiration of time for speaking and time for debate .....

Under the sessional orders in the **Legislative Assembly** a member may be allowed, on request by him, to continue his speech for a further period not exceeding 10 minutes, such question being put and determined without amendment or debate. If leave is granted, use this notation:

**Note:** Do not put up member's name again. New paragraph.

---

There can be no debate on a motion (S.O. 142A):

That the honourable member for (electorate), Mr [Surname], be allowed to continue his speech for a further period of [number of] minutes.

Though no debate on the motion is allowed, if, say, a point of order follows the motion use this form:

---

When a division is called for on a motion for extension of time.

---

**TIME LIMITS FOR DEBATE**

**Legislative Council**.....

Time limits for debate in the Legislative Council appear opposite.

**TIME LIMITS FOR DEBATE**

**Legislative Assembly**.....

Time limits for the Legislative Assembly appear opposite and on ensuing pages.

**TIME LIMITS FOR DEBATE**

**Legislative Assembly**.....

Time limits for the Legislative Assembly appear opposite and on ensuing pages.

**TIME LIMITS FOR DEBATE**

**Legislative Assembly**.....

Time limits for the Legislative Assembly appear opposite and on ensuing pages.

**TIME LIMITS FOR DEBATE**

**Legislative Assembly**.....

Time limits for the Legislative Assembly appear opposite and on ensuing pages.

**UNUSUAL HAPPENINGS**

Sometimes an unusual event occurs in the House. For example, on 13 November 1918 both Houses noted the armistice with Germany and members joined in singing a number of anthems. For the sake of interest, these proceedings are replicated in this form:

---

On 19 September 1996 a number of members joined the Hon. Jennifer Gardiner in singing the theme song for the Sydney Swans Australian Football League team, as replicated opposite:

**VARIATIONS OF PAYMENTS ESTIMATES**

The Minister representing the Treasurer in the lower House may table variation of payments estimates. These are reported as appears opposite.

**WITHDRAWAL OF BUSINESS**

Use this form for the withdrawal of private members' business, under the heading **BUSINESS OF THE HOUSE**.

**Note:** The member may use the following form of words:

**The Hon. JOHN RYAN:** I withdraw Private Members; Business item No. 7, inside the order of precedence standing in my name on the notice paper for today relating to the annual report of the Independent Commission Against Corruption for the year ended 30 June 2003.